OMB No. 1121-0329
Approval Expires 02/28/2027

DOJ FY 2026 Bridging Immigration-Related Deficits Experienced Nationwide ("BIDEN") Program – Round 2

Grants.gov Funding Opportunity Number: O-BJA-2026-172656

Application Deadlines in Eastern Time (ET):

1: Complete SF-424 and Submit in Grants.gov: **August 26, 2026, by 11:59 p.m. ET**

2: Submit full application in JustGrants: **August 28, 2026, by 8:59 p.m. ET**

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1. BASIC INFORMATION

Purpose of the Funding

This is a notice of funding opportunity (NOFO) for the Department of Justice's (DOJ) FY 2026 Bridging Immigration-Related Deficits Experienced Nationwide (BIDEN) Program.

This program, authorized under the BIDEN Reimbursement Fund established by the One Big Beautiful Bill Act, Public Law 119-21, Title X, Subtitle A, Part II (codified at 34 U.S.C. § 61101), provides funding for grants to eligible States, State agencies, and units of local government and tribal governments, pursuant to their existing statutory authorities to support the seven statutory purposes outlined in 34 U.S.C. § 61101:

1. Locating and apprehending aliens who have committed a crime under federal, state, or local law, in addition to being unlawfully present in the United States (hereafter referred to as "criminal illegal aliens").
2. Collection and analysis of law enforcement investigative information within the United States to counter gang or other criminal activity.
3. Investigating and prosecuting (a) crimes committed by aliens within the United States; and (b) drug and human trafficking crimes committed within the United States.
4. Court operations related to the prosecution of (a) crimes committed by aliens; and (b) drug and human trafficking crimes.
5. Temporary criminal detention of aliens.
6. Transporting aliens described in paragraph (1) within the United States to locations related to the apprehension, detention, and prosecution of such aliens.
7. Vehicle maintenance, logistics, transportation, and other support provided to law enforcement agencies by a state agency to enhance the ability to locate and apprehend aliens who have committed crimes under federal, state, or local law, in addition to being unlawfully present in the United States.

Awards from this program should be used to support significant participation in and support of Homeland Security Task Force (HSTF) activities, and other DOJ efforts to combat gangs, cartels, and other violent crime.

Awards under this NOFO may support expenditures made by State agencies or units of local government for completed, ongoing, or new activities that occurred on or after January 20, 2021.

This NOFO includes three funding categories:

Category 1: Hiring

- **Sworn and Non-Sworn Law Enforcement Personnel**—Funding can be used to hire or rehire full-time sworn career law enforcement officers/deputies and civilian/non-sworn personnel as outlined below:

- Hire new full-time officers/deputies and full-time civilian/non-sworn personnel, including by filling existing officer/deputy vacancies that are no longer funded in your agency's budget.
- Rehire full-time officers/deputies and full-time civilian/non-sworn personnel who have been laid off by any jurisdiction as a result of state, local, or Bureau of Indian Affairs (BIA) budget reductions. The rehired officers/deputies must be rehired on or after the official award start date on the notice of award.
- Rehire full-time officers/deputies and full-time civilian/non-sworn personnel who are (at the time of application) currently scheduled to be laid off by your jurisdiction on a specific future date as a result of state, local, or BIA budget reductions. Recipients will be required to continue funding the positions with local funding until the date(s) of the scheduled layoffs.

Applicants may request funding for full-time officer/deputy salaries or a combination of officer and salaries of civilian/non-sworn. Funding will support salaries for up to three years of eligible positions to be expended within a five-year period of performance to accommodate time needed for recruitment and hiring.

- **Non-Law Enforcement Personnel**—Funding can be used for the hiring, retention, and training of critical personnel across the full continuum of criminal justice operations for the purposes cited above. Examples of personnel could include but need not be limited to the following: forensic, investigative, analytical; prosecution and legal support; corrections, detention, and custodial; and transportation, security, and operations logistics. Funding may not be used for co-responders, interpreters, or translators.

