

**U.S. Department of Justice**  
Office of Justice Programs  
*Office of Juvenile Justice and Delinquency Prevention*



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## **OJJDP FY 2020 Juvenile Justice and Mental Health Collaboration Program FY 2020 Competitive Grant Solicitation**

**CFDA #16.745**

**Grants.gov Solicitation Number:** OJJDP-2020-17927

**Solicitation Release Date:** March 4, 2020

**Application Deadline:** 11:59 p.m. eastern time (ET) on May 4, 2020

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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Office of Juvenile Justice and Delinquency Prevention](#) (OJJDP) is seeking applications for funding for the Juvenile Justice and Mental Health Collaboration Program. This program furthers the Department's mission by supporting juvenile justice and mental health agency partnerships as they develop and implement coordinated programs that reduce crime and recidivism associated with youth mental illness and/or co-occurring disorders.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants on how to prepare and submit applications for funding to OJP. If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.

### **Eligibility** (Who may apply):

The following entities are eligible to apply—

- states,
- units of local government, and
- federally recognized Indian tribal governments.

**OJJDP will only accept applications that demonstrate that the proposed project will be administered jointly by an agency with responsibility for juvenile justice activities (“juvenile justice agency”)(which may include a mental health court) and a mental health agency.**

A juvenile justice agency, for purposes of this solicitation, is an agency of a state or local government or its contracted agency that is responsible for detection, arrest, enforcement, prosecution, defense, adjudication, incarceration, probation, or parole relating to the violation of

the criminal laws of that state or local government. See 34 USC 10651(a)(3). A “mental health agency” is an agency of state or local government or its contracted agency that is responsible for mental health services or co-occurring mental health and substance abuse services. See 34 USC 10651(a)(5). A substance abuse treatment agency is considered eligible as a mental health agency if that agency provides services to individuals with co-occurring mental illness and substance abuse.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

### Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800–518–4726 or 606–545–5035, at <https://www.grants.gov/web/grants/support.html>, or at [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the National Criminal Justice Reference Service Response Center (Response Center) at [grants@ncjrs.gov](mailto:grants@ncjrs.gov) **within 24 hours after the application deadline** to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under “Experiencing Unforeseen Grants.gov Technical Issues” in the How To Apply (Grants.gov) section in the [OJP Grant Application Resource Guide](#).

For assistance with any other requirements of this solicitation, contact the Response Center by telephone at 800–851–3420 or TTY: 301–240–6310 (hearing impaired only) or by email at [grants@ncjrs.gov](mailto:grants@ncjrs.gov). Response Center hours of operation are 10 a.m. to 6 p.m. ET, Monday through Friday, and 10 a.m. to 8 p.m. ET on the solicitation close date. General information on applying for OJJDP awards can be found at <https://www.ojjdp.gov/funding/funding.html>. Answers to frequently asked questions that may assist applicants are posted at <https://ojjdp.ojp.gov/sites/g/files/xyckuh176/files/media/document/ojjdp-2020-17927-faqs.pdf>.

A solicitation webinar will be held on **March 25, 2020 at 2p.m. ET**. This webinar will provide a detailed overview of the solicitation and allow an opportunity for interested applicants to ask questions. Preregistration is required for all participants. Register by clicking [here](#) and following the instructions. Due to the limited time, OJJDP encourages participants to review the solicitation and submit any questions they may have in advance and no later than 3 days prior. Submit your questions to [grants@ncjrs.gov](mailto:grants@ncjrs.gov) with the subject as “Questions for OJJDP FY 2020 Juvenile Justice and Mental Health Collaboration Program Webinar.” After the webinar, you will find the webinar recording uploaded [here](#).

### Deadline Details

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time (ET) on May 4, 2020.

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, 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.

An applicant must use the **Add Attachment** button to attach a file to its application. Do not click the paperclip icon to attach files. This action will not attach the files to the application. After adding an attachment, select the **View Attachment** button to confirm you attached the correct file. To remove the file, select the **Delete Attachment** button.

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

For additional information, see the “How to Apply (Grants.gov)” section in the [OJP Grant Application Resource Guide](#).

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# OJJDP FY 2020 Juvenile Justice and Mental Health Collaboration Program

## CFDA #16.745

### A. Program Description

#### Overview

The Juvenile Justice and Mental Health Collaboration Program (JJMHCP) supports cross-system collaboration to improve responses and outcomes for youth with mental illness (MI) or co-occurring MI and substance abuse (CMISA) who come into contact with the juvenile justice system. This program supports public safety efforts through partnerships with juvenile justice, mental health and substance abuse agencies to enhance responses to justice-involved youth with MI and CMISA.

**Statutory Authority:** This program is authorized at 34 USC 10651(b).

#### Program-Specific Information

The JJMHCP supports proposals to develop and implement a cross-system collaborative approach to improve responses and outcomes for youth with MI and CMISA who come into contact with the juvenile justice system.

