



Correctional Facilities on Tribal Lands

FY 2002 Program Guidance and Application Kit

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Office of Justice Programs
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Application Checklist

As a final step before submitting your application, please review this checklist to ensure that your online application is complete. All forms, assurances, and application instructions are provided for your review in the pages that follow.

Have You Completed?

[Check each box to indicate that the required item is included in your application package]

- G The online *Application for Federal Assistance* (SF-424).
- G Complete the *Program Narrative* and attach it to the online SF-424. Any additional material should be mailed to: Corrections Program Office, Office of Justice Programs, 810 7th Street N.W., 8th Floor, Washington, D.C. 20531. All material should be postmarked by the application deadline.
- G Review the *General Assurances* form and complete online acceptance.
- G Review the *Certification of Intent to Operate* and complete online acceptance.
- G Review the *Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug Free Workplace Requirements* form and complete online acceptance.
- G Complete the *Budget Detail Worksheet* and attach it to the online application.

Online Submission:

Only applications submitted online through the GMS system will be accepted. The GMS system may be accessed through the OJP web site at www.ojp.usdoj.gov/fundopps.htm.

GMS Registration Deadline

May 31, 2002

Application Deadline:

June 28, 2002

Questions:

For questions about the program or application content:

Michael Dever
(800) 848-6325, ext. 69188

For questions about the GMS system:

GMS Hotline
(888) 549-9901

Introduction

Grants to Native American Tribes are authorized under Section 20109, Subtitle A of Title II of the Violent Crime Control and Law Enforcement Act of 1994, as amended, 42 U.S.C. Section 13701 et. seq. Administered by the Office of Justice Programs (OJP), Corrections Program Office (CPO), the Correctional Facilities on Tribal Lands Discretionary Grant Program provides funds to Native American tribes for the construction of correctional facilities on tribal lands for the incarceration of offenders subject to tribal jurisdiction.

Program Purpose

Correctional Facilities on Tribal Lands Discretionary Grant funds may be used to construct correctional facilities on tribal lands for the incarceration of offenders subject to tribal jurisdiction.

For FY 2002, Congress has appropriated \$35,191,000 for grants and technical assistance under this solicitation. Tribes eligible for grant funding under this solicitation are the Oglala Sioux Tribe, the Tohono O'odham Nation, and per direction from Congress, the Mississippi Band of Choctaw, the Lower Brule Sioux Tribe, the Spirit Lake Nation and representatives of the Kotzebue Jail Project in Kotzebue, Alaska.

Correctional Facility means a residential correctional or detention facility that houses adult or juvenile offenders accused or adjudicated of a crime.

Construction means the erection, acquisition, renovation, repair, remodeling, or expansion of new or existing buildings or other physical facilities, and the acquisition or installation of fixed furnishings and equipment therein. It includes facility planning, pre-architectural programming, architectural design, preservation, construction, administration, construction management, or project management costs.

Grant funds **may not** be used for the purchase of land or for costs associated with the operation of the correctional facility.

Eligibility

An eligible Native American tribe is a tribe as defined by the Indian Self Determination Act, 25 U.S. C. 450b(e). In order to meet the specific requirements of this grant program, that tribe must perform law enforcement functions as determined by the Secretary of the Interior.

If an application is submitted on behalf of a regional alliance, at least one of the tribes in the alliance must perform law enforcement functions, as defined by the Secretary of the Interior.

To be considered for FY 2002 funding, eligible tribes must submit an application proposal for review by the June 28, 2002 deadline. Programmatic and technical assistance will be provided to those tribes selected for FY 2002 grant funding through OJP/CPO's solicitation and application review process.

Demonstrated Ability To Operate Facilities

The applicant must demonstrate its ability to fully support, operate, and maintain correctional facilities constructed with grant funds. The applicant must certify the tribe's ability to operate grant-supported facilities, in the form of an online assurance accepted by the tribal authorizing official.

Match Requirement

A grant made under this program may not exceed 90 percent of the total costs of the project. The applicant is required to match 10% of the total project costs, which equals one ninth of the federal award amount. The application must identify the source of the 10 percent matching funds. The matching funds must be used for the same purposes

as the federal grant funds, except that the value of the land for the facility may be used as match.

Example:

Federal Award Amount: \$400,000 = 90%

Required Match Amount: \$44, 444 =10%

Total Project Amount: \$444,444=100%

The matching funds may be in the form of cash or may be in-kind services which directly support the project. In-kind match is defined as “the value of something received or provided that does not have a cost associated with it.” It may include the value of donated services or real property, including land, donated for project purposes.

Award Period

Grants awarded under this solicitation will be given an award period of 4 years to allow a tribe that receives an award sufficient time to complete the approved project. OJP/CPO expects to make awards in August, 2002.

Application Requirements

The applicant must submit a complete application consisting of the following:

1. **Standard Application for Federal Assistance** (SF-424). Complete online. Applicants applying for funding under this program must use the Catalog of Federal Domestic Assistance CFDA Number 16.596, the Correctional Grant Program for Indian Tribes.
2. **Program Narrative.** The program narrative focuses on the facility for which the tribe is requesting grant funding. The original application established the need for the project and provided a general description of the proposed facility. This application should describe in detail:
 - how the facility will be used
 - the population that will be placed in the new facility

- the estimated length of time they will be held
- the size and type of facility that will be built
- how the facility will address the public safety needs of the community and service needs of the population
- the projected cost of the facility
- how the project will be managed
- how the tribe plans to operate the facility

An application narrative format is provided in Appendix A to assist tribes in providing this information. It must be completed and attached to the online SF-424.