Category 2: Technology and Equipment—Funding can be used to purchase and support multi-year implementation, ongoing subscriptions, training, and maintenance of equipment and advanced technology to address critical resource gaps and enhance capacity to support criminal justice operations related to the purposes cited above.

Note: If you apply for and receive funding for Unmanned Aerial Systems (UAS), body-worn cameras, body armor, and/or NIBIN machines, you will be required to submit equipment-specific certifications and other documentation as a condition of your award.

Category 3: Construction of Temporary Detention Facilities for Criminal Illegal Aliens—Funding can be used for the following:

- Major Construction Projects—Funding would support large-scale projects, including building temporary detention facilities to house criminal illegal aliens awaiting prosecution, immigration proceedings, or transfer to federal custody.
- Substantial Renovation/Expansion/Modernization—Funding would support the expansion or modernization/targeted improvement of existing facilities, including bolstering detention infrastructure through addition of housing units, or renovation of existing facilities to meet current detention standards and significantly enhance

capacity and operational functionality for temporary detention of aliens who have committed a crime in addition to being unlawfully present in the United States.

Please see Appendix 2 for additional requirements and information for this category.

Note: For all categories, award structure and distribution details will be finalized following review of applications and assessment of anticipated needs giving rise to the application for the purposes of this NOFO (as defined above), including operational challenges associated with criminal illegal alien activity, drug trafficking networks, human trafficking operations, and transnational criminal organizations. The Department anticipates making awards across all four categories with award sizes adjusted to jurisdictional need, population served, operational scope, and enforcement workload.

Funding Details

Announcement Type	Initial
Assistance Listing Number	16.076
Statutory Authority	Pub. L. No. 119-21, Sec. 100055 (codified at 34 U.S.C. § 61101)
Grants.gov Opportunity Number	O-BJA-2026-172656
Expected Total Amount of Funding	$3 billion
Anticipated Number of Awards	TBD
Award Type(s)	Grant or Cooperative Agreement
Anticipated Award Amount	Award amounts will be determined following review of applications.
Expected Award Period(s)	36–60 months starting on October 1, 2026

Key Dates and Times

NOFO Release Date	This NOFO will be released in multiple rounds. Applications will be accepted on a rolling basis until funds are no longer available. See below for the dates when each round will be released and the deadlines for application submission. Rounds may be added. Round 2 Release Date: July 28, 2026 • Grants.gov Deadline: 11:59 p.m. ET on August 26, 2026 • JustGrants Deadline: 8:59 p.m. ET on August 28, 2026
SAM.gov Registration/Renewal	Recommend beginning the process as soon as possible.
Anticipated Notification Date	Awards will be made on a rolling basis.

2. ELIGIBILITY

Eligible applicants for this funding opportunity are limited to government entities described below that have direct responsibility for carrying out criminal justice functions, including the investigation, prosecution, detention, corrections, transportation, and associated support activities (*see* Purpose of the Funding above).

Applicants must also have established and fully participate in a 287(g) partnership, or commit to entering into and fully participating in one. In addition, applicants must be fully participating in either HSTF operations or other major DOJ enforcement efforts, or commit to entering into and fully participating in those efforts.

Eligible applicants include:

- **Government Entities**
  - State governments
  - County governments
  - City or township governments
  - Special district governments
  - Native American Tribal governments (federally recognized)
  - Native American Tribal governments (other than federally recognized)
- **Other**
  - State agencies with law enforcement responsibilities
  - Units of Local Government

State Government Entities: For the purposes of this NOFO, "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Other Units of Local Government: For the purposes of this notice of funding opportunity, other units of local government include towns, boroughs, parishes, villages, or other general purpose political subdivisions of a state.

Additional Eligibility Factors

For sworn and non-sworn law enforcement personnel hiring, eligible applicants are limited to established and operational local, state, territorial, and tribal law enforcement agencies that have primary law enforcement authority for the jurisdiction served.[1]

Certifications: You must submit the following certifications. See Additional Application Components for how to submit.

