APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED April 11, 2015	Applicant Identifier
1. TYPE OF SUBMISSION Application Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier

5.APPLICANT INFORMATION	
Legal Name Department of The Attorney General	Organizational Unit Crime Prevention And Justice Assistance Division
Address 425 Queen Street Honolulu, Hawaii 96813-2903	Name and telephone number of the person to be contacted on matters involving this application Tice, Shaleigh (808) 586-1157
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 99-0267141	7. TYPE OF APPLICANT State
8. TYPE OF APPLICATION New	9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.816 CFDA TITLE: 16.816 - John R. Justice	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT Hawaii John. R. Justice Grant Program
12. AREAS AFFECTED BY PROJECT State of Hawaii	
13. PROPOSED PROJECT Start Date: October 01, 2015 End Date: September 30, 2016	14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project HI00

15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
Federal	$1	
Applicant	$0	
State	$0	

Local	$0	Program is not covered by E.O. 12372
Other	$0	
Program Income	$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT? N
TOTAL	$1	
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 GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		

Close Window

BJA FY 15 John R. Justice Program 2015-H0591-HI-RJ

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Overview

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Project Information

Budget and Program Attachments

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Project Information

*Descriptive Title of Applicant's Project Hawaii John. R. Justice Grant Program		
*Areas Affected by Project State of Hawaii		
Proposed Project		
	*Start Date	October 01 2015
	*End Date	September 30 2016
*Congressional Districts of		
	Project	Congressional District 01, HI Congressional District 02, HI Congressional District 00, HI
*Estimated Funding		
Federal		$ 31216 .00
Applicant		$ 0 .00
State		$ 0 .00
Local		$ 0 .00
Other		$ 0 .00
Program Income		$ 0 .00
TOTAL		$ 31216 .00

Save and Continue

HAWAII JOHN R. JUSTICE GRANT APPLICATION

Program Abstract
(Attachment 1)

Applicant: Hawaii Department of the Attorney General

Goal: To encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service.

Strategy: This program will provide student loan repayment assistance for state and federal public defenders and state and county prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. A Planning Committee composed of representatives of the state Department of the Attorney General, the state Office of the Public Defender, the Federal Public Defender's Office for the District of Hawaii, and the four county prosecution offices, will review the program materials and selection criteria, assist in the outreach process, determine award amounts, and monitor progress reports. A Selection Committee (a subgroup of the Planning Committee) will review applications and determine which eligible applicants will receive repayment awards of a determined amount. The Selection Committee will ensure that the total amount of loan repayment funding is allocated equally between prosecutors and public defenders and give priority to eligible applicants who have the least ability to repay their loans. The Department of the Attorney General will make payments directly to the financial institutions that hold the student loans.

Number Employed: Prior to the availability of JRJ funds there were 198.5 Prosecutors, 99 Public Defenders, and 9 Federal Public Defenders employed statewide. Currently there are 208 Prosecutors, 102 Public Defenders, and three Federal Public Defenders employed in the state of Hawaii.

HAWAII JOHN R. JUSTICE GRANT PROGRAM APPLICATION

Program Narrative
(Attachment 2)

I. Background

The Hawaii State Judiciary system is comprised of four judicial circuit courts that correspond to Hawaii's four counties. The First Circuit encompasses the City and County of Honolulu (island of Oahu). The Second Circuit encompasses Maui County (Lanai, Maui, and Molokai islands). The Third Circuit encompasses Hawaii County (Hawaii island). The Fifth Circuit encompasses Kauai County (Kauai and Niihau islands). There is no fourth circuit.

The Department of the Attorney General's Criminal Justice Division prosecutes criminal and juvenile delinquency cases in all four counties and all state courts. The Department is headed by the Attorney General, who is appointed by the Governor. There are 18 Deputy Attorney General positions in the Criminal Justice Division, all based in Honolulu.

Each county has a prosecution office headed by a Prosecuting Attorney. The Prosecuting Attorneys of Honolulu, Hawaii, and Kauai Counties are elected. The Prosecuting Attorney of Maui County is appointed by the county mayor. The county prosecution offices prosecute criminal and juvenile delinquency cases in the state courts of their respective circuit. The City and County of Honolulu has 109 Deputy Prosecuting Attorney positions, Maui County has 31, Hawaii County has 36, and Kauai County has 14.