Per the authorizing statute, grants awarded under this program shall be used to create or expand:

- Mental health courts or other court-based programs serving youth.
- Programs that offer specialized training to officers, employees of a juvenile justice agency, and mental health personnel in order to better respond to youth with MI or CMISA.
- Programs that support the collaborative efforts of juvenile justice and mental health agencies to promote public safety by offering mental health treatment services and, where appropriate, substance abuse treatment services, for youth with MI or CMISA.
- Programs that support intergovernmental cooperation between state and local governments to address enhanced support to youth with MI or CMISA.

#### Goals, Objectives, and Deliverables

The goal of this program is to increase public safety by facilitating cross-system collaboration among juvenile justice, mental health, and substance abuse agencies to improve responses and outcomes for justice-involved youth with MI and CMISA.

This program requires a two-phase process consisting of planning and implementation activities, during which grantees will develop a coordinated approach to implementing or enhancing services for justice-involved youth with MI and CMISA. Applicants must submit one application that details the proposed activities for a Planning Phase and an Implementation Phase.

The Planning Phase will be for a period of up to 4-6 months. The Implementation Phase will begin once the grantee has met the requirements of the Planning Phase and will continue for the remaining time on the grant. Applicants must demonstrate that at least one juvenile justice agency and one mental health agency will participate in the administration of the program.

### **Phase 1: Planning**

OJJDP will allow 4 to 6 months for a Planning Phase to begin after the grantee receives OJP budget approval. Up to \$50,000 of grant funds may be used to support the Planning Phase. Applicants should identify in their application specific planning activities that support the implementation of their proposed program.

In order for a grantee to access Phase 2: Implementation funding, grantees will be required to work with OJJDP to demonstrate the completion of all proposed planning activities. Once a grantee is awarded funds, OJJDP will guide them through the process and will also provide no-cost training and technical assistance to support this phase.

### **Phase 2: Implementation**

Upon OJJDP's approval of the completion of Phase 1: Planning proposed activities, the grantee will be authorized to spend remaining grant funds on implementation activities. Grant funds may be used to support a combination of the areas detailed on page 5 or be concentrated on one specific area.

Applicants must describe the responsibilities of each participating agency during Phase 2: Implementation, including how the agency will use grant resources to provide supervision of justice-involved youth and jointly ensure that the provision of mental health treatment services and substance abuse services for youth with MI and CMISA are coordinated, which may range from consultation or collaboration to integration in a single setting or treatment model. Proposals from a unit of local government must document that a state mental health authority has provided comment and review.

Applicants must describe the population with MI or CMISA that will be targeted for the collaboration program. Applicants will be expected to develop guidelines to be used by personnel of a juvenile justice agency to identify eligible youth for the program.

Applicants must describe how the services listed below, if applicable to the proposed program, would be addressed per the authorizing statute:

- Ensure youth with MI or CMISA receive individualized, validated, needs-based assessments to determine, plan, and coordinate appropriate services.
- Develop plans for making treatment services available and accessible to youth with MI or CMISA at the time of their release from the juvenile justice system.
- Determine eligibility for federal benefits for youth with MI or CMISA involved in the juvenile justice system.
- Ensure youth with MI or CMISA have adequate supervision and access to effective and appropriate community-based mental health services.
- Make available other support services for youth with MI or CMISA to ensure successful reintegration into the community (such as housing, education, job placement, mentoring, and healthcare and benefits).
- Consider strategies, to the extent possible, to address developmental and learning disabilities and problems arising from a documented history of physical or sexual abuse.

In addition, applicants must ensure the following, if applicable to the proposed program, per the authorizing statute:

- Prompt access to defense counsel by justice-involved youth with mental illness who are facing charges that would trigger a constitutional right to counsel.
- Applicants proposing to implement a state plan must describe how the juvenile collaboration program relates to existing state juvenile justice and mental health plans and programs.
- Demonstrate, to the extent practicable, that preliminarily qualified justice-involved youth, families and advocates of justice-involved youth, and advocates for victims of crime were involved in developing the grant application.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under [What an Application Should Include](#).

### **Program-Specific Priority Areas**

In FY 2020, and in addition to executing any OJP policy prioritization that may be applicable, priority consideration will be given to applications as follows:

- Promote effective strategies by law enforcement to identify and reduce risk of harm for youth with MI or CMSIA.
- Promote effective strategies for identification and treatment of juvenile-involved female youth with MI and CMSIA.
- Promote effective strategies to expand the use of mental health courts, including use of pretrial services and related treatment programs for justice-involved youth.
- Propose interventions that have been shown by empirical evidence to reduce recidivism.
- When appropriate, use validated assessment tools to target justice-involved youth with a moderate or high risk of recidivism and a need for treatment services.

To receive priority consideration under the above priorities, applicants must identify in the program narrative the program-specific priority area or areas the applicant is seeking priority consideration for by describing the issue the program-specific area will address and how the applicant will implement the program-specific area.

### **OJP Policy Priority Areas**

In FY 2020, and in addition to executing any program-specific prioritization that may be applicable, OJP will give priority consideration to applications as follows:

- Applications from federally-recognized tribes.
- Applications that address specific challenges that rural communities face.
- Applications that demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent-poverty counties.
- Applications that offer enhancements to public safety in economically distressed communities (Qualified Opportunity Zones).