In order to request a federal grant award under this program, an applicant that is a State or local government entity must submit a certification (using only the template provided in Appendix 1, entitled "Certification by the Chief Executive Officer (or senior official) of the Applicant Government." Tribal government entities and educational organizations (e.g., public or state-controlled institutions of higher education) are not required to submit this certification. This certification is a basic minimum requirement of this funding opportunity, such that applications from applicants that are required to submit it and fail to do so, will be denied.

Also, such applicants should anticipate that awards to state or local government entities under this NOFO will include an award condition addressing compliance with 8 U.S.C. 1373.

Letter of Support: All applicants must also provide a letter of support from DOJ through the US Attorney's Office's Lead HSTF Attorney for the applicable HSTF, certifying the applicant is currently or intends to participate in HSTF activities or major DOJ operations.

Award Condition (Notice): Awards under this funding opportunity will include a condition (the specific terms of which will govern the award) related to the future reimbursement of the costs associated with federal law enforcement intervention or assistance provided to reduce crime or public disorder. The condition will, generally speaking, require an award recipient to fulfill any such future reimbursement obligation(s) incurred in accordance with its terms.

[1] Note: If funds under this program are to be used as part of a written contracting agreement for law enforcement services (e.g., a town that contracts with a neighboring sheriff's department to receive services), the agency wishing to receive law enforcement services must be the legal applicant in this application.

Limit on Number of Applications: You may submit only one application and apply to multiple funding categories.

Cost Sharing (Match) Requirement: This NOFO does **not** require cost sharing (match).

3. PROGRAM DESCRIPTION

Statutory Authority

Pub. L. No. 119-21, Sec. 100055 (codified at 34 U.S.C. § 61101)

Agency Funding Priorities

In order to advance public safety and help meet its mission, DOJ priorities include:

(a) Directly supporting law enforcement operations (including immigration law enforcement operations);

(b) Combatting violent crime;

(c) Supporting services to American citizens;

(d) Protecting American children; and

(e) Supporting American victims of trafficking and sexual assault.

Unallowable Activities: The following are certain unallowable costs and certain activities that are out of the program scope and will not be funded.

1. Out of program scope is any program or activity, at any tier that, directly or indirectly, violates (or promotes or facilitates the violation of) federal immigration law (including 8 U.S.C. § 1373) or impedes or hinders the enforcement of federal immigration law—including by failing to comply with 8 U.S.C. § 1373, give access to DHS agents, or honor DHS requests and provide requested notice to DHS agents.
2. Out of program scope is any program or activity, at any tier that violates any applicable Federal civil rights or nondiscrimination law. This includes violations that—(1) indirectly violate the law, including by promoting or facilitating violations; or (2) unlawfully favor individuals in any race or protected group, including on a majority or minority, or privileged or unprivileged, basis, within a given area, population, or sector.
3. As specified in the DOJ Grants Financial Guide, in Chapter 3.13 "Unallowable Costs" ("Legal Services for Aliens"), any obligations of funds, at any tier, under this award to provide (or to support the provision of) legal services to any removable alien or any alien otherwise unlawfully present in the United States shall be unallowable costs for purposes any award made under this notice, but

the foregoing shall not be understood to apply: (1) to legal services to obtain protection orders for victims of crime; or (2) to immigration-related legal services that may be expressly authorized or required by any law, or any judicial ruling, governing or applicable to the award.

Goals and Objectives of This Funding Opportunity

Goal: Increase capacity to carry out location, apprehension, detention, investigation, prosecution, and other enforcement activities related to criminal illegal aliens and drug and/or human trafficking perpetrators

- **Objective 1:** Increase hiring and retention of existing staff across investigations, prosecutions, courts, detention, corrections, and transportation supporting criminal illegal alien-related and drug and//or human trafficking operations.
- **Objective 2:** Increase investigations and prosecutions of crimes by individuals unlawfully present and drug/human trafficking cases.
- **Objective 3:** Increase apprehensions by program-funded personnel.
- **Objective 4:** Increase law enforcement agencies' operational capabilities by providing equipment and technology that directly supports efforts to identify, locate, apprehend, investigate, detain, and transport criminal illegal aliens, drug trafficking suspects, human trafficking perpetrators
- **Objective 5:** Increase temporary detention capacity in connection with enforcement actions.