3. **General Assurances.** Complete online acceptance.
4. **Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug Free Workplace Requirements form.** Complete online acceptance.
5. **Budget Detail Worksheet.** Estimate costs to implement the proposed project. The budget should clearly describe the proposed amount and uses of grant funds (federal and match) over the grant period and the basis for the computation of all project-related costs. Additionally, the applicant should provide the amount and source of the applicant’s matching funds and an explanation of the amount, source, and intended uses of any additional funds or resources above the match which will be applied to the proposed grant project. **Grant funds may be used for design and construction purposes and for project manager expenses.**
6. **Commitment to Operate.** The tribal authorizing official must accept online an assurance that it is the tribal government’s intention to fully support, operate, and maintain the correctional facility constructed with grant funds.

Application Due Date

The application for FY 2002 funds must be submitted no later than **June 28, 2002**.

Application Review Criteria

A panel of reviewers will review and rank the applications, using the criteria described below.

Target Population

Reviewers will look for a clear understanding of the role and purpose of the proposed facility, its target population, and its place in the tribe's criminal justice system. They will look for data that support the proposed size and type of facility and indicate that an appropriate population has been targeted. They will also look for demonstration of a range of criminal justice placement and program options for this population.

Facility Planning

Reviewers will consider the following factors in evaluating this section of the application:

- Is the proposed facility appropriate for the population as defined? "Appropriate" encompasses such considerations as overall size, configuration, security level, and potential for expansion.
- Does the proposed facility design incorporate program space for the population?
- Does the tribe intend, or has the tribe begun, to develop programming for the facility?

Project Implementation

Reviewers will look for a clear plan and readiness to implement the project. They will also look for evidence that the tribe will have the resources to safely and effectively operate the facility and provide needed programs and treatment to the inmate population.

Reviewers will also consider the availability of adequate financial resources to complete the project according to a realistic schedule.

Budget Detail

Reviewers will assess the cost of the project: whether proposed costs are reasonable and necessary, whether costs for security and type of construction are appropriate for the population to be served, and whether site selection has taken into account site preparation work, transportation and other operational cost issues. The budget should incorporate the costs of required analyses to comply with the National Environmental Policy Act (NEPA).

Priority consideration will be given to projects: (a) which can be completed with the available federal funds (prior awards plus the amount of this application) plus the required match, or (b) that clearly identify the source and availability of funds other than federal or required match funds to complete the project.

Technical Assistance

Grant recipients will be encouraged to access technical assistance for needs assessment, facility planning and/or project management. OJP/CPO will make a qualified consultant available to each grantee to provide advice, oversight, and review during the application preparation period, and will continue to provide assistance during the design review and construction process.

The purpose of this technical assistance is to help grantees continue the process begun during the Design, Construction, and Oversight of Correctional Facilities on Tribal Lands training. The consultant(s) will be familiar with what grantees accomplished during the training. Tribes will be encouraged to keep all members of the training team involved in the project.

The consultant will work with each grantee to define the most appropriate technical assistance activities. Consultant activities may include:

- Assistance with needs assessment;
- Review of architectural programs and other pre-design documents;
- Review of design development submissions at various stages of completion (e.g., 20 percent, 40 percent, and 60 percent);
- Assistance with construction management;
- Review of staffing plans;
- On-site project status meetings with the tribal government.

To request technical assistance or to find out more this service, contact Colleen Boskin, CPO Chief of Technical Assistance and Conferences, at **(800) 848-6325**, extension **5-9621**.

Administrative Provisions

Assurances

The application forms, found in Appendix B, include a General Assurances form that must be accepted by the tribe's authorized official as part of the online application process. It is the responsibility of the recipient of the federal funds to fully understand and comply with these requirements. Failure to comply may result in the withholding of funds, termination of the award, or other sanctions.

Supplanting Prohibition

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) non-federal funds which have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties.

Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirement

The applicant is required to complete online acceptance of the Certification Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters; and Drug Free Workplace Requirements forms.

By accepting this certification, the applicant agrees to comply with the following requirements:

Lobbying: The applicant and its subgrantees, contractors, and subcontractors will not use federal funds for lobbying, unless specifically authorized by federal statute, and will disclose any lobbying activities.

Debarment: The applicant and its principals have not been debarred or suspended from federal benefits and/or no such proceedings have been initiated against them; have not been convicted of, indicted for, or criminally or civilly charged by a government entity for fraud, violation of antitrust statutes, embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; and have not had a public transaction terminated for cause or default.

Drug-Free Workplace: The applicant will or will continue to provide a drug-free workplace.

Signing this form commits the applicant to compliance with the certification requirements under 28 CFR Part 69, New Restrictions on Lobbying, and 28 CFR 67, Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements for Drug Free Workplace (Grants). The certification will be treated as a material representation of the fact upon which reliance will be placed by the U.S. Department of Justice in making awards.

Civil Rights Compliance

All recipients of federal grant funds are required to comply with nondiscrimination requirements contained in various federal laws. In the event that a court or administrative agency makes a finding of discrimination on the grounds of race, color, religion, national origin, gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office of Civil Rights of the Office of Justice Programs. All applicants should consult the Assurances required with the application funds to understand the applicable legal and administrative requirements.