- Where the application is from a State or local government entity that operates at least one correctional facility (as defined at 34 U.S.C. 10251(a)(7)), applications that go to enhancing criminal justice and public safety by indicating agreement to comply with award conditions related to cooperation with federal law enforcement, as set forth in Appendix B.

To receive priority consideration under the rural priority, applicants must describe what makes the geographic service area rural (using U.S. Census or other appropriate government data; for assistance, applicants may wish to refer to <https://www.census.gov/programs-surveys/geography/guidance/geo-areas/urban-rural.html>), how isolated the area is from needed services, and how they will address specific challenges in rural communities.

To receive priority consideration under the poverty priority, the applicant must provide information to demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent poverty counties. For purposes of this priority consideration, the term “high-poverty area” means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau (applicants may search by census tract at <https://www.census.gov/acs/www/data/data-tables-and-tools/narrative-profiles/2017/>) and the term “persistent poverty counties” means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates (applicants may search by county at <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> and at <https://www.census.gov/programs-surveys/saipe.html>).

To receive priority consideration under the Qualified Opportunity Zones priority, applicants must include information that specifies how the project will enhance public safety in the specified QOZs. For resources on QOZs, and for a current list of designated QOZs, see the U.S. Department of the Treasury’s resource webpage, accessible at <https://www.cdfifund.gov/pages/opportunity-zones.aspx>.

To receive priority consideration for enhancing criminal justice and public safety by agreeing to comply with award conditions related to cooperation with federal law enforcement, applicants must sign and submit the certification provided in Appendix B.

OJP Policy priority consideration will consist of receiving additional points in the application scoring process. Receipt of priority consideration does not guarantee that an application will be funded; nor will the failure to receive priority consideration necessarily mean that an application will not be funded.

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

OJP strongly emphasizes the use of data and evidence in policymaking and program development in criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).



## Information Regarding Potential Evaluation of Programs and Activities

Applicants should note that OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section titled “Information Regarding Potential Evaluation of Programs and Activities.”

## B. Federal Award Information

Maximum number of awards OJJDP expects to make	6
Estimated maximum dollar amount for each award	\$750,000
Total amount anticipated to be awarded under solicitation	\$5,000,000
Period of performance start date	October 1, 2020
Period of performance duration	Up to 36 months

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

OJJDP expects to make awards under this solicitation as grants. See the “Administrative, National Policy, and Other Legal Requirements” section of the [OJP Grant Application Resource Guide](#) for additional information.

### Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements<sup>1</sup> as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

### Budget Information

Applicants should structure their budgets to allocate a portion of the budget (up to \$50,000 of the total grant award) to complete Phase 1: Planning within 4 to 6 months of receiving final OJP approval of the project budget. The applicant will need to clearly identify which budget line items are planning costs. Program budget approval and coordination with OJJDP and a technical assistance coordinator are required to complete Phase 1.

Please note that while applicants will be required to submit the entire 36-month project period proposed budget at the time of application submission, applicants may have the opportunity to revise their budget based on any outcomes from the Planning Phase.

### Cost Sharing or Match Requirement

This solicitation requires a **cash or in-kind match**. See the [OJP Grant Application Resource Guide](#) for additional information on this match requirement. **Federal funds awarded under this solicitation may not cover more than 80 percent of the total costs of the project for years 1 and 2, and 60 percent of the total costs of the project for project year 3.**

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

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<sup>1</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.

[Pre-agreement Costs \(also known as Pre-award Costs\)](#)  
[Limitation on Use of Award Funds for Employee Compensation; Waiver](#)  
[Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs](#)  
[Costs Associated with Language Assistance \(if applicable\)](#)

## C. Eligibility Information

For eligibility information, see the title page.

For information on cost sharing or match requirements, see [Cost Sharing or Match Requirement](#).

## D. Application and Submission Information

### What an Application Should Include

The following application elements **MUST** be included in the application submission for an application to meet the basic minimum requirements (BMR) to advance to peer review and receive consideration for funding: Program Narrative and Budget Detail Worksheet (including Budget Narrative).

See the “Application Elements and Formatting Instructions” section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all of the specified elements or that is nonresponsive to the scope of the solicitation.

### 1. Application for Federal Assistance (Standard Form (SF)-424)

The SF-424 is a required standard form used as a cover sheet for submission of preapplications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

**Intergovernmental Review:** This solicitation (“funding opportunity”) **is not** subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the “Program is not covered by E.O. 12372.”)

### 2. Project Abstract

Include a project abstract that summarizes the proposed project in no more than 400 words. 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 Times New Roman font with 1-inch margins.

In addition, the abstract should:

- Identify if a priority consideration will be addressed in the application (priority considerations are addressed on page 7).

- Include the names of the lead applicant and the partner applicant (justice and mental health agencies); if applicable, the target population and the proposed number of youth the applicant plans to serve; the jurisdiction's population and demographic characteristics; a brief description of how the applicant plans to address the problem; and the amount of federal funding requested.
- Include a list of proposed subcontractors, if applicable.