For a description of how awards under this NOFO will contribute to achieving these goals and objectives, see the Performance Reports section below.

Expected Outcomes

OJP expects recipients to submit deliverables and performance reports, as described below. Read the Application Resource Guide for more information. OJP will measure success by reviewing a recipient's submission of performance reports and data and the extent to which project implementation reflects progress toward the goals and objectives of this NOFO.

Deliverables
Read the Post-Award Requirements and Administration section for more information. Recipients will receive further guidance on post-award deliverables dependent on categories of funding awarded.

Performance Reports
OJP requires recipients to submit regular performance reports that demonstrate progress toward achieving Program Goals and Objectives. Read information on performance reporting. Recipients will receive further guidance on post-award reporting requirements.

4. APPLICATION CONTENTS AND FORMAT

Application Contents List

OJP will only consider applications that contain all required parts, which are marked ***Required*** below. Refer to the DOJ Grant Application Submission Checklist for application instructions.

Application Item	Submission Type
Step 1: Grants.gov	
Application for Federal Assistance: SF-424 ***Required***	Online Form
Step 2: JustGrants	
Standard Applicant Information ***Required***	Online Form
Proposal Abstract	Text Box
Data Requested With Application • Financial Management and System of Internal Controls Questionnaire (including Applicant Disclosure of High-Risk Status) • Agency Funding Priorities Inventory	Online Form
Proposal Narrative ***Required***	Attachment
Budget ***Required***	Online Form
Other Budget/Financial Attachments • Indirect Cost Rate Agreement (if applicable) • Consultant Rate (if applicable) • Limitation on Use of Award Funds for Employee Compensation for Awards Over $250,000; Waiver (if applicable)	Attachment
Memorandum of Understanding (if applicable)	Attachment

Additional Application Components	Attachment
• Certification by the Chief Executive Officer (or senior official) of the Applicant Government **applicant state or local government entities only** ****Required**** • Letter of support from DOJ or an alternative federal HSTF member certifying the applicant is currently or intends to participate in HSTF activities or major DOJ operations. ****Required**** • Current organizational chart for all jurisdiction entities proposed to receive funding through this project (e.g., police department, sheriff's office, courts, jails, etc.) • Tribal Authorizing Resolution (if applicable)	

In addition to the items marked ***Required*** in the table above, the following are considered basic minimum requirement elements that are considered in the responsiveness review:

Standard Applicant Information *Required*

Review and edit as needed the information imported from the SF-424 submitted in Grants.gov. Add ZIP codes for areas affected by the project.

Proposal Abstract

In JustGrants, enter a proposal abstract (limited to 2,000 characters) summarizing the proposed project. As abstracts for funded projects are public, do not include any personally identifying information (e.g., staff names). The abstract should include the following information:

- The name of the applicant's proposed project.
- The purpose of the proposed project (i.e., what the project will do and why it is necessary).
- Where the project will take place (i.e., the service area, if applicable).
- Who will be served by the project (i.e., who will be helped or have their needs addressed by the project).
- What activities will be carried out to complete the project.
- The subrecipient(s)/partner organizations or entities, if known.
- Deliverables and expected outcomes (i.e., what the project will achieve).

View an example of a proposal abstract.

Data Requested with Application

Financial Management and System of Internal Controls Questionnaire (including Applicant Disclosure of High-Risk Status)

Review information on this questionnaire.

Proposal Narrative *Required*

Format of the Proposal Narrative

Submit the narrative as an attachment in JustGrants. The document should:

- Be double-spaced, using a standard 12-point size font
- Have no less than 1-inch margins
- Have numbered pages
- Not to exceed 20 pages.

Sections of the Proposal Narrative

The Proposal Narrative must include the four sections listed below. In each section, applicants must address the following.