National Environmental Protection Act (NEPA)

The National Environmental Protection Act (NEPA) of 1969 (*Pub. Law 90-190; 42 U.S.C. Sec. 4331 et seq*) establishes a national goal of protecting the environment. NEPA requirements apply to any federal project, decision, or action, including grants in aid, that might have a significant impact on the quality of the human environment. All renovation and construction projects initiated by States, local units of government, or Native American tribes with discretionary grant funding from the Corrections Program Office are subject to NEPA.

These projects are also subject, where applicable, to the requirements of the following environmental statutes and executive orders: Coastal Zone Management Act of 1972; Clean Air Act of 1974; Safe Drinking Water Act of 1974; Endangered Species Act of 1973; Wild and Scenic Rivers Act of 1968; National Historic Preservation Act of 1966; Executive Orders related to protection of wetlands and flood hazards in flood plains; Farmland Protection Act; and the Relocation Assistance Requirements.

It is the policy of the Corrections Program Office to minimize harm to the environment and therefore

it reserves the right to reject proposals or encourage the modification of projects which will have adverse environmental impacts. The construction phase of a grant project may not begin, and no grant funds may be obligated or expended for this purpose, until an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) has been completed and OJP has issued a Finding of No Significant Impact (FONSI) or has approved the EIS.

If appropriately sited, construction of most small correctional facilities will not significantly impact the environment. For such projects, compliance with the NEPA requirements is generally achieved by the preparation of an EA and the issuance of a FONSI. The EA is a decision document that provides the basis for determining whether to prepare an Environmental Impact Statement or a Finding of No Significant Impact. Successful applicants will be provided with a copy of the Program Guidance for Complying with Environmental Protection Requirements, which outlines the specific steps and time lines in the Environmental Assessment process, and identifies the parties responsible for implementation.

Reporting Requirements

The following reporting requirements have been established to assist OJP in monitoring program implementation:

- # **Performance Measures:** Each grant recipient must provide the following written documentation: 1) a list of representatives of the multi-disciplinary planning team within two months of receiving the grant funds; 2) a signed architectural and engineering design contract within six months of receiving the grant funds; 3) a completed environmental assessment within six months of receiving the grant funds; 4) approval from the Bureau of Indian Affairs on the health and safety standards based on the schematic design drawings and the construction documents; and

5) certification on the rated capacity of the facility constructed with the grant funds.

- # **Financial Status Report:** Financial status reports (SF 269-A) are due quarterly on the 45th day following the end of each calendar quarter. A report must be submitted every quarter the award is active even if there has been no financial activity during the reporting period. The final report is due 120 days after the end date of the award. The Office of the Comptroller will provide a copy of this form in the initial award package. Future Awards and drawdowns will be withheld if the required reports are delinquent.
- # **Single Audit Report:** Recipients who expend \$300,000 or more of federal funds during their fiscal year must comply with the audit requirements of the OMB Circular A-133, Audit of States, Local Governments and Non-Profit Organizations. The audit report is due to the Federal Audit Clearinghouse within 9 months of the end of the recipient's fiscal year.
- # **Semi-Annual Progress Report:** Recipients of funding are required to submit a semi-annual progress report. The progress reports describe activities during the reporting period and the status or accomplishment of objectives as set forth in the approved application for funding. Progress reports must be submitted within 30 days after the end of the reporting periods that are January 1 through June 30 and July 1 through December 31 for the duration of the award. A final report, which provides a summary of progress toward achieving the goals and objectives of the award, significant results, and any products developed under the award, is due 120 days after the end date of the award.

another sanction on a grantee for the following reasons:

- # Failure to comply substantially with the requirements or statutory objectives of the Violent Crime Control and Law Enforcement Act of 1994, as amended, program guidelines issued thereunder, or other provisions of federal law;
- # Failure to make satisfactory progress toward the goals or strategies set forth in this application;
- # Failure to adhere to the grant requirements, standard conditions or special conditions;
- # Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding;
- # Failure to submit reports; or
- # Filing a false certification in this application or other report or document.

Before imposing sanctions, the Office of Justice Programs will provide reasonable notice to the grantee of its intent to impose sanctions and will attempt informally to resolve the problem. The hearing and appeal procedures are described in 28 CFR Part 18 of the Department of Justice regulations.

Suspension or Termination of Funding

The Office of Justice Programs may suspend, in whole or in part, terminate funding for, or impose

Appendix A

Program Narrative

CORRECTIONAL FACILITIES ON TRIBAL LANDS FY 2002 Program Narrative

Please complete this questionnaire in as much detail as possible. This information will constitute the "Program Narrative" section of the application for funding; it is not necessary to complete an additional narrative and attach it to the application. It should be uploaded as an attachment to the online application.

If any information is not available at this time, please answer "Not Available" to the relevant question and describe any activity related to this topic that has occurred to date. If possible, provide a timeframe within which the requested information will become available.

Add additional space to the form as necessary.

Technical Assistance is available to assist with the completion of this narrative. Please contact the Corrections Program Office Technical Assistance Line at (800) 848-6325 to request assistance.

Provide the name and telephone number of the person who completed this narrative:

Name:

Position:

Phone Number:

Role of the Facility and Population to be Served

1. Provide a brief description of the proposed facility in the context of the tribe's criminal justice system. What problems or conditions will the facility address? What purpose will it serve? What role will it fulfill in the tribe's criminal justice system? Please do not exceed the space provided.

