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Action Item

California Student Aid Commission

Consideration of authorizing the Executive Director to negotiate and enter into an interagency agreement with the California Emergency Management Authority to administer a United States Department of Justice grant program for loan repayment for prosecutors and public defenders

The U. S. Department of Justice, Office of Justice Programs, Bureau of Justice is seeking applications for funding under the John R. Justice (JRJ) Grant Program. The JRJ Grant Program provides funding for loan repayment for local, state, and federal public defenders and local and state prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. The deadline to submit the federal application is July 27, 2010. Additional information about the JRJ Grant Program is contained in the solicitation doucment provided in Tab 4.a.

Governor Schwarzenegger designated the California Emergency Management Agency (Cal EMA) to manage the JRJ Grant Program for California. The JRJ Grant Program solicitation packed indicates that in developing criteria and formulating a plan for the administration of a state-administered JRJ program, state agencies are strongly encouraged to consider replicating the methodology of existing, analogous loan repayment programs in their respective states.

The Commission has several loan assumption programs that could be used as models for the JRJ Grant Program. For that reason, Cal EMA staff contacted Commission staff to discuss the possibility of the Commission assisting with the development and implementation of the JRJ Grant Program.

A summary of the details staff knows so far are:

- $1million is available to California for this program.
- Up to 15 percent of the funds may be used for administrative costs.
- The amount of loan repayments may not exceed $10,000 for any individual in any calendar year or an aggregate total of $60,000 in the case on an individual.
- State agencies are encouraged to maximize the number of beneficiaries who receive program benefits.
- An equal amount of funding must be awarded to eligible prosecutors and pubic defenders; not necessarily an equal amount of eligible beneficiaries.
- State agencies must give priority to those eligible beneficiaries who have the least ability to repay their eligible student loans.
- Eligible student loans include: Federal Family Education Loans, Federal Direct Loan, Federal Perkins Loans, and Federal Direct Consolidated Loans.

- Beneficiaries must sign a standard federal agreement which obligates the individual to providing qualifying employment for three years.
- If after receiving loan repayments the beneficiary does not meet that obligation, the individual must reimburse the Department of Justice for the full amount of any student loan repayments made through the JRJ Grant Program.
- If awarded funding, Cal EMA must submit quarterly financial status reports, quarterly performance metrics reports, and semi-annual progress reports.

The JRJ Grant Program could easily be modeled after the APLE program. The APLE program relies on institutions to nominate eligible participants. Cal EMA has contacts with every California county public defender and district attorney office. These county offices could nominate eligible participants. Cal EMA also has an existing group of advisors from these offices that could be used as a selection committee. Through its various loan assumption programs, Commission staff has the expertise of validating eligible loans, monitoring employment, and making payments to lenders.

Commission staff has discussed the following options with Cal EMA staff:

- The Commission would fully administer the program.
- Cal EMA would manage the program up to and including selecting the individuals who would participate in the program and the Commission manage only the loan repayment processing portion of the program.

Cal EMA staff is discussing these options with their senior management, but has not reported on the status of those discussions.

Commission staff informed Cal EMA staff that the Commission's budget and staff have been significantly reduced the last couple of years. For the Commission to agree to assist with this program, the Commission would need to determine how much staff time/resources and the amount of reimbursement for administrative costs would be needed.

The State's Public Interest Attorney Loan Repayment Program is similar to the JRJ Grant Program but has never been funded by the State. As both prosecutor and public defender offices consistently find it difficult to attract and retain talented attorneys. Student loan debt is consistently cited as the overwhelming reason why attorneys decline or leave positions as prosecutors and public defenders. The JRJ Grant Program has merit and Commission staff want to continue to explore the possibility of working with Cal EMA in developing and implementing this program.

Recommended Action: Authorize the Executive Director to negotiate and enter into an interagency agreement with the California Emergency Management Authority to administer the federal John R. Justice Grant Program.

Responsible Person(s): Catalina Mistler, Chief
Program Administration and Services Division

Janet McDuffie, Chief
Administration and External Affairs Division

OMB No. 1121-0329

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

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the John R. Justice (JRJ) Grant Program. The JRJ Grant Program provides funding for loan repayment for local, state, and federal public defenders and local and state prosecutors.