The Hawaii Office of the Public Defender provides legal representation to indigent persons in criminal and juvenile delinquency cases in all four counties. The

Defender Council, whose members are appointed by the Governor, appoints the state Public Defender. There are 102 state Deputy Public Defender positions: 68 are based in Honolulu, 13 in Maui County, 16 in Hawaii County, and 5 in Kauai County.

The Federal Public Defender's Office for the District of Hawaii provides legal representation to indigent persons in criminal cases in the federal court in Honolulu. There are three federal Deputy Public Defender positions in Hawaii, all based in Honolulu.

The seven agencies described above will participate in the John R. Justice Grant Program.

II. Outreach Plan

The Department of the Attorney General will post this FY 15 JRJ Application on the Department's website (www.ag.hawaii.gov), and provide copies to all of the participating agencies.

If this application is approved, the Crime Prevention and Justice Assistance Division (CPJAD) of the Department of the Attorney General will notify the participating agencies promptly. Within 45 days thereafter, CPJAD will update the application forms and instructions and written outreach materials explaining the program's purpose, application process, and criteria for eligibility and selection. This time period includes review and approval by the Planning Committee and by the Attorney General.

The application forms and instructions and written outreach materials will be posted on the Department's website. Each participating agency will disseminate these materials among its employees (including current and continuing JRJ beneficiaries), and may conduct informational sessions for its employees regarding this program. If

requested, CPJAD will also conduct informational sessions for participating agencies. Additionally, CPJAD will provide the materials to the University of Hawaii's William S. Richardson School of Law for dissemination among law students.

III. Program Plan Overview

A. Evaluation criteria for applicants

1. How decisions will be made as to eligibility

a. An applicant must be a prosecutor or public defender employed in Hawaii.[1] "Prosecutor" means a full-time employee of a state or unit of local government who is continually licensed to practice law and prosecutes criminal or juvenile delinquency cases at the state or unit of local government level (including supervision, education, or training of other persons prosecuting such cases). Prosecutors who are employees of the federal government are not eligible. "Public Defender" means an attorney who is continually licensed to practice law and is a full-time employee of a state or unit of local government who provides legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation; or employed as a full-time federal defender attorney in a defender organization pursuant to Subsection (g) of section 3006A of Title 18, United States Code, that provides

[1] In Hawaii, there is no full-time employee of a nonprofit organization operating under a contract with a state or unit of local government who devotes substantially all of the employee's full-time employment to providing legal representation to indigent persons in criminal or juvenile delinquency cases including supervision, education, or training of other persons providing such representation.

legal representation to indigent persons in criminal or juvenile delinquency cases.

b. An applicant must have a qualifying student loan held by an institution. "Qualifying student loan" means (1) a loan made, insured, or guaranteed under part B of subchapter IV of chapter 28 of Title 20 (Federal Family Education Loan Program); (2) a loan made under part C or D of subchapter IV of chapter 28 of Title 20 (William D. Ford Federal Direct Loan and Federal Perkins Loans); or (3) a loan made under section 1078-3 or 1087e(g) of Title 20 (Federal consolidation loans and Federal Direct Consolidation loans, respectively). "Qualifying student loan" does *not* mean (1) a loan made to the parents of a dependent student under section 428B of the Higher Education Act of 1965 (20 U.S.C. 1078-2); (2) a Federal Direct PLUS Loan made to the parents of a dependent student; or (3) a loan made under section 428C or 455 (g) of the Higher Education Act of 1965 (20 U.S.C. 1078-3 (Federal consolidation loans) and 1087e(g) (Federal Direct Consolidation loans) to the extent that such loan was used to repay a loan described in clause (1) or (2).

c. An applicant must not be in default on repayment of any federal student loan.

d. An applicant must agree to remain employed as a prosecutor or public defender for a period of service of not less than three years (36 months) from the date of application as a beneficiary of this program unless involuntarily separated from the employment.

2. How decisions will be made as to awards

The Attorney General will convene a John R. Justice Grant Program Planning Committee to assist in outreach activities, review application materials and criteria, and determine loan repayment amounts. The Planning Committee will meet at least once a year.

Applications will be reviewed and beneficiaries will be chosen by a Selection Committee (sub-group of the Planning Committee) comprised of seven members: the Attorney General or his representative; two employees of the Office of the Public Defender (at least one from Hawaii County, Kauai County, or Maui County); three employees of county prosecution offices selected by the Hawaii Prosecuting Attorneys Association (at least one from Hawaii County, Kauai County, or Maui County); and the Federal Public Defender for the District of Hawaii or his representative.