2. In determining the size and design of a new facility or facility expansion, it is important to understand how the facility will be used and will coordinate with other options available to tribal law enforcement and the courts. If the facility will be used for detention and for sentenced offenders, it is important to look at the total number of individuals (adult and/or juvenile) who are arrested and convicted and determine which of the individuals were placed in the correctional facility or would have been, if one existed. You should start by looking at what currently happens to individuals who are arrested or convicted. To begin the process, please complete the Daily Case Record (found at the end of this section) for all target population cases entering the criminal justice system from July 1, 2001 through December 31, 2001.

Please summarize below the results of the Daily Case Record data collection. For **arrested** individuals, provide how many were placed in the jail/detention center; how many were taken to a federal, state or local facility; how many were released; and how many were handled in another manner. Do the same for those **convicted**, showing the number sentenced to the jail, placed on probation, fined, or given another type of sentence. Also show any individuals detained in an existing facility for a reason other than arrest or conviction. If the facility is intended for adults and juveniles, it is necessary to track both.

Data Summarized for the Period: July 1, 2001 - December 31, 2001

Target Population	Total	Disposition (What Happened to the Person)
Adult arrestees		
Adult sentenced offenders		
Juvenile arrestees		
Adjudicated juvenile offenders		
Adults detained for other reasons		
Juveniles detained for other reasons		

3. Please provide information on contract beds purchased during calendar year 2001:

Type of Placement	Number of Beds	Per Diem Cost	Total Dollar Amount	Provider

The following questions should be answered based on the data collected between July 1, 2001 - December 31, 2001.

- | | Adult | Juvenile |
|---|--|----------|
| 1. For sentenced offenders, what was the average length of sentence: | _____ | _____ |
| 2. What is the maximum time that on offender can be sentenced to the facility? | _____ | _____ |
| 3. What was the maximum sentence recorded? | _____ | _____ |
| 4. What is the maximum detention length of stay recorded? | _____ | _____ |
| 5. For all cases, what was the average length of stay in days? | _____ | _____ |
| 6. What was the average daily population in the current facility? | _____ | _____ |
| 7. Of the cases examined, what percentage of individuals were released/disposed within: | | |
| 24 hours | _____ | % |
| 72 hours | _____ | % |
| 1 week | _____ | % |
| 1 month | _____ | % |
| 2 months | _____ | % |
| Not released | _____ | % |
| | <div style="border: 1px solid black; padding: 5px; display: inline-block;">Percentages should total 100 percent.</div> | |
| 8. Describe as fully as possible any ways in which this data may not accurately reflect historical patterns of admission and length of stay in the tribe's system. Are there any obvious reasons for these differences, such as time of year? | | |

9. Describe as fully as possible how availability of the proposed facility might influence the data collected. Would individuals be held who are not currently being held? Would length of stay increase?

10. Were any population projections done to determine the optimum size of a new facility? If so, please provide the projection numbers (by year) and a brief description of the method used.

Existing Facility Population

If the tribe currently operates a facility for the target population, please provide the following information for every offender in the facility as of 5:00 p.m. on July 28, 2001.

- Gender
- Date of Birth
- Date of Admission/Booking
- Status (Detention or Sentenced)
- If Detention, Charge or Reason Held
- If Sentenced, Offense
- Date of Release (if known)

This data may be provided in any format that is convenient. Existing booking sheets or count sheets may be provided. All requested data should be included in the submission.

Facility Design

1. Describe the **inmate/client housing** in the proposed facility as fully as possible. Include the number of beds (capacity) and the number of units (cells or dormitories). Include a description of the security level and any building features associated with that level.

Type of Housing	Number of Beds	Number of Units	Adult Beds (Type)	Juvenile Beds (Type)	Security Level/ Security Features
Single Cell					
Multiple-Occupancy Cell					
Dormitory					

2. Describe **inmate supervision** in the new facility. Will correctional officers be stationed in the housing units? Approximately how many inmates will each officer supervise? Are inmates expected to spend most of their time in or out of their cells?
3. Describe **inmate programs and services** planned for the new facility as fully as possible. Address services to be provided and provider (if known) in each of the following categories:

Education and Vocational Training:

Substance Abuse Treatment / Detox Services:

Mental Health:

Health Services:

Recreation / Arts:

Religious / Spiritual Enrichment:

Pre-Release

Work Release

4. Provide a summary of **program spaces** in the proposed facility.

Type of Space	Number of These Spaces	Capacity of Each Space
Classroom		
Multi-Purpose Room		
Interview Room		
Indoor Recreation		
Treatment Room		
Other:		
Other:		

Resources

1. Provide a **summary budget** for the proposed project (a full construction budget should be submitted as part of the Budget Detail attached to the application).

Category	Amount
Architect/Engineering Fees	
Site Work	
Construction	
Fixed Furnishings	
Other Furnishings and Equipment	
Project Manager Salary/Benefits	
TOTAL	

2. Identify the **construction resources** available for the project. Indicate the source of funds and whether the funds are committed or projected to be available. If projected, indicated when the funding will be available.

Category	Dollar Amount	If Projected, Date to be Available
Total Funds Needed:		
Previous Grant Award from OJP/CPO Federal Match		
Available from other Federal Agencies (specify) Federal Match		
Requested Supplement from OJP/CPO (this grant application) Federal Match		
Available State Funds		
Projected State Funds		
Other Available Tribal Funds		
Other Projected Tribal Funds		
Other: (Specify)		

3. Describe as fully as possible any arrangements that have been made to secure **operating funds** for the facility. This would include the tribe's arrangements with the Bureau of Indian Affairs (BIA) to obtain additional law enforcement funds that can be used for a facility administrator, program coordinator, correctional officers, and support staff, as well as efforts to secure BIA funds for facility operations and maintenance.