John R. Justice (JRJ) Grant Program
FY 2010 State Solicitation

Eligibility

Applicants are limited to state government agencies of the 50 states, as designated by their Governor, and an agency of the District of Columbia, as designated by the Mayor, to manage this program.

Deadline

Registration with OJP's Grants Management System (GMS) is required prior to application submission. (See "How to Apply," page 9.)

All applications are due by 8:00 p.m. eastern time on July 27, 2010. (See "Deadlines: Registration and Application," page 1.)

Contact Information

For technical assistance with submitting the application, call the Grants Management System Support Hotline at 1–888–549–9901, option 3, or via e-mail to GMS.HelpDesk@usdoj.gov.

Note: The GMS Support Hotline hours of operation are Monday–Friday from 6:00 a.m. to 12 midnight eastern time, except for federal holidays.

For assistance with any other requirement of this solicitation, the primary contact is Preeti P. Menon, BJA Policy Advisor for Adjudication, 202–598–5997 or preeti.menon@usdoj.gov, and the secondary contact is Jacquelyn L. Rivers, Special Assistant to the BJA Director, 202–305–2642 or jacquelyn.rivers@usdoj.gov.

Release date: May 26, 2010

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John R. Justice Grant Program
CFDA #16.816

Overview

One pressing challenge facing our criminal justice system today is the retention of qualified prosecutors and public defenders, who serve everyday to ensure that our communities are protected, the rule of law is upheld, and the rights of the citizenry are safeguarded. Both prosecutor and public defender offices consistently find it difficult to attract and retain talented attorneys. Driven by educational debt, attorneys interested in public interest law often forego opportunities to work in these offices in order to seek more lucrative private sector positions. Attorney shortages in these offices can result in overworked attorneys handling unmanageable caseloads, potentially affecting public safety, the administration of justice, and ultimately the public's confidence in our justice system.

Student loan debt is consistently cited as the overwhelming reason why attorneys decline or leave positions as prosecutors and public defenders. The vast majority of law students borrow to finance their legal education and the rising costs have imposed staggering debt. Furthermore, public defender and prosecutor salaries have failed to keep pace with the escalating cost of education. As a result, talented lawyers are often unwilling to accept or remain in attorney positions as prosecutors or public defenders, creating real challenges for those offices in their quest to hire and retain capable attorneys.

Acknowledging this challenge, Congress enacted the John R. Justice Prosecutors and Defenders Incentive Act (hereinafter referred to as the "Act"), codified at 42 U.S.C. §3797cc-21, and named for the late John Reid Justice of South Carolina, to encourage qualified attorneys to choose careers as prosecutors and public defenders and to continue in that service. The John R. Justice (JRJ) Grant Program provides loan repayment assistance for local, state, and federal public defenders and local and state prosecutors who commit to continued employment as public defenders and prosecutors for at least three years. To administer this program, the Bureau of Justice Assistance (BJA) will award funds to each of the 50 states and the District of Columbia to serve eligible recipients working within the state's or District's jurisdiction.

Deadlines: Registration and Application

Registration is required prior to submission. The deadline to register in GMS is 8:00 p.m. eastern time on July 27, 2010, and the deadline for applying for funding under this announcement is 8:00 p.m. eastern time on July 27, 2010. Please see the "How to Apply" section, page 9, for more details.

Eligibility

Please refer to the cover page of this solicitation for eligibility under this program.

JRJ Grant Program—Specific Information

For each state that applies for funding under the JRJ Grant Program solicitation, BJA will make awards to agencies designated by the Governor of those states (or in the case of D.C., by the

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Mayor) to administer the JRJ Grant Program within the state. These Governor-designated agencies shall establish a statewide John R. Justice Grant Program consistent with the guidance contained in this solicitation and the Act. Once the state has received an award under this program, the state administering agency shall conduct outreach and education and begin soliciting applications from eligible recipients. States are encouraged to design their JRJ Grant Program based on their experience in administering similar programs within the state and should consider the purpose of the Act in the planning and implementation process. Specific programmatic and application requirements are as follows:

Eligible Beneficiaries

The purpose of this program is to encourage qualified individuals to enter and continue employment as prosecutors and public defenders. For purposes of this program the following persons shall be considered eligible:

> **Prosecutor—**full-time employee of a state or unit of local government (including tribal 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). 42 U.S.C.§3797cc-21(b)(1). Prosecutors who are employees of the federal government are not eligible.
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> **Public Defender—**an attorney who is continually licensed to practice law and is a full-time employee of a state or unit of local government (including tribal 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; is a 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; 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 legal representation to indigent persons in criminal or juvenile delinquency cases. 42 U.S.C. §3797cc-21(b)(2).
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> **NOTE:** Attorneys who are in private practice and not a full-time employee of a non-profit organization, even if individually or part of a firm that is under contract with a state or court-appointed to provide public defense services, do not qualify as "public defenders" and therefore are not considered to be eligible as beneficiaries under this solicitation.

Equal Allocation Requirement for Prosecutors and Public Defenders

State agencies administering the John R. Justice Grant Program must ensure that funding for loan repayment is allocated equally between prosecutors and public defenders. To comply with this requirement, a state agency must demonstrate that the total amount of loan repayment funding awarded to eligible prosecutors is equal to the total amount awarded to eligible public defenders. This equal allocation requirement applies only to the total amounts repaid on behalf of the two categories of eligible beneficiaries. States are not required to make an equal number of awards to eligible beneficiaries of each category. For example, if a gross sum of $50,000 is awarded to prosecutors, a gross sum of $50,000 **must** also be awarded to public defenders. While not required, states are encouraged to also strive for an equal number of awards between prosecutors and defenders, however it is recognized that various factors may affect the ability of a state to achieve 100% equality in the number of repayment distributions.

If a state administrating agency demonstrates good cause, a waiver of the equal allocation requirement may be granted, but only at the discretion of the Director of BJA. The waiver request must be submitted to BJA in writing prior to any funding commitments. In order to demonstrate "good cause," an application for such a waiver must, at a minimum, include documentation of the state agency's efforts to comply with the equal distribution requirement (including outreach efforts) and state its reasons for its inability to comply. In the event that a waiver is granted, the equal allocation requirement shall be suspended and a state agency shall be permitted to make a disproportionate funding distribution to prosecutors and public defenders. Such a waiver shall pertain only to the fiscal year in which it is granted and shall not, under any circumstances, be construed as a waiver of any other requirement of this program.

"Least Ability to Pay" Formula Requirement
State agencies must give priority to those eligible beneficiaries who have the least ability to repay their loans. Individuals are permitted to apply for JRJ funding only from the state where they are employed. For additional information, please see "Beneficiary Procedure to Request Consideration and State Application Process" below.

Loan Eligibility

Loans eligible for repayment are defined as, and limited to the following:

Student Loan:

(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);
(3) A loan made under section 1078-3 or 1087e(g) of Title 20 (Federal consolidation loans and Federal Direct Consolidation loans, respectively).

Ineligible Loans

The term student loan does not include any of the following loans:

(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.
(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).

Disqualifying Conditions

An attorney must not be in default on repayment of any federal student loans. States may use discretion in applying other considerations for beneficiary continuation in the program, such as merit, etc.; however, states must ensure that any such considerations do not disproportionately affect one type of beneficiary (i.e., prosecutors v. public defenders) over another.

Service Agreements

As a condition precedent to the repayment of any loan obligation under this program, all eligible beneficiaries must sign the agreement included as part of this solicitation as Appendix A. Appendix A is an agreement between the eligible beneficiaries selected by the state agency and the Department of Justice, and as such, may not be modified by the state agency or anyone else without the express written authorization of the BJA Director, and BJA will not accept or consider variances of the terms or form of Attachment A. The state agency must provide the properly executed original agreement to BJA before the state may expend funds. Upon completion of the original three-year service obligation, subsequent agreements may be entered into for additional obligations of service in consideration for future grant awards. The terms of service obligation in future agreements shall be discretionary.