If the Federal Pubic Defender declines to participate in the Selection Committee, the Committee will comprise five members: the Attorney General or his representative; two employees of the Office of the Public Defender (at least one from Hawaii County, Kauai County, or Maui County); and two employees of county prosecution offices selected by the Hawaii Prosecuting Attorneys Association (at least one from Hawaii County, Kauai County, or Maui County).

The Selection Committee will:

- Ensure that the total amount of loan repayment funding is allocated equally between prosecutors and public defenders
- Give priority to eligible applicants who have the least ability to repay their loans

The Selection Committee may consider the following factors:

- Salary cap of $82,000 for applicants (including "locality pay" for federal public defenders)
- Distribution of awards to ensure a range of geographic and demographic representatives
- Assistance from other sources
- Amount of qualifying loan debt
- Amount of the repayment benefit
- Academic achievement (for applicants with less than one year of service as a prosecutor or public defender)
- Employer's statement of meritorious service
- Once approved for loan repayment, a beneficiary will be given priority consideration to receive funding during the second and third years of the three-year service agreement, depending on the availability of funds. Renewal is not automatic, and there is no obligation to renew a benefit in the same (or greater) amount previously received by a beneficiary.

The loan repayment amount for each beneficiary will be determined by the Selection Committee. The number of beneficiaries will be contingent on the amount of funding available. If the number of selected applicants is insufficient, the Selection Committee may increase the loan repayment amount up to $10,000 per beneficiary, or reopen the application period to recruit additional applicants.

All final funding decisions will be made by the Department of the Attorney General.

The Selection Committee will select the beneficiaries and CPJAD will notify them within 30 days after the application deadline. A lump sum payment to the institutions holding a beneficiaries' qualifying student loan will be issued within 20 days after the Department of the Attorney General receives the lender and employment verification forms from the beneficiaries.

Grant funds received by the Department of the Attorney General will be paid only to the institution holding the qualifying loan. No funds will be paid directly to the beneficiary. Payments made on behalf of approved beneficiaries will not exceed the total qualifying loan balance. The amount paid will not exceed $10,000 for any individual in any calendar year or an aggregate total of $60,000 in the case of any individual.

CPJAD will provide administrative support to the Selection Committee. CPJAD will also provide fiscal management of the program and provide fiscal reports to the Selection Committee as needed. The Administration Division of the Department of the Attorney General will review documents and provide other legal services as needed.

B. General application process

Applicants must submit their application, including the required attachments, to CPJAD on or before the deadline. The deadline will be approximately thirty days after CPJAD issues the application forms and instructions. Applications must be

received on or before the deadline. Incomplete or late applications will be returned without consideration.

C. Technical application process

Applications must be mailed or hand-delivered to CPJAD.

D. Attachments that applicants will be required to submit with their applications

- Application form, including information on applicant's total education debt, applicant's (or, if married, household's) gross or net income, total assets, and number of dependents; and statement that applicant is not in default on repayment of any federal student loan
- Statement of circumstances affecting ability to repay student loans (including listing of all financial obligations other than educational debt)
- Employment and salary
- Proof of qualifying students loan(s), including original loan amount, current balance, and monthly payment amount
- John R. Justice Student Loan Student Loan Repayment Program Service Agreement (OMB No. 1121-0329)
- 2014 Form 1040, Form 1040A, or Form 1040EZ
- Optional: Statement of academic achievement

E. Process for Awarding Additional JRJ Benefits

No priority consideration will be given to individuals who have already completed the initial three-year term of service of their original JRJSLRP Service Agreement. If an individual does apply for additional benefits in exchange for additional terms of service, they will be considered along with the new applicants. If they are

selected as a beneficiary, they will be required to fill out the JRJSLRP Secondary Term of Service Agreement.

F. Data Collection and Performance Measures

The Department of the Attorney General will collect and report the required Performance Measures data elements that are stipulated in the John R. Justice (JRJ) FY 2015 Solicitation. The Department will collect this data from the spreadsheets used to track the applicants. The data will include, but is not limited, to the following:

- **Number of eligible JRJ program applicants**
  - Total number of applicants during reporting period.
  - Total number of eligible applicants (unique count) as of the reporting period, including the number who are prosecutors, state or local public defenders, and federal public defenders.
- **Number of JRJ applicants selected to receive loan repayments, based on the least ability to repay**
  - Total number of prosecutors selected to receive loan repayments during the reporting period, based on the least ability to repay.
  - Total number of state or local public defenders selected to receive loan repayments during the reporting period, based on the least ability to repay.
  - Total number of federal public defenders selected to receive loan repayments during the reporting period, based on the least ability to repay.