4. Describe any efforts to date to develop a Memorandum of Understanding with the Indian Health Service to provide **health and mental health services and substance abuse treatment** for the new facility.

2. Provide anticipated start and end dates for the following milestones:

Activity	Start Date	End Date
Recruit/Hire Project Manager		
Contract for Architect/Engineering Services		
Design Completed		
Construction		
Begin Staff Hiring		
Facility Opening		

3. All recipients of FY 2002 funding will be required, by Special Condition on the grant award, to identify or hire a dedicated project manager. Grant funds may be used to support this position. This person must be a regular or contract employee of the tribe and must report directly to the tribal leadership. The project manager may not be an employee of an outside firm with which the tribe has contracted for this service. The project manager will manage the contracts for architectural, engineering, and construction services; lead the effort to develop operational resources; develop staffing and transition/activation plans and lead their implementation; attend all Corrections Program Office-sponsored meetings and trainings as requested; and manage the federal grant.

Provide a brief description of this person’s duties and specify a time frame within which the position can be filled. If a current employee will be reassigned to the position, applicants should provide a resume of that staff person.

Description of Duties and Qualifications:

4. Applicants are required to establish a multi-disciplinary team of stakeholders for information-sharing and responsibility for the facility's completion and operation. The multi-disciplinary planning team should meet at regular intervals to receive progress reports from the project manager, to provide design input as requested, and to collaborate on developing operational resources.

Describe the proposed membership of the Project Steering Committee, its role, and a proposed schedule of meetings throughout the project:

Related Federal Funding and Activities . Provide information in your application on (a) active federal grant awards (from the Department of Justice or otherwise) already supporting this or related efforts; (b) information on any pending application(s) for federal money for this or related efforts; and (c) how these would be coordinated with the funding sought by this application. For each, include the program/project title; the Federal grantor agency; the Federal award amount; and a very brief description of its purpose. This information is requested to encourage better coordination among federal agencies in addressing tribal needs.

DAILY CASE RECORD SHEET

(Duplicate as Needed)

Date	(A)-Arrest (C)-Conviction (D)-Detention	Identifier (Number)	Date of Birth	Gender (M/F)	Agency Initiating Contact (1-7)	Charge or Offense	Disposition	Date of Release	Sentence Length (Days)	Disposition of Choice (Disregard Current Resource Limitations)

Agency Codes: 1 - Tribal Law Enforcement 2- Federal Law Enforcement 3- Court 4 - Probation 5 - Social Service 6 - School 7 - Other

Provide this information for all cases in the target population category/categories of the proposed facility.

Appendix B

Forms

APPLICATION FOR FEDERAL ASSISTANCE

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: <i>Application</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction <i>Preapplication</i> <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED	Applicant Identifier
		3. DATE RECEIVED BY STATE	State Application Identifier
		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name:		Organizational Unit:	
Address (give city, county, state and zip code):		Name and telephone number of the person to be contacted on matters involving the application (give area code)	
6. EMPLOYER IDENTIFICATION (EIN) <input type="text"/> <input type="text"/> - <input type="text"/>		7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/>	
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify): _____		A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School Dist. I. State Controlled Institution of Higher Learning J. Private Industry K. Indian Tribe L. Individual M. Profit Organization N. Other (specify): _____	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/>		9. NAME OF FEDERAL AGENCY:	
TITLE:		11. DESCRIPTIVE TITLE OF APPLICANTS PROJECT:	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):			
13. PROPOSED PROJECT:		14. CONGRESSIONAL DISTRICTS OF:	
Start Date	Ending Date	a. Applicant	b. Project
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$.00	a. YES. THIS PREAPPLICATION/APPLICATIN WAS MADE A VALIABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON: DATE _____	
b. Applicant	\$.00	b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372	
c. State	\$.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$.00		
e. Other	\$.00		
f. Program Income	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
g. TOTAL	\$.00	<input type="checkbox"/> Yes If "Yes," attach an explanation. <input type="checkbox"/> No	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED			
a. Typed Name of Authorized Representative		b. Title	c. Telephone number
d. Signature of Authorized Representative		e. Date Signed	

Instructions for Completion of the Application for Federal Assistance (SF 424)

The Application for Federal Assistance is a standard form used by most Federal agencies for applications for Federal assistance. This form contains 18 different items, all of which are to be completed before your application is reviewed. The Office of Justice Programs (OJP) cannot accept the application without a completed and signed SF 424.