Payment Information

Grant funds received by any agency designated by the Governor (or Mayor in the case of D.C.) can only be paid to the institution holding the qualifying loan. In accordance with 42 U.S.C.§ 3797cc-21(c), no funds may be paid directly to the beneficiary. Payments made on behalf of approved beneficiaries cannot exceed the total qualifying loan balance. The beneficiary remains responsible for any remaining payments or balances. Neither the Department of Justice nor the state will be held responsible for any late fees assessed by the lending institution. The amount paid by any state shall not exceed $10,000 for any individual in any calendar year or an aggregate total of $60,000 in the case of any individual. Within the parameters of this solicitation, state agencies are encouraged to maximize the number of beneficiaries who receive program benefits.

State Administering Agency Program and Application Considerations

Program Model

In developing criteria and formulating a plan for the administration of a state-administered JRJ program, state agencies are strongly encouraged to consider replicating the methodology of existing, analogous loan repayment programs in their respective states. The methodology must be consistent with the requirements of this solicitation, but it is anticipated that the expertise derived from previous administration of a state program will be useful in the administration of this program. In the absence of such a state model, the state agency may wish to consider designing a program in which:

- Applicants apply directly to the governor-designated state administering agency, which decides (based on the programmatic criteria set forth herein) which applicants should receive funding; or
- A governor-designated state administering agency, maintaining centralized control of funding and eligibility determinations: (1) develops a basis for the fair distribution of funding to state prosecutor and defender offices throughout the state; (2) coordinates the solicitation of applications by those offices and (3) collects nominations from those offices of persons within their employ who are recommended to the governor-designated state administering agency for consideration for awards (based upon the programmatic criteria set forth herein).

States should identify a model and include its description as part of the Program Narrative (Attachment 1). Regardless of the model ultimately selected, all final funding decisions will be made by the Governor-designated state administering agency.

Factors to Identify Eligible Applicants

State agencies are encouraged to use their expertise and discretion in identifying factors to be considered in the evaluation of applicant beneficiaries. In addition to the requirement of giving consideration to an applicant's ability to repay his/her student loan obligations, the state agency may wish to consider the following additional factors:

- Salary cap for initial applicants.
- Distribution of awards to ensure a range of geographic and demographic representatives (i.e., distribution amongst all quadrants of a state and between rural and urban areas).
- Assistance from other sources.
- Amount of qualifying loan debt.
- Amount of the repayment benefit (limited to $10,000 per beneficiary in a calendar year/$60,000 aggregate).
- Consideration of academic achievement (e.g., class rank, GPA, academic honors).
- Meritorious service (e.g., high mark job evaluations).

State agencies may accord each factor a different weight when selecting eligible beneficiaries, but should ensure that such weighing of factors does not disproportionately favor one group of eligible beneficiaries.

State agencies must keep on record, available for audit purposes, any record relied upon by the state agency to support its funding decisions, including:

(1) Applications received by the state agency.
(2) Income, debt, and loan data provided as part of each such application.
(3) Documentation of outreach efforts implemented to distribute funding amongst a wide range of employing agencies within the state.
(4) Documentation of decisional processes in the evaluation of an individual's ability to repay his/her loan obligations.
(5) Documentation of decisional processes in the evaluation of an individual's meritorious service (including military service) (if applicable).
(6) Proof of an individual's eligibility under the statutory definitions of "prosecutor" or "public defender."
(7) Proof of an individual's debt obligations under a "qualifying loan."

BJA maintains the right to request from the state administering agency any other records that are reasonably required to determine compliance with statutory obligations, and the state agency, in receiving funds, will agree to cooperate to the fullest extent possible in producing all such records. State agencies should include a list of factors and the corresponding weights in the Program Narrative (Attachment 1).

Outreach Plan

States should submit a plan outlining their outreach strategy for eligible beneficiaries in their state. This plan must reflect an equal emphasis on outreach to both prosecutors and public defenders. This **must** be included as part of the Program Narrative (Attachment 1).

Overview of Program Plan

States **must** provide a brief overview to explain how beneficiaries will apply for loan repayment and how decisions will be made as to eligibility and awards. This overview should include details about:

- Evaluation criteria for applicants.
- General grant application process.
- Technical application process (e.g., how will applicants submit their application?).
- Attachments that applicants will be required to submit with their applications (e.g., loan documents, debt obligation data, proof of employment, income verification, transcripts, job evaluations, etc.).

This plan **must** be included as part of the Program Narrative (Attachment 1).