1. Description of the Need (5% of application score): What critical issue or problem do you propose to address with this funding request? This section should describe the current conditions and challenges your jurisdiction is facing related to criminal justice operations, such as enforcement, investigations, prosecutions, drug and/or human trafficking associated with the "Purposes of the Funding", and describe the hiring and retention, equipment and technology, and/or transportation and detention resources needed to support those operations. Applicants should address the following:

Please include:

- A brief explanation of the need, gap, or issue to be addressed by the proposed project activities.
- Supporting information, data, or evidence to demonstrate the needs' existence, size, and impact on the target population and community.
- How the need relates to the purpose of the NOFO.

DOJ recognizes that jurisdictions vary widely in size, structure, and capacity. Applicants should describe their circumstances clearly and candidly, even where data may be limited.

2. Project Goals and Objectives (15% of application score): How will the proposed project activities address the need identified and address the purpose of the NOFO? Describe what the applicant intends to accomplish, including specific outcomes that will be achieved in support of the investigation and prosecution of fraud and other crimes committed by aliens and in support of the seven statutory purposes outlined in 34 U.S.C. § 61101. Please include:

- Project goals (goals are broad, visionary statements on what you hope to accomplish).

- Project objectives (objectives are specific outcomes you plan to achieve through project activities).
- How your project goals and objectives relate to the goals and objectives of the funding opportunity.

3. Project Design and Implementation (35% of application score): How will you implement project activities that meet the goals and objectives? Please include:

- What activities you will conduct to achieve the proposed goals and objectives.
- How you will deliver or complete those activities.
- When the activities will take place.
- What deliverables will be produced as part of the project.
- If you plan to use subrecipients to help conduct the project, please name them (if they are known) or describe how you will identify them. Please describe their role in conducting project activities.
- How will your jurisdiction advance its established 287(g) partnership, HSTF operations, or other DOJ activities through this award?
- What challenges do you anticipate in implementing project activities, and how do you plan to address them?

4. Capabilities and Competencies (30% of application score): What administrative and technical capacity and expertise do you bring to successfully complete this project? Please include:

- A short description of your capacity to deliver the proposed project activities and meet the post-award requirements, if funded. Describe your organization's capacity to manage federal funding, including fiscal, administration, and programmatic oversight.
- A description of projects or activities your organization has conducted, or is currently conducting, that demonstrates your ability to undertake the proposed project activities.
- A summary of relevant experience of team members with key responsibilities for implementing the project. A summary of the relevant experience, qualifications, and roles of key personnel who will implement or oversee the project, and any other personnel with significant responsibility for project execution.

Budget (15% of application score) *Required*

Use the Budget Detail Worksheet (Web-Based Form) to submit the budget. Read information on budget preparation and JustGrants Application Submission Training.

- List each cost needed to implement the project under the appropriate cost category.
- Clearly name and describe each cost.
- Show the computation of each cost (e.g., cost per unit, number of units, and total cost).

- Enter narrative, as needed, to explain the cost calculations and connection to your project goals, objectives, and activities.
- Include only costs that are reasonable, allocable, and necessary to implement the project. They must be allowable under the funding statute and agency requirements.[2]
- Reimbursement costs should be clearly identified with dates the costs were incurred.

Budget/Financial Attachments

- **Indirect Cost Rate Agreement (if applicable):** If the budget includes indirect costs calculated using a current, federally approved indirect cost rate, upload your indirect cost rate agreement. Read information about indirect costs.
- **Consultant Rate (if applicable):** Read information on limits to consultant rates and whether you need to request approval to exceed those limits.

  Limitation on Use of Award Funds for Employee Compensation for Awards Over $250,000; Waiver (if applicable): Read information on this limitation and to determine whether you need to submit a waiver.
  https://www.ojp.gov/funding/apply/ojp-grant-application-resource-guide

Memorandum of Understanding (MOU) and Supporting Documents

Attach a Memorandum of Understanding (MOU) or letter of intent between the applicant and each of the project partner(s). Read information on what to include in an MOU/letter of intent.

MOUs should be submitted as one separate attachment to the application. Unsigned draft MOUs may be submitted with the application, but you should describe in a cover page to the attachment why they are unsigned.