- Item 1 Type of Submission:** Indicate if this is an application for a construction or non-construction program.
- Item 2 Date Submitted:** Indicate the date you sent the application to OJP. The "Application Identifier" is the number assigned by your jurisdiction, if any, to track applications. If your jurisdiction does not assign an identifier number, leave this space blank.
- Item 3 Date Received by State:** Leave blank. This block is completed by the State single point of contact, if applicable.
- Item 4 Date Received by Federal Agency:** This item will be completed by OJP.
- Item 5 Applicant Information:** The "Legal Name" is the unit of government or the parent organization. For example, the primary or parent organization of a law enforcement agency is the name of the city or township. Thus the city or township should be entered into the Legal Name box and the name of the law enforcement agency would be entered into the Organizational Unit box. One person should be designated as the Contact for the proposed project, and that person's telephone number should also be included. It is not unusual for the name of the contact person to differ from the authorized representative of your agency provided in Item 18.
- Item 6 Employer Identification Number:** Each employer receives an employer identification number from the Internal Revenue Service. Generally, this number can be easily obtained from your agency's accountant or comptroller.
- Item 7 Type of Applicant:** Enter the appropriate letter in this space. If the applicant is representing States organized as a regional compact, specify by checking Block N and entering "regional compact" and identify the participating States.
- Item 8 Type of Application:** Check either "new" or "continuation". Check new if this will be your first award for the purpose described in the application, even if the applicant has received prior awards for other purposes. Check "continuation", if the project will continue activities, including minor modifications, or implement the next phase of a project, that was begun under a prior award number.
- Item 9 Name of Federal Agency:** The awarding Federal agency for this program is the Office of Justice Programs.
- Item 10 Catalog of Federal Domestic Assistance Number:** Enter the five digit number from the Catalog of Federal Domestic Assistance which corresponds to the Federal program which is the source of funding for this project. The number for Correctional Facilities on Tribal Lands grants is 16.596.
- Item 11 Descriptive Title of Applicants Project:** In this space, please enter: (1) a descriptive title of the project to be implemented; (2) the name of the cognizant Federal agency, (this is generally the Federal agency from which the applicant agency receives the largest proportion of its Federal funds); and (3) applicant's fiscal year, i.e. twelve month audit period, (e.g., October 1 to September 30).
- Item 12 Areas Affected by Program:** Identify the geographic area(s) encompassed by the project. Indicate "Statewide" or "National", if applicable.
- Item 13 Proposed Project Dates:** Fill in the proposed beginning and end dates of the project.
- Item 14 Congressional Districts:** Fill in the number of the Congressional Districts in which the project will be located as well as the Congressional District(s) the project will serve. Indicate "Statewide", if applicable.
- Item 15 Estimated Funding:** In line "a," type in the amount of Federal funds requested. Indicate any other resources that will be available to the project and the source of those funds on lines "b-f," as appropriate.
- Item 16 State Executive Order 12372:** Some states (although, not all), require you to submit your application to a State "Single Point of Contact" (SPOC) to coordinate applications for Federal funds within the State. If your State requires a copy of your application, indicate the date this application was submitted. If a copy is not required, indicate the reason. The SPOC is not responsible for forwarding your application to the Federal funding agency.
- Item 17 Delinquent Federal Debt:** This question applies to the applicant organization. Categories of debt include delinquent audit disallowances, loans, and taxes.
- Item 18 Authorized Representative:** Type the name of the person legally authorized to enter into agreements on behalf of your agency. This signature on the original application must be signed in blue ink and/or stamped as "original" to help us distinguish the original from the photocopies.

General Assurances

The applicant hereby assures and certifies compliance with all federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars No. A-21, A-110, A-122, A-133, A-87; E.O. 12372; and Uniform Administrative Requirements for Grants and Cooperative Agreements—28 CFR, Part 66, Common Rule, that govern the application, acceptance and use of federal funds for this federally assisted project. Also the applicant assures and certifies that:

1. It possesses legal authority to apply for the grant; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with requirements of the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of federal and federally-assisted programs.
3. It will comply with provisions of federal law which limit certain political activities of employees of a state or local unit of government whose principal employment is in connection with an activity financed in whole or in part by federal grants. (5 U.S.C. 1501, *et seq.*)
4. It will comply with the minimum wage and maximum hours provisions of the federal Fair Labor Standards Act.
5. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
6. It will give the sponsoring agency or the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
7. It will comply with all requirements imposed by the federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements.
8. It will insure that the facilities under its ownership, lease, or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify the federal grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.
9. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Prevention Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1976. Section 102(1) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition purposes for any use in any area that has been identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards. The phrase "federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect federal assistance.

10. It will assist the federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966 as amended (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historical Preservation Act of 1966 (16 U.S.C. 569a-1 *et seq.*) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic Places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the federal grantor agency of the existence of any such properties by (b) complying with all requirements established by the federal grantor agency to avoid or mitigate adverse effects upon such properties.
11. It will comply, and assure the compliance of all its subgrantees and contractors, with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Juvenile Justice and Delinquency Prevention Act, or the Victims of Crime Act, as appropriate; the provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants (M7100.1); and all other applicable federal laws, orders, circulars, or regulations.
12. It will comply with applicable provisions of 28 CFR related to grants and cooperative agreements including Part 18, Administrative Review Procedure; Part 20, Criminal Justice Information Systems; Part 22, Confidentiality of Identifiable Research and Statistical Information; Part 23, Criminal Intelligence Systems Operating Policies; Part 30, Intergovernmental Review of Department of Justice Programs and Activities; Part 42, Nondiscrimination/ Equal Employment Opportunity Policies and Procedures; Part 61, Procedures for Implementing the National Environmental Policy Act; Part 63, Floodplain Management and Wetland Protection Procedures; and federal laws or regulations applicable to federal assistance programs.
13. It will comply, and all its contractors will comply, with the non-discrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Subtitle A, Title II of the Americans with Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39.
14. In the event a federal or state court or federal or state administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs.
15. It will provide an Equal Employment Opportunity Program if required to maintain one, where the application is for \$500,000 or more.
16. It will comply with the provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 U.S.C. 3501 *et seq.*) Which prohibits the expenditure of most new federal funds within the units of the Coastal Barrier Resources System.