State compliance with statutory requirements

Applications must address a state agency's plan to comply with the statutory requirement that priority consideration be given to those with "the least ability to repay" their loans. States may use their own discretion in identifying a methodology that best identifies a person's ability to repay their loans; however, at a minimum, this plan should include an assessment of the following:

- The beneficiary's total educational debt.
- The beneficiary's gross or net income; or, if married, household gross or net income.
- An adjustment for the cost of living.

States may also wish to give consideration to additional factors in identifying those applicants who have "the least ability to repay" their loans, such as:

- The ratio of the beneficiary's total education debt to total assets
- Number of dependents claimed by the beneficiary
- The beneficiary's non-educational debt financial obligations

The application **must** also address a state agency's plan to consider a fair distribution of funding based on geography and population density. In other words, states should ensure that funding is not isolated or heavily concentrated in any particular metropolitan area or geographic section of the state, but ensure that distribution is as widespread as possible. This statutory compliance plan **must** be included as part of the Program Narrative (Attachment 1).

Renewal of Benefits for Current Beneficiaries

Once approved for loan repayment, there is a rebuttable presumption that 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 nothing shall obligate the state to renew a benefit in the same (or greater) amount previously received by a beneficiary. Beneficiaries should consult their state guidance and follow any renewal request process established therein. States may consider developing separate renewal forms. Beneficiaries may be obligated to extend their service agreement beyond initial three-year term (see "Service Agreements" above and Appendix A attached) if they are selected to receive a renewal of their benefits.

Lateral Moves

A lateral move, provided the beneficiary maintains his/her status as an eligible beneficiary (as defined on page 2 above, "Eligible Beneficiaries"), should not affect renewal eligibility during an existing service obligation, unless the availability of funds and/or the beneficiary's eligibility status is otherwise compromised by the beneficiary changing his/her employment to a state different than the state from which s/he received their benefit. Note, however, that a person who is initially eligible, but changes his/her employment to a position that renders him/her ineligible (e.g., a transfer from a state public defender office to a private firm contracted by the state to provide public defense services) will lose their status as an "eligible beneficiary."

State Funding Allocations

The Bureau of Justice Statistics has calculated a minimum base allocation for each state and the District of Columbia in the amount of $100,000. This minimum base allocation will then be enhanced by an amount proportional to each state's share of the national population. BJA reserves the right to reallocate unrequested funding in any fiscal year for use by participating states and to reduce future awards by amounts unexpended from prior year, all based upon such reasonable formulae as is necessary to extend accessibility to program funding.

Amount and Length of Awards

State agencies designated by the Governor and the Mayor of the District of Columbia are eligible for the state allocation determined by the allocation process described above. The allocation table is available at: www.ojp.usdoj.gov/BJA/grant/10JRJAllocations.pdf. Awards will be for 1 year.

Designated Agency Representative

A letter from the Governor of the state or the Mayor of the District of Columbia (or person expressly designated by the Governor or Mayor) designating a state agency to administer these funds should be included as Attachment 3 and included as part of the application. BJA is aware of designations already made by Governors of certain states (see www.ojp.gov/BJA/grant/JRJStateAgencies.pdf for a list of designations received). In cases where such designations have been made and submitted to BJA, no additional documentation of the Governor's designation is required from the state applicant. If a designation has not been made and submitted to BJA, it should be included as part of the application. If a designation has not already been submitted to BJA or included with the application, such designation must be submitted to BJA prior to state participation in the JRJ Grant Program and release of funds to the state.

Administrative Funds

The Governor-designated state agency may use up to 15 percent of the state award for costs associated with administering the program within the state. Among the administrative costs that would be considered are costs incurred in producing outreach materials (e.g., marketing materials, web sites, brochures, briefings).

Reporting Requirements

Once an award is accepted, the designated state agency must submit quarterly financial status reports, quarterly performance metrics reports, and semi-annual progress reports. State administering agencies must annually assess, by engaging with prosecutor and public defender offices, the impact of the John R. Justice Grant Program on the recruitment and retention of prosecutors and public defenders in the state. This may be accomplished qualitatively, through surveys, leader interviews, a focus group or other methods.