### 3. Program Narrative

Applicants must submit a program narrative that presents a detailed description of the purpose, goals, objectives, strategies, design, and management of the proposed program. The program narrative should be double-spaced with 1-inch margins, not exceeding 30 pages of 8½ by 11 inches, and use a standard 12-point Times New Roman font. Pages should be numbered "1 of 30," etc. The tables, charts, pictures, etc., including all captions, legends, keys, subtext, etc., may be single-spaced and will count in the 30-page limit. Material required under the Budget and Budget Narrative and Additional Attachments sections will not count toward the program narrative page count. Applicants may provide bibliographical references as a separate attachment that will not count toward the 30-page program narrative limit. If the program narrative fails to comply with these length-related restrictions, OJJDP may negatively consider such noncompliance in peer review and in final award decisions.

The program narrative should address the following selection criteria: (1) description of the issue, (2) project design and implementation, (3) capabilities and competencies, and (4) plan for collecting the data required for this solicitation's performance measures. The applicant should clearly delineate the connections between and among each of these sections. For example, the applicant should derive the goals and objectives directly from the problems to be addressed. Similarly, the project design section should clearly explain how the program's structure and activities will accomplish the goals and objectives identified in the previous section.

The following sections should be included as part of the program narrative:

- a. **Description of the Issue.** Applicants should briefly describe the nature and scope of the problem that the program will address. The applicant should use data to provide evidence that the problem exists, demonstrate the size and scope of the problem, and document the effects of the problem on the target population and the larger community. Any data or research referenced in the narrative should include information about the source of the data and/or a citation. Applicants should describe the target population and any previous or current attempts to address the problem.

Applicants should describe any research or evaluation studies that relate to the problem and contribute to their understanding of its causes and potential solutions. While OJJDP expects applicants to review the research literature for relevant studies, they should also explore whether unpublished local sources of research or evaluation data are available.

- b. **Project Design and Implementation.** Applicants should detail how the project will operate throughout the funding period and describe the strategies that they will use to achieve the goals and objectives identified in the previous section. Applicants should describe how they will complete the deliverables stated in the Goals, Objectives, and

Deliverables section on page 5. OJJDP encourages applicants to select evidence-based practices for their programs.

This section should also include details regarding any leveraged resources (cash or in-kind) from local sources to support the project and discuss plans for sustainability beyond the grant period.

**Timeline.** Applicants should submit a realistic timeline or milestone chart that indicates major tasks associated with the goals and objectives of the project, assigns responsibility for each, and plots completion of each task by month or quarter for the duration of the award, using “Year 1,” “Month 1,” “Quarter 1,” etc., not calendar dates (see “Sample Project Timelines” [here](#)).

Applicants should submit the timeline as a separate attachment, as stipulated in Additional Attachments, page 14. On receipt of an award, the recipient may revise the timeline, based on training and technical assistance that OJJDP will provide.

- c. **Capabilities and Competencies.** This section should describe the experience and capability of the applicant organization and any contractors or subgrantees that the applicant will use to implement and manage this effort and its associated federal funding, highlighting any previous experience implementing projects of similar design or magnitude. Applicants should highlight their experience/capability/capacity to manage subawards, including details on their system for fiscal accountability. Management and staffing patterns should be clearly connected to the project design described in the previous section. Applicants should describe the roles and responsibilities of project staff and explain the program’s organizational structure and operations. Applicants should include a copy of an organizational chart showing how the organization operates, including who manages the finances; how the organization manages subawards, if there are any; and the management of the project proposed for funding.

**Letters of Intent and/or Memoranda of Understanding.** Applicants are required to submit a joint application, documenting that at least one juvenile justice agency (which can include a mental health court) and one mental health agency will participate in the administration of the collaboration program. Applications must include signed and dated letters of support, letters of intent, or memoranda of understanding for all key partners that include the following:

- Expression of support for the program and a statement of willingness to participate and collaborate with it.
- Description of the partner’s current role and responsibilities in the planning process and expected responsibilities when the program is operational.
- Estimate of the percentage of time that the partner will devote to the planning and operation of the project.

Letters of support may be addressed to the OJJDP Administrator. Only letters of support that are submitted by the due date and with the full application will be considered during the review process.

- d. **Plan for Collecting the Data Required for This Solicitation's Performance Measures.** OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under "[Goals, Objectives, and Deliverables](#)."

Applicants should visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) for an overview of performance measurement activities at OJP.

Award recipients will be required to provide the relevant data by submitting semi-annual performance metrics through OJJDP's online Performance Measurement Tool (PMT), located at <https://ojpsso.ojp.gov/>. Applicants should review the complete list of performance measures for this solicitation here: [Fiscal Year 2020 Juvenile Justice and Mental Health Collaboration Program \(JMHCPC\)](#).

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

OJJDP will require award recipients to submit semiannual performance metrics of relevant data through the [Data Reporting Tool](#).