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE COMPTROLLER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUGFREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510, -

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local)

transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUGFREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the DrugFree Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 —

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drugfree awareness program to inform employees about —

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drugfree workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will-

(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted ---

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check if the State has elected to complete OJP Form 4061/7.

**DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)**

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67; Sections 67.615 and 67.620 —

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352
(See reverse for public burden disclosure)

<p>1. Type of Federal Action:</p> <p><input type="checkbox"/> a. contract <input type="checkbox"/> b. grant <input type="checkbox"/> c. cooperative agreement <input type="checkbox"/> d. loan <input type="checkbox"/> e. loan guarantee <input type="checkbox"/> f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p><input type="checkbox"/> a. bid/offer/application <input type="checkbox"/> b. Initial award <input type="checkbox"/> c. post award</p>	<p>3. Report type:</p> <p><input type="checkbox"/> a. Initial filing <input type="checkbox"/> b. material change</p> <p>For Material Change Only:</p> <p>year _____ Quarter _____ date of last report _____</p>
<p>4. Name and Address of Reporting Entity:</p> <p><input type="checkbox"/> Prime <input type="checkbox"/> Subawardee</p> <p style="padding-left: 40px;">Tier _____, <i>if known</i></p> <p>Congressional District, if known:</p>	<p>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</p> <p>Congressional District, if known:</p>	
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CDFA Number, if applicable: _____</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known:</p> <p>\$ _____</p>	
<p>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI)</p>	<p>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI)</p>	
<p>11. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of the fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature: _____</p> <p>Print Name: _____</p> <p>Title: _____</p> <p>Telephone No.: _____ Date: _____</p>	
<p>Federal Use Only:</p>		<p>Authorized for Local Reproduction Standard Form - LLL</p>

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identifying the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001".
9. For a covered Federal action where there has been an award or loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI)>
11. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046); Washington, D.C. 20503.

Correctional Facilities on Tribal Lands Certification of Intent to Operate

By accepting this assurance as part of the online application process, applicant agency certifies its intent to support, maintain, and operate correctional facilities constructed with grant funds.

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
----------------------	--------------------	-------------

TOTAL _____

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
----------------------	--------------------	-------------

TOTAL _____

Total Personnel & Fringe Benefits _____

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., two people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
--------------------------	-----------------	-------------	--------------------	-------------

TOTAL _____

D. Equipment - List non-expendable items that are to be purchased. (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

Item	Computation	Cost
-------------	--------------------	-------------

TOTAL _____

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
---------------------	--------------------	-------------

TOTAL _____

F. Construction - Provide a list and description of all construction costs and how the costs were computed. Construction costs may include site preparation, construction contract costs or building materials and labor, fixed furnishings (built into the structure), perimeter security, water and sewer, road work, etc. It may also include the purchase of a facility or modular unit and renovation costs. Land may not be purchased with grant funds. Consultants such as architects, engineers, or construction managers that are hired outside of the construction contract should be shown in the consultant category. A project manager who is employed by the implementing jurisdiction should be shown in the personnel category.

<u>Purpose</u>	<u>Description of Work</u>	<u>Cost</u>
----------------	----------------------------	-------------

TOTAL _____

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
---------------------------	-------------------------	--------------------	-------------

Subtotal _____

Consultant Expenses: List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging, etc.)

Item	Location	Computation	Cost
-------------	-----------------	--------------------	-------------

Subtotal _____

Contracts: Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Cost
-------------	-------------

Subtotal _____

TOTAL _____

H. Other Costs - List items (e.g., rent, reproduction, telephone) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
--------------------	--------------------	-------------

TOTAL _____

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
--------------------	--------------------	-------------

TOTAL _____

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount
A. Personnel	_____
B. Fringe Benefits	_____
C. Travel	_____
D. Equipment	_____
E. Supplies	_____
F. Construction	_____
G. Consultants/Contracts	_____
H. Other	_____
Total Direct Costs	_____
I. Indirect Costs	_____
TOTAL PROJECT COSTS	_____

Federal Request _____ **(Up to 90% of total costs)**
Non-Federal Amount _____ **(At least 10% of total costs)**

***Sample Budget Detail
Worksheet***

Sample Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

(Example assumes a four year budget period and 10% cash match requirement)

A. Personnel - List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

Name/Position	Computation	Cost
John Smith, Project Manager	$(\$50,000 \times 100\% \times 4 \text{ yrs.})$	\$50,000

The project manager will be responsible for managing grant funds and the grant reporting requirements, as well as fulfilling activities listed in the application to include: the coordination of the multi-disciplinary planning team; compliance with the NEPA Act; and the implementation and oversight of the design and construction contracts.

TOTAL \$200,000

B. Fringe Benefits - Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation, and Unemployment Compensation.

Name/Position	Computation	Cost
Employer's FICA	$(\$200,000 \times 7.65\%)$	\$15,300
Retirement	$(\$200,000 \times 6\%)$	\$12,000
Health Insurance	$(\$200,000 \times 12\%)$	\$24,000
Workman's Compensation	$(\$200,000 \times 1\%)$	\$ 2,000
Unemployment Compensation	$(\$200,000 \times 1\%)$	\$ 2,000

The fringe benefits and the corresponding percentages itemized above are the standard fringe benefits applicable to Tribal employee salaries.