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. **Additionally, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to "What An Application Must Include" (below), for additional information on applicant responsibilities for collecting and reporting data.** Grantees are required to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. Performance measures for this solicitation are as follows:

Objective	Performance Measure	Data Grantee Provides
To encourage qualified individuals to enter and continue employment as prosecutors and public defenders.	Number and amount of loan repayments awarded.	Number of loan repayments awarded to public defenders. Dollar value of loan repayments awarded to public defenders. Number of loan repayments awarded to prosecutors. Dollar value of loan repayments awarded to prosecutors.
	Percent increase in outreach to eligible beneficiaries .	Number of outreach materials (e.g., marketing materials, web sites, brochures, briefings) developed.
	Average number of days between application for repayment benefits and the loan repayment occurring.	Total number of days that elapsed between receipt of applications by Governor-designated state agency and disbursement of loan repayment on behalf of selected beneficiary. Total number of applicants who are recipients of loan repayments.

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		Dollar amount the state grantee spent for management and administration of loan repayments this reporting period. Dollar amount of non-federal contributions to this program during this reporting period (if applicable). Number of loan repayment applications from eligible public defenders. Number of loan repayment applications from eligible prosecutors.

How To Apply

Applications will be submitted through OJP's Grants Management System (GMS). GMS is a web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of grants at OJP. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If you experience technical difficulties at any point during this process, please e-mail GMS.HelpDesk@usdoj.gov, or call 1–888–549–9901 (option 3), Monday–Friday from 6:00 a.m. to 12 midnight eastern time, except for federal holidays. The Office of Justice Programs highly recommends starting the registration process as early as possible to prevent delays in the application submission by the specified deadline.

All applicants are required to complete the following steps:

1. **Acquire a DUNS Number.** A DUNS number is required to submit an application in GMS**.** The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numbering System) number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling 1–866–705–5711 or by applying online at www.dunandbradstreet.com. Individuals are exempt from this requirement.

2. **Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.** CCR registration is required to receive funding. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year

to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.

3. **Acquire a GMS Username and Password**. If you are a new user, please create a GMS profile by selecting the first time user link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/gmscbt/.

4. **Search for the Funding Opportunity on GMS.** After you log in to GMS or complete your GMS profile for your username and password, go to the Funding Opportunities link on the left hand side of the page. Please select the Bureau of Justice Assistance and John R. Justice Grant Program.

5. **Select the Apply Online Button Associated with the Solicitation Title.** The search results from step 4 will display the solicitation title along with the Registration and Application Deadlines for this funding opportunity. Please select the Apply Online button in the Action Column to create an application in the system.

6. **Submit an Application Consistent with this Solicitation by Following the Directions in GMS.** Once submitted, GMS will display a confirmation screen stating your submission was successful. **Important:** You are urged to submit your application at least 72 hours prior to the due date of the application.

Note: OJP's Grants Management System (GMS) does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

Experiencing Unforeseen GMS Technical Issues
If you experience unforeseen GMS technical issues beyond your control which prevent you from submitting your application by the deadline, you must contact BJA staff (see cover page) **within 24 hours after the deadline** and request approval to submit your application. At that time, BJA staff will require you to e-mail the complete grant application, your DUNS number, and provide a GMS Help Desk tracking number(s). After the program office reviews all of the information submitted, and contacts the GMS Helpdesk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time; (2) failure to follow GMS instructions on how to register and apply as posted on its Web site; (3) failure to follow all of the instructions in the OJP solicitation; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Notifications regarding known technical problems with GMS are posted on the OJP funding Web page, www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

This section describes what an application is expected to include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision nevertheless be made to make an award, may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget and Budget Narrative," etc.) for all attachments.

Standard Form 424
Please see www07.grants.gov/assets/SF424Instructions.pdf for instructions on how to complete your SF-424.

Program Narrative (Attachment 1)
Applicants must submit a program narrative that generally describers the proposed program activities for the 1-year grant period. The narrative **must** include:

- A plan outlining the state's outreach strategy (see page 6).
- An overview (program plan) explaining how beneficiaries will apply for loan repayment and how decisions will be made as to eligibility and awards (see page 6).
- The state agency's plan to comply with the statutory requirement that priority consideration be given to those with "the least ability to repay" their loans (see page 6).
- The state agency's plan to consider a fair distribution of funding based on geography and population density (see page 6).