Additional Application Components

Attach these in JustGrants:

- **Tribal Authorizing Resolution (if applicable):** Read information on whether you may need to submit a Tribal Authorizing Resolution.
- **Additional Application Component Name:**
  - 1373 Certification signed by the Chief Executive Officer (or senior official) of the Applicant Government **applicant state or local government entities only** ***Required****
  - Letter of support from DOJ or an alternative federal HSTF member certifying the applicant is currently or intends to participate in HSTF activities or major DOJ operations. ***Required***

[2] See 2 C.F.R. Part 200, Subpart E and the DOJ Grants Financial Guide. Read information on unallowable costs that apply to all funding opportunities.

- Current organizational chart for all jurisdiction entities proposed to receive funding through this project (e.g., police department, sheriff's office, courts, jails)

Disclosures and Assurances

Read the disclosures and assurances and complete them in JustGrants:

- Disclosure of Lobbying Activities
- Disclosure of Duplication in Cost Items (if applicable)
- DOJ Certified Standard Assurances
- DOJ Certifications
- Applicant Disclosure and Justification—DOJ High-Risk Grantees (if applicable)

5. SUBMISSION REQUIREMENTS AND DEADLINES

The DOJ Grant Application Submission Checklist provides instructions for how to submit your application by the deadlines. Executive Order (E.O.) 12372 (Intergovernmental Review of Federal Programs) does apply to this funding opportunity: read the Application Resource Guide for details. Read OJP's policy for applicants to request late submission due to technical difficulties, severe weather, or natural or manmade disasters.

6. APPLICATION REVIEW INFORMATION

The Application Resource Guide explains the responsiveness review, review criteria, and review and selection process, including risk review, and deciding official. Refer to the Application Contents List for all required application components and other basic minimum requirement elements that are considered in the responsiveness review. The Proposal Narrative and Budget sections of this NOFO indicates the weight of peer review criteria.

7. AWARD NOTICES

Read about the award notification process.

8. POST-AWARD REQUIREMENTS & ADMINISTRATION

Read the Application Resource Guide for more information about standard award terms and conditions, administrative and national policy requirements, and post-award reporting requirements.

9. QUESTIONS?

NOFO Contact	Name: OJP Response Center Phone: 800-851-3420 or 202-353-5556 (TTY for hearing-impaired callers only) Email: OJP.ResponseCenter@usdoj.gov Hours: 9:00 a.m.–5:00 p.m. ET, Monday–Friday
SAM.gov Help Desk	Website: sam.gov/help Hours: 8 a.m.–8 p.m. ET, Monday–Friday (closed federal holidays)
Grants.gov Help Desk	Phone: 800-518-4726 Email: support@grants.gov Website: grants.gov/support Hours: 24 hours a day, 7 days a week (closed federal holidays)
JustGrants Help Desk	Phone: 833-872-5175 Email: JustGrants.Support@usdoj.gov Hours: 7:00 a.m.–9:00 p.m. ET, Monday–Friday and 9:00 a.m.–5:00 p.m. ET on Saturday, Sunday, and federal holidays.

APPENDIX 1—CERTIFICATION

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

Certification by the Chief Executive Officer (or senior official) of the Applicant Government

On behalf of the applicant named below, and in support of its application, I certify under penalty of perjury to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

(1) I am the chief executive officer of the State or local government ("the jurisdiction") of which the applicant entity named below is a part (or a senior official of the jurisdiction, with the legal authority to bind the same), I have received appropriate legal advice as to this certification, and I have the authority to make this certification on my own behalf as chief executive officer (or senior official) and on behalf of the jurisdiction and the applicant entity. I understand that OJP will rely upon this certification as a material representation in any decision to make an award to the applicant entity.

(2) I have carefully reviewed (or have received pertinent legal advice concerning) 8 U.S.C. §§ 1373(a) & (b) and 1644, including the prohibitions on certain actions by State and local government entities, agencies, and officials regarding information on citizenship and immigration status.