#### **Note on Project Evaluations**

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should follow the guidance under Note on Project Evaluations in the [OJP Grant Application Resource Guide](#).

4. [Budget Information and Associated Documentation](#) in the "Budget Preparation and Submission Information" section.
5. [Indirect Cost Rate Agreement](#)
6. [Tribal Authorizing Resolution](#) (if applicable)
7. [Financial Management and System of Internal Controls Questionnaire](#) (including applicant disclosure of high-risk status)
8. [Disclosure of Lobbying Activities](#)
9. [Applicant Disclosure of Pending Applications](#)

10. [Applicant Disclosure and Justification – DOJ High-Risk Grantees<sup>2</sup> \(if applicable\)](#)

11. [Research and Evaluation Independence and Integrity](#)

12. **Disclosure of Process Related to Executive Compensation**

13. **Additional Attachments**

**a. Documentation of Rural Challenges (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to applications that address specific challenges that rural communities face. Each applicant proposing to receive priority consideration under the rural priority should provide a sufficient narrative to include what makes the geographic service area rural (using U.S. Census or other appropriate government data), how isolated the area is from needed services, and how it will address specific challenges in rural communities.

**b. Documentation of High-Poverty Areas or Persistent-Poverty Counties (if applicable)**

As mentioned above, OJP will give priority consideration in award decisions to applications that demonstrate that the individuals who will benefit from the requested grant reside in high-poverty areas or persistent-poverty counties as defined above. Each applicant proposing to receive consideration under the High-Poverty Areas or Persistent Poverty Counties priority should provide a sufficient narrative explanation to identify each specific High-Poverty Area (by census tract number(s)) and/or each specific Persistent-Poverty County where individuals are intended to benefit from the requested grant and how the requested grant will address specific challenges in each such identified area and/or county.

**c. Documentation of Enhanced Public Safety in Qualified Opportunity Zones (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to designated Qualified Opportunity Zones (QOZs). Each applicant proposing to receive priority consideration under the under the Qualified Opportunity Zones priority should provide a sufficient narrative explanation in order for OJP to identify clearly the public safety benefit the applicant anticipates that its project will have on a specified QOZ(s). The narrative and the list of affected QOZs (by census tract number) must be included as an attachment that is clearly labeled as addressing QOZs. The applicant may also include tables, charts, graphs, or other relevant illustrations that may be useful in comprehending the manner in which the proposed project is anticipated to benefit a QOZ(s).

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<sup>2</sup> A “DOJ High-Risk Grantee” is a recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

d. **Certification Regarding Enhancing Criminal Justice and Public Safety through Cooperation with Federal Law Enforcement (if applicable)**

As is mentioned above, OJP will give priority consideration in award decisions to State or local government entity applicants that operate at least one correctional facility (as defined at 34 U.S.C. 10251(a)(7)), and agree to comply with award conditions related to cooperation with federal law enforcement, as set forth in Appendix B. Each such applicant proposing to receive priority consideration for such cooperation with federal law enforcement must sign and submit the certification provided in Appendix B.

- e. Timeline or milestone chart (see page 12).
- f. Résumés of all key personnel.
- g. Job descriptions outlining roles and responsibilities for all key positions.
- h. Letters of support and/or memoranda of understanding from partner organizations.

**How To Apply (Grants.gov)**

Applicants must register in and submit applications through [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find information on how to apply in response to this solicitation in the [OJP Grant Application Resource Guide](#).

**Registration and Submission Steps**

Applicants will need the following identifying information when searching for the funding opportunity on Grants.gov.

- 16.745, Criminal and Juvenile Justice and Mental Health Collaboration Program
- OJJDP-2020-17927

For information on each registration and submission step, see the [OJP Grant Application Resource Guide](#).

**E. Application Review Information**

**Review Criteria**

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria.

1. Description of the Issue (10%)
2. Project Design and Implementation (45%)
3. Capabilities and Competencies (25%)
4. Plan for Collecting the Data Required for This Solicitation's Performance Measures (10%)
5. Budget (10%): complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives must demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget narratives must demonstrate cost effectiveness in relation to potential alternatives and the goals of

the project.<sup>3</sup> Federal funds awarded under this solicitation may not cover more than 80 percent of the total costs of the project for years 1 and 2, and 60 percent of the total costs of the project for project for year 3. An applicant must identify the source of the nonfederal portion of the total project costs and how it will use match funds. It is recommended that the budget clearly identify activities proposed in the Planning Phase and Implementation Phase.

## **Review Process**

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

The following five paragraphs in this solicitation expressly modify the “Application Review Information” provisions in the OJP Grant Application Resource Guide. An applicant is to follow the guidance in these five paragraphs instead of the guidance stated under the “Application Review Information” heading in the Guide

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 necessary to meet the basic minimum requirements.

For a list of the application elements that **MUST** be included in the application submission in order for an application to meet the basic minimum requirements, see “What an Application Should Include” under Section D. Application and Submission Information.