The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with not less than 1-inch margins, and must not exceed 15 pages. Please number pages "1 of 15," "2 of 15," etc.

Budget and Budget Narrative (Attachment 2)
Applicants must submit a budget and budget narrative outlining how John R. Justice funds, including administrative funds, if applicable, will be used to support and implement the program.

Governor Designation Letter (Attachment 3)
A letter from the Governor of the state or the Mayor of the District of Columbia (or person expressly designated by the Governor or Mayor) designating a state agency to administer these funds should be included as part of the application. BJA is aware of designations already made by Governors of certain states (see www.ojp.gov/BJA/grant/JRJStateAgencies.pdf for a list of designations received). In cases where such designations have been made and submitted to BJA, no additional documentation of the Governor's designation is required from the state applicant. If a designation has not been made and submitted to BJA, it should be included as part of the application. If a designation has not already been submitted to BJA or included with the application, such designation must be submitted to BJA prior to state participation in the JRJ Grant Program and release of JRJ funds to the state.

Abstract (Attachment 4)
Applicants must provide an abstract that includes the applicant's name, goals of the project, and a description of the strategy to be used. The abstract must not exceed 1 page and must be double-spaced.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

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

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) (if applicable)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Nonsupplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)

- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of $5,000,000 – federal taxes certification requirement

Application Checklist
FY 2010 John R. Justice Grant Program

The application checklist has been created to aid you in developing your application.

Eligibility Requirement:

_____ State government agencies, designated by their Governor, and the District of Columbia, designated by the Mayor, to manage this program.

The Application Components:

_____ Program Narrative
_____ Budget Narrative and Budget Detail Worksheet
_____ Governor (or D.C. Mayor) Designation Letter
_____ Abstract

Program Narrative and Abstract Format:

_____ 12-point standard font
_____ Not less than 1” margins
_____ Program Narrative is 15 double-spaced pages or less
_____ Abstract is 1 double-spaced page or less

Other:

_____ Standard 424 Form
_____ DUNS Number
_____ CCR Registration

Appendix A
John R. Justice Student Loan Repayment Program (JRJSLRP)
Service Agreement

NAME:_____
In consideration of the student loan repayment incentive for which I have been offered under 42 U.S.C. §3797cc-21, I hereby agree as follows:

1. I will remain employed as a prosecutor or public defender for a period of service of not less than three years (36 months) unless involuntarily separated from my employment.

   In accordance with 42 U.S.C. §3797cc-21(b)(1), the term "prosecutor" is understood to mean a full-time employee of a State or unit of local government who—
   - (A) is continually licensed to practice law; and
   - (B) 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).

   In accordance with 42 U.S.C. §3797cc-21(b)(2), the term "public defender" is understood to mean an attorney who—
   - (A) Is continually licensed to practice law; and
   - (B) Is—
     - (i) 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);
     - (ii) a full-time employee of a nonprofit organization operating under 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); or
     - (iii) employed as a full-time Federal defender attorney in a defender organization established pursuant to section 3006A of Title 18, that provides legal representation to indigent persons in criminal or juvenile delinquency cases.

2. I understand that JRJSLRP funds are a supplement to, not a substitute for, my personal student loan obligations. I understand that amounts to be paid on my behalf are subject to the availability of funds and my continued eligibility. I understand that if I do not remain eligible, then further loan repayment benefits may be denied although the service obligation will remain in force. I understand that the award of JRJSLRP in any fiscal year does not guarantee benefits in future fiscal years, and that awards are subject to the availability of appropriations. I understand that any loan repayments made on my behalf may be taxable and subject to withholding.

3. I authorize the Department of Justice and/or the designated JRJSLRP State administrative agency, to verify the status, payment history, and outstanding balance of each qualifying loan, and to discuss the terms with the lender or note holder, or predecessors or successors in interest.

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The term "qualifying loan" is understood to have the same meaning as "student loan" in 42 U.S.C. §3797cc-21(b)(3):

(1) A loan made, insured, or guaranteed under part B of subchapter IV of chapter 28 of Title 20;
(2) A loan made under part C or D of subchapter IV of chapter 28 of Title 20; and
(3) A loan made under section 1078-3 or 1087e(g) of Title 20.