TOTAL \$55,300
Total Personnel & Fringe Benefits \$255,300

C. Travel - Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., two people to 3- day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved, Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

Purpose of Travel	Location	Item	Computation	Cost
Training	Denver	Airfare	(\$150 x 2 people x 2 trips)	\$ 600
		Hotel	(\$75/night x 2 nights x 2 people x 2 trips)	\$ 600
		Meals	(\$35/day x 3 days x 2 people x 2 trips)	\$ 420

Two of the facility planning team members will attend training at the National Institute of Corrections for the Planning of a New Institution Training.

TOTAL **\$1,620**

D. Equipment - List non-expendable items that are to be purchased. (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used

Item	Computation	Cost
1 - Computer	(\$2,000 x 1)	\$2,000
1 Printer	(\$700 x 1)	\$ 600

The computer will be used by the project manager to prepare documents and reports, and communicate with facility stakeholders.

TOTAL **\$2,600**

E. Supplies - List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

Supply Items	Computation	Cost
Office Supplies	(\$50/mo x 48 mo)	\$2,400
Postage	(\$20/mo x 48 mo)	\$ 960
Policy and Procedure Manuals	(\$2/set x 500 sets)	\$1,000

Office supplies and postage are needed for general operation of the project. Policy and Procedure manuals will be developed and used by the detention officers for the operations of the new facility.

TOTAL \$4,360

F. Construction - Provide a list and description of all construction costs and how the costs were computed. Construction costs may include site preparation, construction contract costs or building materials and labor, fixed furnishings (built into the structure), perimeter security, water and sewer, road work, etc. It may also include the purchase of a facility or modular unit and renovation costs. Land may not be purchased with grant funds. Consultants such as architects, engineers, or construction managers that are hired outside of the construction contract should be shown in the consultant category. A project manager who is employed by the implementing jurisdiction should be shown in the personnel category.

Construction Activities	Computation	Cost
Construct new 30 bed minimum security adult unit	\$160 sq. ft. X 18,250 sq. ft.	\$2,920,000
20 non-secure adult dormitory beds	\$120 sq. ft. X 10,000 sq. ft.	\$1,200,000
Fixed Furnishings	5 % of construction cost (\$4,120,000)	\$ 206,000
Construction Contingency	10 % of construction of construction contract	\$ 432,600

The funds will be used for the construction of a 50-bed adult facility with 30 adult beds in minimum secure individual cells and 20 adult beds in non secure dormitory style confinement. All furnishings and equipment will be attached as part of the facility and cost is estimated at five percent of the construction cost. Contingency will be held in reserve and will only be used as payment for cost overruns to the construction contract.

TOTAL \$4,758,600

G. Consultants/Contracts - Indicate whether applicant's formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day require additional justification and prior approval from OJP.

Name of Consultant	Service Provided	Computation	Cost
			Subtotal <u> 0 </u>

Consultant Expenses: List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging etc.)

Item	Location	Computation	Cost
			Subtotal <u> 0 </u>

Contracts: Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000.

Item	Location	Computation	Cost
Architectural & Engineering		(7 % of construction contract)	\$302,820
Architectural Drawing Mtg.	Albuquerque	Airfare (\$600 average x 2 people)	\$ 1,200
		Hotel (\$100/night x 3 nights x 2 people)	\$ 600
		Meals (\$35/day x 3 days x 2 people)	\$ 210

John Doe, Architect will provide the architectural engineering and design services for the facility project at 7 percent of the estimated construction contract. The project manager and the architect will travel to Albuquerque, NM to meet with the Bureau of Indian Affairs representatives to review the design documents for health and safety code compliance and develop an operational plan.

Subtotal \$304,830

TOTAL \$304,830

H. Other Costs - List items (e.g., rent, reproduction, telephone) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

Description	Computation	Cost
Telephone	(\$100/mo. x 48)	\$ 4,800

Funds will be used pay for phone service for the project manager to assist in various responsibilities as outlined in the position description including the communication and coordination of the facility planning team and community stakeholder organizations.

TOTAL \$4,800

I. Indirect Costs - Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant’s cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or if the applicant’s accounting system permits, costs may be allocated in the direct costs categories.

Description	Computation	Cost
10% of personnel and fringe benefits	(\$255,300 x 10%)	\$25,530

The indirect cost rate was approved by the Department of the Interior, the applicant’s cognizant Federal agency on September 30, 2001. (A copy of the fully executed, negotiated agreement is attached.)

TOTAL \$25,530

Budget Summary - When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal requested and the amount of non-Federal funds that will support the project.

Budget Category	Amount	
A. Personnel	<u>\$ 200,000</u>	
B. Fringe Benefits	<u>\$ 55,300</u>	
C. Travel	<u>\$ 1,620</u>	
D. Equipment	<u>\$ 2,600</u>	
E. Supplies	<u>\$ 4,360</u>	
F. Construction	<u>\$4,758,600</u>	
G. Consultants/Contracts	<u>\$ 304,830</u>	
H. Other	<u>\$ 4,800</u>	
Total Direct Costs	<u>\$5,332,110</u>	
I. Indirect Costs	<u>\$ 25,530</u>	
TOTAL PROJECT COSTS	<u>\$5,357,640</u>	
Federal Request	<u>\$4,821,876</u>	(Up to 90% of total project costs)
Non-Federal Amount	<u>\$ 535,764</u>	(At least 10% of total project costs)

U. S. Department of Justice
Office of Justice Programs

Washington, D.C. 20531

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