- **Number of previous JRJ recipients selected under priority consideration.**
  - Total number of previous JRJ recipients selected under priority consideration.
- **Dollar amount of loan repayments awarded.**
  - Total dollar amount awarded to prosecutors during the reporting period.
  - Total dollar amount awarded to state or local public defenders during the reporting period.
  - Total dollar amount awarded to federal public defenders during the reporting period.
- **Dollar amount of loan repayments distributed.**
  - Total dollar amount distributed to prosecutors during the reporting period.
  - Total dollar amount distributed to state or local public defenders during the reporting period.
  - Total dollar amount distributed to federal public defenders during the reporting period.
- **Outreach.**
  - Type of outreach conducted.
- **Number of participants exiting the program without completion.**
  - Total number of prosecutors who exited the program without completion during the reporting period.

- Total number of state and local public defenders who exited the program without completion during the reporting period.
- Total number of federal public defenders who exited the program without completion during the reporting period.

IV. Compliance with Statutory Requirements

To determine which applicants have the least ability to pay, the Selection Committee *will* assess the following:

- The applicant's total educational debt
- The applicant's gross or net income; or, if married, household gross or net income

Additionally, the Selection Committee *may* assess the following:

- The ratio of the applicant's total educational debt to total assets
- Number of dependents claimed by the applicant
- Financial obligations other than educational debt

The Selection Committee *will not* consider an adjustment for the cost of living because the cost of living is relatively consistent across the state.

V. Distribution of Funding

The Selection Committee will ensure that funding is not isolated or heavily concentrated in any particular metropolitan area or geographic section of the state, and will ensure that distribution is as widespread as possible. To accomplish this, the Selection Committee will consider the distribution of prosecutor and public defender positions shown in the following table:

State Judicial Circuit* * (No Fourth Circuit)	Prosecutors/Deputy Attorneys General	State/Federal Public Defenders
First Circuit (City and County of Honolulu)	127	71
Second Circuit (County of Maui)	31	13
Third Circuit (County of Hawaii)	36	16
Fifth Circuit (County of Kauai)	14	5
Total	208	105

Beneficiaries who have received repayment benefits in the prior fiscal year and who have completed less than three years of their initial JRJSLRP Service Agreement will be given priority consideration to receive funding during the second and third years of the three year service agreement, depending on the availability of funds. Renewal is not automatic, and there is no obligation to renew a benefit in the same (or greater) amount previously received by a beneficiary.

VI. Program Timeline

CPJAD will establish the following tentative timeline for the application notification, beneficiary selection and payment process for the grant program:

Program Activity	Schedule
Notification to participating agencies and development of application forms and posting on CPJAD website	45 days after notification of award from BJA
Application due date	30 days from date of application/instruction issuance by CPJAD
Award notification to beneficiary	30 days after application due date
Payment to institution of beneficiary	20 days after CPJAD receives lender verification and employment verification form from beneficiary

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 funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non-Federal Amounts	Total
A. Personnel	$0	$0	$0
B. Fringe Benefits	$0	$0	$0
C. Travel	$448	$0	$448
D. Equipment	$0	$0	$0
E. Supplies	$0	$0	$0
F. Construction	$0	$0	$0
G. Consultants/Contracts	$30,768	$0	$30,768
H. Other	$0	$0	$0
Total Direct Costs	$31,216	$0	$31,216
I. Indirect Costs	$0	$0	$0
TOTAL PROJECT COSTS	$31,216	$0	$31,216

Federal Request	$31,216
Non-Federal Amount	$0
Total Project Cost	$31,216

Public Reporting Burden

Paperwork Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is four (4) hours per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write the Office of Justice Programs, Office of the Chief Financial Officer, 810 Seventh Street, NW, Washington, DC 20531; and to the Public Use Reports Project, 1121-0188, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

Hawaii FY 2015 John R. Justice Grant
Budget Narrative

A. Personnel

B. Fringe

C. Travel

The Department of the Attorney General will convene a one day Selection Committee meeting to review applications and select beneficiaries. Airfare will be paid for 2 neighbor island members to attend a Selection Committee Meeting. Two Neighbor island members (one deputy PD and one deputy PA) x $199 roundtrip airfare = $398. One rental car (shared) for Selection Committee Meeting will be used at $50/per day.