Further, the term "qualifying loan" is expressly understood not to include any of the following loans:

(1) A loan made to the parents of a dependent student under section 1078-2 of Title 20.
(2) A Federal Direct PLUS Loan made to the parents of a dependent student.
(3) A loan made under section 1078-3 or 1087e(g) of Title 20 to the extent that such loan was used to repay a loan described in sub. (1) or (2) above.

4. I will notify the designated JRJSLRP State administrative agency, without delay, in writing, of any transfer to a new position or employing agency, identifying myself as a JRJSLRP beneficiary.

5. I will notify the designated JRJSLRP State administrative agency, without delay, in writing, of my intention to voluntarily separate, resign, or retire from my position as an eligible beneficiary before completing my service obligation under paragraph 1 above.

6. I will notify the designated JRJSLRP State administrative agency, without delay, in writing, of my status in default of any loan obligation with respect to a qualifying "student loan," as defined in 42 U.S.C. §3797cc-21(b)(3)(A).

7. In the event I voluntarily leave my position as an eligible beneficiary, or in the event I am involuntarily separated for misconduct or unacceptable performance before completing the agreed upon period of service, I will be indebted to the Federal government and must reimburse the Department of Justice for the full amount of any student loan repayments made on my behalf under this service agreement. I further acknowledge that a sum equal to the amount that I am required to repay shall be recoverable by the Federal government from me (or my estate, if applicable) by such methods as are provided by law for the recovery of amounts owed to the Federal government.

8. I understand and affirm that I remain responsible for making regular student loan payments, that such responsibility is not abated by selection for participation in the JRJSLRP, and that I am required to continue to make personal payments toward my qualifying loans to remain eligible for the JRJSLRP in the future. I understand that JRJSLRP payments will be made directly to the holder of my qualifying loan(s) and that I will not be the direct recipient of any such funds.

9. Loan repayments made on my behalf pursuant to this agreement do not exempt me from responsibility and/or liability for the full amount of any loan in which I am the debtor.

10. I am responsible for any income tax obligation resulting from the student loan repayments made on my behalf.

11. I understand that, by law, repayment benefits made on my behalf cannot exceed $10,000 in any calendar year or an aggregate total of $60,000. This limitation should not, under any circumstances, be construed as an obligation of said benefits. This agreement may be modified by the parties, subject to the limitations of 42 U.S.C. §§ 3797cc-21(d) and (e), to provide additional student loan repayment benefits without the need for an entirely new agreement. Such modifications include, but are not limited to, the possibility of payment increases, or the

extension of benefits beyond the initial three-year service obligation, in consideration for additional service commitment by the beneficiary, based upon terms to be determined by the parties.

12. Periods of leave without pay, or other periods during which I am not in a pay status do not count toward the completion of the required service period upon reemployment. The service completion date must be extended by the total time spent in non-pay status. However, absence because of uniformed service in a recognized branch of the United States military, authorized maternity/paternity, FMLA, or due to compensable injury is considered creditable (within the sole discretion of the Director of BJA) toward the required service period upon reemployment.

13. This agreement is null and void if I am not selected for JRJSLRP in the year I sign and date this agreement.

14. Privacy Act Notification: This information is provided pursuant to the Privacy Act of 1974 (Public Law 94-579), as amended, for individuals supplying information for inclusion in a system of records. The authority for the collection of this information is 42 U.S.C. §3797cc-21. The purpose of the John R. Justice Loan Repayment for Prosecutors and Public Defenders statute is to encourage qualified individuals to enter and continue employment as prosecutors and public defenders. This Agreement and related data are made part of the file to be used within the Department of Justice for record-keeping and management while participating in the John R. Justice Loan Repayment program. The information also may be disclosed outside the Department, as permitted by the Privacy Act and Freedom of Information Act, to the Congress, the Internal Revenue Service, and pursuant to court order. You are asked to provide your Social Security Number. Please note that if you do not provide this information, and you are selected to participate in the John R. Justice Loan Repayment program, your Social Security Number will be required later to enable the Department to verify your eligibility status. Failure to submit this information will render this Agreement incomplete and you will be considered ineligible to participate in the program.

I, _____, agree to the terms of this Service Agreement.

_____ _____

SIGNATURE **DATE**