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. OJJDP 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 OJJDP include geographic diversity, strategic (programmatic and policy) priorities (specifically including, but not limited to, those mentioned above relating to addressing specific challenges that rural communities face, addressing specific challenges presented by poverty, demonstrable potential enhancement to public safety in one or more federally designated Qualified Opportunity Zones, and enhancing criminal justice and public safety through award conditions regarding cooperation with federal law enforcement), available funding, and the extent to which the Budget Detail Worksheet and Budget Narrative accurately

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<sup>3</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.



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 the applicant. 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 the System for Award Management (SAM) as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the nonpublic segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

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

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 OJJDP recommendations, but also other factors as indicated in this section.

## **F. Federal Award Administration Information**

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

### **Federal Award Notices**

#### **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 and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance).

For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

### **Information Technology (IT) Security Clauses**

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

In addition to the deliverables described in [Goals, Objectives, and Deliverables](#), any recipient of an award under this solicitation will be required to submit certain 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.)

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measures data.

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

For OJP contact(s), see page 2.

For contact information for Grants.gov, see page 2.

## **H. Other Information**

Please see the [OJP Grant Application Resource Guide](#) for information on the following:

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

[Provide Feedback to OJP](#)

## Appendix A: Application Checklist

### OJJDP FY 2020 Juvenile Justice and Mental Health Collaboration Program

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 D-U-N-S Number (see [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

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

- Acquire AOR and Grants.gov username/password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Biz POC (see [OJP Grant Application Resource Guide](#))

##### *To Find Funding Opportunity:*

- Search for the Funding Opportunity on Grants.gov (see page 15)
- Access Funding Opportunity and Application Package (see [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- 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](#) (see [OJP Grant Application Resource Guide](#))

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

- (1) Application has been received
- (2) Application has either been successfully validated or rejected with errors (see [OJP Grant Application Resource Guide](#))

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

- Contact the Response Center regarding experiencing technical difficulties (see [OJP Grant Application Resource Guide](#))

#### Overview of Post-Award Legal Requirements:

- Review the ["Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2020 Awards"](#) in the [OJP Funding Resource Center](#).

#### Scope Requirement:

- The federal amount requested is within the allowable limit(s) of \$750,000.

**Eligibility Requirement:** See title page.

## What an Application Should Include:

The following items are critical application elements required to pass basic minimum requirements review. An application that OJP determines does not include the application elements that must be included in the application submission in order for the application to meet the basic minimum requirements will neither proceed to peer review nor receive further consideration.

- Program Narrative (see page 11)
  - Budget Detail Worksheet (including Narrative) (see [OJP Grant Application Resource Guide](#))
- 
- Application for Federal Assistance (SF-424) (see [OJP Grant Application Resource Guide](#))
  - Project Abstract (see page 10)
  - Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
  - Tribal Authorizing Resolution (if applicable) (see [OJP Application Resource Guide](#))
  - Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
  - [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
  - Applicant Disclosure of Pending Applications (see [OJP Grant Application Resource Guide](#))
  - Applicant Disclosure and Justification – DOJ High-Risk Grantees (see [OJP Grant Application Resource Guide](#))
  - Research and Evaluation Independence and Integrity (see [OJP Grant Application Resource Guide](#))
  - Disclosure of Process Related to Executive Compensation (see [OJP Grant Application Resource Guide](#))
  - Request and Justification for Employee Compensation; Waiver (if applicable) (see [OJP Grant Application Resource Guide](#))
- Additional Attachments: (See page 14)
- Documentation of rural challenges (if applicable)
  - Documentation of challenges related to poverty (if applicable)

- Documentation of enhanced public safety in federally designated Qualified Opportunity Zones (if applicable)
- Certifications regarding enhancing criminal justice and public safety through award conditions on cooperation with federal law enforcement (if applicable)
- Timeline or milestone chart
- Résumés of all key personnel
- Job descriptions outlining roles and responsibilities for all key positions
- Letters of intent and/or memoranda of understanding documenting that at least one juvenile justice agency (which can include a mental health court) and one mental health agency will participate in the administration of the collaboration program.
- Letters of support and/or memoranda of understanding from partner organizations

## Appendix B

### Certification regarding Cooperation with Federal Law Enforcement

I am an authorized official of the State or local government applicant entity named below and I have the authority to make this certification on behalf of the applicant. I understand that the Department will rely upon this certification as a material representation in any decision regarding an award to the applicant. On behalf of the State or local government applicant named below, and in order to receive priority consideration for its application, I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), the following:

1. The State or local government applicant entity named below operates at least one correctional facility (that is, operates at least one "*place for the confinement or rehabilitation of offenders or individuals charged with or convicted of criminal offenses*" (34 U.S.C. 10251(a)(7))).
2. The applicant agrees to comply with the following four award conditions (or conditions substantially to the same effect) if it is selected to receive an award made by OJP under this solicitation:

#### **CONDITION 1: Noninterference (within the funded "program or activity") with federal law enforcement: Interrogation of certain aliens**

SCOPE. This condition applies with respect to the "program or activity" that is funded (in whole or in part) by this award, as of the date the recipient accepts this award, and throughout the remainder of the period of performance for the award. Its provisions must be among those included in any subaward (at any tier).