Total Travel Amount = $448

D. Equipment

E. Supplies

F. Construction

G. Consultants/Contracts

Subawards of student loan repayment will be distributed to 24 beneficiaries.
12 Prosecutors + 12 Public Defenders = 24 of Repayment Loans
24 student repayment loans at $1,282/each will be paid = $31,216.

H. Other Costs

Attachment 3

EXECUTIVE CHAMBERS

HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 18, 2012

Ms. Denise E. O'Donnell
Director
Bureau of Justice Assistance
Office of Justice Programs
810 Seventh Street NW
Washington, DC 20531

Dear Ms. O'Donnell:

I am designating the Department of the Attorney General to administer the John R. Justice grant. As the Department that administers the Byrne JAG formula grant and other federal crime grants, we look forward to collaborating with the Bureau of Justice Assistance on another program to improve criminal justice system.

Sincerely,

NEIL ABERCROMBIE
Governor, State of Hawaii

457812_1.DOC

FY 2015 JRJ Program Application: **ATTACHMENT 5**

Disclosure of Pending Applications:

The Hawaii Department of the Attorney General does not have pending applications submitted within the last 12 months for federally funded assistance that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.

BJA FY 15 John R. Justice Program 2015-H0591-HI-RJ

Assurances and Certifications

To the best of my knowledge and belief, all data in this application/preapplication is 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.

Your typed name, in lieu of your signature represents your legal binding acceptance of the terms of this application and your statement of the veracity of the representations made in this application. The document has been duly authorized by the governing body of the applicant and the applicant will comply with the following:

1. Assurances
2. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace requirements.

If you are an applicant for any Violence Against Women grants, this includes the Certification of Compliance with the Statutory Eligibility Requirements of the Violence Against Women Act.

*Prefix:	Mr.
Prefix (Other):	
*First Name:	Douglas
Middle Initial:	S
*Last Name:	Chin
Suffix	Suffix:
Suffix (Other):	
*Title:	Attorney General
*Address Line 1:	425 Queen Street
Address Line 2:	
*City:	Honolulu
County:	
*State:	Hawaii
*Zip Code:	96813 - 2427 Zip+4 Lookup
*Phone:	808 - 586 - 1282 Ext :

Fax:	808 - 586 - 1239
*E-mail:	hawaiiag@hawaii.gov Email Help

☑ I have examined the information provided here regarding the signing authority and certify it is accurate. I am the signing authority, or have been delegated or designated formally as the signing authority by the appropriate authority of official, to provide the information requested throughout this application system on behalf of this jurisdiction. Information regarding the signing authority, or the delegation of such authority, has been placed in a file and is available on-site for immediate review.

Save and Continue

NOTE: You must click on the "Accept" button at the bottom of the page before closing this window

OMB APPROVAL
NUMBER 1121-0140

EXPIRES 03/31/2016

STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-21, A-87, A-102, A-110, A-122, A-133; Ex. Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

3. It will give the awarding agency or the Government Accountability Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).

5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 7 94); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

7. If a governmental entity:

   a. it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and
   b. it will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

Accept

NOTE: You must click on the "Accept" button at the bottom of the page before closing this window

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS
OFFICE OF THE CHIEF FINANCIAL OFFICER

CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE 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. Acceptance of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "DOJ Implementation of OMB Guidance on Nonprocurement Debarment and Suspension," and 28 CFR Part 83, "Government-wide Debarment and Suspension," 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)

Pursuant to Executive Order 12549, Debarment and Suspension, implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements:

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 judgment 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) Have not within a two-year period preceding this application been convicted of a felony criminal violation under any Federal law, unless such felony criminal conviction has been disclosed in writing to the Office of Justice Programs (OJP) at Ojpcompliancereporting@usdoj.gov, and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

(d) 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 (b) of this certification; and

(e) 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.

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. FEDERAL TAXES

A. If the applicant is a corporation, the applicant certifies that either (1) the corporation has no unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, or (2) the corporation has provided written notice of such an unpaid tax liability (or liabilities) to OJP at Ojpcompliancereporting@usdoj.gov, and, after such disclosure, the applicant has received a specific written determination from OJP that neither suspension nor debarment of the applicant is necessary to protect the interests of the Government in this case.

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.

4. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, Subpart F, for grantees, as defined at 28 CFR Sections 83.620 and 83.650:

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 on-going drug-free awareness program to inform employees about

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

(2) The grantee's policy of maintaining a drug-free 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, 810 7th Street, 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).

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

Accept