(3) I (and the applicant entity) understand that, for purposes of this certification, the term "program or activity" means what it means under title VI of the Civil Rights Act of 1964 *(see* 42 U.S.C. § 2000d-4a), and that terms used in this certification that are defined in 8 U.S.C. § 1101 mean what they mean under that section 1101, except that the term "State" also shall include American Samoa *(cf.* 34 U.S.C. § 10251(a)(2)).

(4) I (and the applicant entity) assure that the applicant entity (and its officials and other personnel) will comply with 8 U.S.C. §§ 1373 and 1644 in any "program or activity" receiving federal financial assistance under any award made by OJP pursuant to this application. I further certify that any subrecipient (at any tier) of such federal financial assistance (and its officials and other personnel) will also comply with 8 U.S.C. §§ 1373 and 1644.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 34 U.S.C. § 10271 or under 18 U.S.C. § 1001 or 1621, and may subject me and the applicant entity to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729–3730 and §§ 3801–3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by USDOJ, including by OJP and by the USDOJ Office of the Inspector General.

Signature of Chief Executive Officer (or senior official) of the Applicant Government	Date of Certification
Printed Name of Chief Executive Officer (or senior official)	Title of Chief Executive Officer (or senior official)
Name of Applicant Government Entity	

APPENDIX 2—CATEGORY 3 ADDITIONAL INFORMATION

Key Program Requirements

All applicants must address the following requirements in their program narrative:

- **Legal Authority:** Demonstrate legal authority to undertake construction or renovation projects within their jurisdiction.
- **Site Control:** Provide documentation of site control through ownership or long-term lease agreement for proposed construction locations.
- **Code Compliance:** Ensure compliance with all applicable federal, state, and local building codes and regulations.
- **Construction Capacity:** Demonstrate organizational capacity to complete construction or renovation within the 60-month project period.
- **Facility Purpose:** Ensure that constructed or renovated facilities directly support one or more of the seven statutory purposes under 34 U.S.C. § 61101, including investigating and prosecuting drug trafficking offenses committed in the United States and investigating and prosecuting human trafficking offenses committed in the United States.
- **Operational Sustainability:** Demonstrate local capacity to operate and maintain facilities beyond the grant period.
- **Detention Capacity:** For applications proposing detention facility construction or expansion, specify how many new beds will be added.

Potential Environmental Impact

The National Environmental Policy Act (NEPA) of 1969 (Public Law No. 90-190, as amended; 42 U.S.C. § 4371, et seq.) established a national policy to promote the protection and enhancement of the environment. Any BJA grant recipient with a project involving construction, expansion, renovation, facility planning, site selection, site preparation, and security or facility upgrades must be in compliance with the NEPA requirements during the initiation of the project as part of its planning, site selection, and site preparation. The BJA grant recipient must assist BJA in completing the NEPA process prior to actual construction, expansion, renovation, or remodeling (including security upgrades).

Depending on a review of the project after an award is made, grant recipients may be asked to provide additional information, so BJA can determine if the project may be excluded from further NEPA review. Depending on the particular project, an environmental assessment (EA) may need to be conducted, to assess the environmental impacts of the proposed project/action. If an EA is required, BJA will provide this service free of charge. Applicants do not need to allocate funding for this process in their grant applications.

For more information regarding NEPA, please visit https://bja.ojp.gov/national-environmental-policy-act-nepa-guidance.

Build America, Buy America Requirements

Pursuant to the Build America, Buy America Act (Pub. L. No. 117-58, §§ 70901-52), certain qualifying infrastructure projects may be subject to additional procurement requirements.

Project Insurance

Construction and major renovation projects create unique insurance challenges, and property owners need to understand the obligations and responsibilities they assume when contracting with their preferred builders or contractors. It is best to consult with an experienced independent insurance agent to assess the scope of a construction project and determine which policy is best suited to protect the owner's interests. BJA will require proof of project insurance prior to releasing funds to commence the construction/renovation/expansion project.