##### 1. Noninterference with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 U.S.C. 1357(a), under which certain federal officers and employees "have power without warrant ... to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States," and 8 C.F.R. 287.5(a), under which that power may be exercised "anywhere in or outside the United States" -- within the funded program or activity, no State or local government entity, -agency, or -official may interfere with the exercise of that power to interrogate "without warrant" (by agents of the United States acting under color of federal law) by impeding access to any State or local government (or government-contracted) correctional facility by such agents for the purpose of "interrogat[ing] any alien or person believed to be an alien as to his [or her] right to be or to remain in the United States."

## 2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

## 3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

## 4. Rules of construction

A. For purposes of this condition:

(1) The term "alien" means what it means under section 101 of the Immigration and Nationality Act (INA) (see 8 U.S.C. 1101(a)(3)), except that, with respect to a juvenile offender, it means "criminal alien."

(2) The term "juvenile offender" means what it means under 28 C.F.R. 31.304(f) (as in effect on Jan. 1, 2020).

(3) The term "criminal alien" means, with respect to a juvenile offender, an alien who is deportable on the basis of—

(a) conviction described in section 237(a)(2) of the INA (see 8 U.S.C. 1227(a)(2)), or

(b) conduct described in section 237(a)(4) of the INA (see 8 U.S.C. 1227(a)(4)).

(4) The term "conviction" means what it means under section 101 of the INA (see 8 U.S.C. 1101(a)(48)). (Adjudication of a juvenile as having committed an offense does not constitute "conviction" for purposes of this condition.)

(5) The term "correctional facility" means what it means under the title I of the Omnibus Crime Control and Safe Streets Act of 1968 (see 34 U.S.C. 10251(a)(7)) as of January 1, 2020.

(6) The term "impede" includes taking or continuing any action, or implementing or maintaining any law, policy, rule, or practice, that—

(a) is designed to prevent or to significantly delay or complicate, or

(b) has the effect of preventing or of significantly delaying or complicating.

(7) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.

(8) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(9) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

**CONDITION 2: No use of funds to interfere with federal law enforcement: Interrogation of certain aliens**

SCOPE. This condition applies as of the date the recipient accepts this award, and throughout the remainder of the period of performance for the award. Its provisions must be among those included in any subaward (at any tier).



## 1. No use of funds to interfere with statutory law enforcement access to correctional facilities

Consonant with federal law enforcement statutes and regulations -- including 8 U.S.C. 1357(a), under which certain federal officers and employees "have power without warrant ... to interrogate any alien or person believed to be an alien as to his right to be or to remain in the United States," and 8 C.F.R. 287.5(a), under which that power may be exercised "anywhere in or outside the United States" -- no State or local government entity, -agency, or -official may use funds under this award to interfere with the exercise of that power to interrogate "without warrant" (by agents of the United States acting under color of federal law) by impeding access to any State or local government (or government-contracted) correctional facility by such agents for the purpose of "interrogat[ing] any alien or person believed to be an alien as to his [or her] right to be or to remain in the United States."

## 2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

## 3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

## 4. Rules of construction

### A. For purposes of this condition:

(1) The term "alien" means what it means under section 101 of the Immigration and Nationality Act (INA) (see 8 U.S.C. 1101(a)(3)), except that, with respect to a juvenile offender, it means "criminal alien."

(2) The term "juvenile offender" means what it means under 28 C.F.R. 31.304(f) (as in effect on Jan. 1, 2020).

(3) The term "criminal alien" means, with respect to a juvenile offender, an alien who is deportable on the basis of—

(a) conviction described in section 237(a)(2) of the INA (see 8 U.S.C. 1227(a)(2)), or

(b) conduct described in section 237(a)(4) of the INA (see 8 U.S.C. 1227(a)(4)).

(4) The term "conviction" means what it means under section 101 of the INA (see 8 U.S.C. 1101(a)(48)). (Adjudication of a juvenile as having committed an offense does not constitute "conviction" for purposes of this condition.)

(5) The term "correctional facility" means what it means under the title I of the Omnibus Crime Control and Safe Streets Act of 1968 (see 34 U.S.C. 10251(a)(7)).

(6) The term "impede" includes taking or continuing any action, or implementing or maintaining any law, policy, rule, or practice, that—

(a) is designed to prevent or to significantly delay or complicate, or

(b) has the effect of preventing or of significantly delaying or complicating.

(7) "State" and "local government" include any agency or other entity thereof (including any public institution of higher education), but not any Indian tribe.

(8) A "public" institution of higher education is defined as one that is owned, controlled, or directly funded (in whole or in substantial part) by a State or local government. (Such a public institution is considered to be a "government entity," and its officials to be "government officials.")

(9) "Program or activity" means what it means under title VI of the Civil Rights Act of 1964 (see 42 U.S.C. 2000d-4a).

B. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, any public institution of higher education, or any other entity (or individual) to violate any federal law, including any applicable civil rights or nondiscrimination law.

IMPORTANT NOTE: Any questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

**CONDITION 3: Noninterference (within the funded "program or activity") with federal law enforcement: Notice of scheduled release**

SCOPE. This condition applies with respect to the "program or activity" that is funded (in whole or in part) by the award, as of the date the recipient accepts the award, and throughout the remainder of the period of performance. Its provisions must be among those included in any subaward at any tier.

1. Noninterference with "removal" process: Notice of scheduled release date and time

Consonant with federal law enforcement statutes -- including 8 U.S.C. 1231 (for an alien incarcerated by a State or local government, a 90-day "removal period" during which the federal government "shall" detain and then "shall" remove an alien from the U.S. "begins" no later than "the date the alien is released from ... confinement"; also, the federal government is expressly authorized to make payments to a "State or a political subdivision of the State ... with respect to the incarceration of [an] undocumented criminal alien"); 8 U.S.C. 1226 (the federal government "shall take into custody" certain criminal aliens "when the alien is released"); and 8 U.S.C. 1366 (requiring an annual report to Congress on "the number of illegal alien[ felons] in Federal and State prisons" and programs underway "to ensure the prompt removal" from the U.S. of removable "criminal aliens") -- within the funded program or activity, no State or local government entity, -agency, or -official (including a government-contracted correctional facility) may interfere with the "removal" process by failing to provide -- as early as practicable (see para. 4.C. below) -- advance notice to DHS of the scheduled release date and time for a particular alien, if a State or local government (or government-contracted) correctional facility receives from DHS a formal written request pursuant to the INA that seeks such advance notice.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

### 3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

### 4. Rules of construction

A. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, or any other entity or individual to maintain (or detain) any individual in custody beyond the date and time the individual otherwise would have been released.

#### B. Applicability

(1) Current DHS practice is ordinarily to request advance notice of scheduled release "as early as practicable (at least 48 hours, if possible)." (See DHS Form I-247A (3/17)). If (e.g., in light of the date DHS made such request) the scheduled release date and time for an alien are such as not to allow for the advance notice that DHS has requested, it shall NOT be a violation of this condition to provide only as much advance notice as practicable.

(2) Current DHS practice is to use the same form for a second, distinct purpose -- to request that an individual be detained for up to 48 hours AFTER the scheduled release. This condition does NOT encompass such DHS requests for detention.

C. Both the "Rules of Construction" and the "Important Note" set out in the "Noninterference (within the funded "program or activity") with federal law enforcement: Interrogation of certain aliens" award condition are incorporated by reference as though set forth here in full.

#### **CONDITION 4: No use of funds to interfere with federal law enforcement: Notice of scheduled release**

SCOPE. This condition applies as of the date the recipient accepts the award, and throughout the remainder of the period of performance. Its provisions must be among those included in any subaward at any tier.

##### 1. No use of funds to interfere with "removal" process: Notice of scheduled release date and time

Consonant with federal law enforcement statutes -- including 8 U.S.C. 1231 (for an alien incarcerated by a State or local government, a 90-day "removal period" during which the federal government "shall" detain and then "shall" remove an alien from the U.S. "begins" no later than "the date the alien is released from ... confinement"; also, the federal government is expressly authorized to make payments to a "State or a political subdivision of the State ... with respect to the incarceration of [an] undocumented criminal alien"); 8 U.S.C. 1226 (the federal government "shall take into custody" certain criminal aliens "when the alien is released"); and 8 U.S.C. 1366 (requiring an annual report to Congress on "the number of illegal alien[ felons] in Federal and State prisons" and programs underway "to ensure the prompt removal" from the U.S. of removable "criminal aliens") -- no State or local government entity, -agency, or -official (including a government-contracted correctional facility) may use funds under this award to interfere with the "removal" process by failing to provide -- as early as practicable (see para. 4.C. below) -- advance notice to DHS of the scheduled release date and time for a particular alien, if a State or local government (or government-contracted) correctional facility receives from DHS a formal written request pursuant to the INA that seeks such advance notice.

##### 2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

##### 3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions (e.g., training) designed to ensure compliance with this condition.

##### 4. Rules of construction

A. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, any State or local government, or any other entity or individual to maintain (or detain) any individual in custody beyond the date and time the individual otherwise would have been released.

B. Applicability

(1) Current DHS practice is ordinarily to request advance notice of scheduled release "as early as practicable (at least 48 hours, if possible)." (See DHS Form I-247A (3/17)). If (e.g., in light of the date DHS made such request) the scheduled release date and time for an alien are such as not to allow for the advance notice that DHS has requested, it shall NOT be a violation of this condition to provide only as much advance notice as practicable.

(2) Current DHS practice is to use the same form for a second, distinct purpose -- to request that an individual be detained for up to 48 hours AFTER the scheduled release. This condition does NOT encompass such DHS requests for detention.

C. Both the "Rules of Construction" and the "Important Note" set out in the "No use of funds to interfere with federal law enforcement: Interrogation of certain aliens" award condition are incorporated by reference as though set forth here in full.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Name of State or Local Government Applicant Entity