Lease Agreements

If the awardee opts to enter into a lease agreement once the project is complete, the awardee must ensure that the federal interest(s) described in 2 C.F.R. 200.311 (Real property) are protected by the lease terms. These terms must ensure that the building will be used for the originally authorized purpose as long as needed by the awardee for that purpose, during which time the awardee must not dispose of or encumber its title or other interests. The terms also must protect the federal interest upon disposition of the property (i.e., disposition of the building is no longer needed by the awardee for an authorized purpose) by preserving the reasonable depreciated value of the building in order to compensate the federal awarding agency or otherwise preserve title to the building to be able to transfer title to the federal awarding agency.

When real property is no longer needed for the originally authorized purpose, the nonfederal entity must obtain disposition instructions from the federal awarding agency or pass-through entity. The instructions must provide for one of the following alternatives to ensure that the federal interest is protected under 2 C.F.R. 200.311:

1. Retain title after compensating the federal awarding agency.
2. Sell the property and compensate the federal awarding agency.
3. Transfer title to the federal awarding agency or to a third party designate that is approved by the federal awarding agency.

Real Property Requirement

In accordance with DOJ real property standards (2 C.F.R. §200.311), BJA will continue to monitor facility usage and capacity levels after the grant ends. BJA and OJP retain a financial interest in funding the acquisition or improvement of real property. To ensure that the intent of the funding statute or authority is met throughout the useful life of a facility, even after a grant closes, BJA will require the grantee to submit regular reports on the status of the real property in which OJP/BJA retain an interest. If a grantee ceases to need a grant- funded facility for the originally authorized purpose during its

useful life, the grantee is obligated to request property disposition instructions from OJP/BJA, pursuant to 2 C.F.R. §200.311 (c).

In order to protect OJP's interest, 2 C.F.R. § 200.330 requires the award recipient to report on the real property acquired or real-property improvements made under the award for as long as OJP's interest therein is retained. In keeping with the requirements set forth in the regulation, OJP must require a grantee to submit reports at least annually on the status of real property in which the federal government retains an interest, unless the federal interest in the real property extends 15 years or longer. For more information about OJP's real property reporting requirements, please visit https://bja.ojp.gov/funding/real-property.

The following information specific to this funding opportunity will help you develop your project budget:

Allowable and Unallowable Costs

Allowable costs include:

- All construction or renovation expenses
- Architectural, engineering, and design services
- Site preparation, utilities, and infrastructure upgrades
- Security systems and equipment installation
- Furniture, fixtures, and equipment necessary for facility operations
- Environmental review and permitting costs
- Project management and construction oversight costs
- Contingency funding (up to 10% of construction costs) for unforeseen conditions or changes

Unallowable costs include:

- Routine maintenance or repair of existing facilities that does not add capacity or functionality
- Renovation/construction projects that do not demonstrably enhance capabilities relating to and/or general-purpose office space not dedicated to, the Purposes of the Funding
- Residential housing
- Land acquisition costs (unless specifically approved in advance)

All successful applicants will be expected to produce the following deliverables:

- **Detailed architectural plans and engineering specifications** demonstrating project design, construction/renovation/modernization approach, and compliance with applicable codes and standards.
- **Construction or renovation/modernization timelines** with milestones, critical path activities, and realistic completion schedules.
- **Site control documentation** demonstrating ownership or long-term lease agreement for construction or renovation locations.

- **Quarterly construction/renovation/modernization progress reports** documenting project status, completed activities, expenditures, challenges encountered, and photographic documentation of construction progress.
- **Operational plans** describing how completed or renovated facilities will be used post-construction, including staffing plans, operational procedures, and integration with existing enforcement operations and trafficking investigations.
- **Sustainability plans** demonstrating local capacity to operate and maintain facilities beyond the grant period, including projected operational costs and identified funding sources.
- **Certificate of Occupancy** (if applicable) upon project completion.
- **Completed construction project checklist** as requested by BJA upon project completion.
- **Photographic documentation** of completed facilities demonstrating project completion and operational readiness.
- **Standard Form 429 (Real Property Status Report)** at grant closeout and annually thereafter for the property's useful life or until federal interest ends, as required by 2 C.F.R. 200.330.