

Date: December 6, 2022

To: Honorable Interim Chairman Oliver G. Gilbert, III
and Members, Board of County
Commissioners

Agenda Item No. 3(B)(1)

From: Daniella Levine Cava
Mayor



Resolution No. R-1145-22

Subject: Resolution Retroactively Authorizing the County Mayor to Apply for, Receive, and Expend Federal Funds from the State Criminal Alien Assistance Program

Recommendation

It is recommended that the Board of County Commissioners (Board) approve the attached resolution retroactively authorizing the County Mayor or County Mayor's designee to apply for, receive, and expend federal funds from the U.S Department of Justice State Criminal Alien Assistance Program (SCAAP) in the amount of \$1,871,292.00 for SCAAP year 2020 and in the amount of \$1,860,410.00 for SCAAP year 2021 to help offset the cost of incarcerating undocumented criminal aliens who have at least one felony or two misdemeanor convictions. This item is retroactive because the application deadline would not have allowed enough time to submit the resolution to the Board prior to submitting the application.

Scope

The impact of this item is countywide.

Delegation of Authority

The County Mayor or County Mayor's designee is authorized to apply for, accept, and expend SCAAP funds awarded to Miami-Dade County for SCAAP year 2020 and SCAAP year 2021, and to file and execute any necessary amendments to the applications.

Fiscal Impact/Funding Source

The funding source for this resolution is the Bureau of Justice Assistance's Office of Justice Programs within the U.S. Department of Justice, which administers SCAAP. This program will have a positive fiscal impact on the Miami-Dade Corrections and Rehabilitation (MDCR) Department by offsetting salary expenses. This program does not require matching funds.

Track Record/Monitor

This funding will be monitored by Acting Chief Omar Fernandez of the Fiscal Resources Division.

Background

SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating certain undocumented criminal aliens with at least one felony or two misdemeanor convictions for violations of state or local law and who are incarcerated for at least four consecutive days during the reporting period.

Additional submission criteria require the records of inmates in custody during the reporting period who:

- Were born outside the United States or one of its territories and had no reported or documented claim to U.S. citizenship.
- Were identified and reported as undocumented, using due diligence.

The United States Department of Homeland Security (DHS) will make the final determination on the status of submitted inmate records for undocumented alien purposes.

Salary information reported in the SCAAP application must reflect the total salaries and wages paid to correctional officers and others who meet the SCAAP definition. Salary costs must be actual dollar amounts paid for correctional officer salaries during the reporting period and may include premium pay for specialized services, shift differential pay, and fixed-pay increases for time in service. It may also include overtime required by negotiated contracts, statutes or regulations such as union agreements, contractual obligations, and required post-staffing minimums. MDCR submitted both the 2020 SCAAP and 2021 SCAAP applications by the application deadline. The reporting period for the 2020 SCAAP is from July 1, 2018, through June 30, 2019, and the 2021 SCAAP reporting period is from July 1, 2019 through June 30, 2020. As SCAAP grants are awarded on a prorated basis based on available funding, the grant application did not contain a request amount, and the award amount was unknown to MDCR until the award was made. The 2020 SCAAP award was made on June 15, 2022 in the amount of \$1,871,292.00 and the 2021 SCAAP award was made on November 7, 2022 in the amount of \$1,860,410.00. The award amount received by Miami-Dade County for the previous 2019 SCAAP (reporting period July 1, 2017, to June 30, 2018) was \$1,119,907.00. The 2019 SCAAP application was approved through Resolution No. R-282-20.

SCAAP payments are calculated simultaneously using a formula that provides a relative share of funding to jurisdictions that apply, with applicants receiving a prorated payment based on the appropriation available, costs submitted, and eligible inmates determined by DHS. SCAAP funds must be used for correctional purposes only. A copy of the SCAAP guidelines is attached to this memorandum.

Attachments



JD Patterson
Chief of Corrections and Forensics

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

OMB No. 1121-0329
Approval Expires 12/31/2023



BJA FY 2020 State Criminal Alien Assistance Program

Program Requirements and Application Instructions

Assistance Listing Number #	16.606
Grants.gov Opportunity Number:	O-BJA-2020-62002
Solicitation Release Date:	January 13, 2021 5:00 PM
Version:	1
Grants.gov Deadline:	March 01, 2021 11:59 PM
Application JustGrants Deadline:	March 15, 2021 11:59 PM

Overview

Under the State Criminal Alien Assistance Program (SCAAP), the Office of Justice Programs (OJP) of the U.S. Department of Justice (DOJ) makes payments to eligible "states" and "units of local government" that incur certain types of costs due to "incarceration" of "undocumented criminal aliens" during a particular 12-month "reporting period." **The "reporting period" for the FY 2020 program is July 1, 2018, through June 30, 2019.**

Before entering **any** information into the online application for the FY 2020 program, the government official who will complete and submit the application on behalf of an applicant government **MUST** carefully review this document.

Eligible Applicants:

City or township governments, County governments, State governments, Other

Other

See Eligibility Information in this solicitation.

Contact Information

For technical assistance with submitting the SF-424 in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at Grants.gov customer support webpage, or email at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov, 833-872-5175. The JustGrants Service Desk operates 5 a.m. to 9 p.m. EST Monday–Friday and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

An applicant that experiences unforeseen Grants.gov or JustGrants technical issues beyond its control that prevent it from submitting its application by the deadline must email the BJA contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline.

For assistance with the online application to the FY 2020 program or other aspects of the FY 2020 program, contact the **SCAAP Help Desk** by phone at 1-202-353-4411 or by email to SCAAP@usdoj.gov. The SCAAP Help Desk operates Monday through Friday during normal business hours (eastern time). It is closed on federal holidays.

Submission Information

In FY 2020, applications will be submitted to DOJ in a **NEW** two-step process.

Step 1: Applicants will submit an SF-424 in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, applicants will need to obtain Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal. Please contact the SCAAP Helpdesk at SCAAP@usdoj.gov for assistance with identifying the correct applicant DUNS.

Step 2: Applicants will submit the **full application**, including attachments, in JustGrants at JustGrants.usdoj.gov.

To be considered timely, the full application must be submitted in JustGrants by the JustGrants Application deadline.

OJP encourages applicants to review the "How to Apply" section in the [OJP Grant Application Resource Guide](#).

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Program Description

Overview

OJP's Bureau of Justice Assistance (BJA) administers SCAAP. Under SCAAP, OJP makes payments to "states" and "units of local government" that incur certain types of costs due to "incarceration" of "undocumented criminal aliens" during a specific 12-month "reporting period."

Under the FY 2020 program, payments will be made in connection with "undocumented" aliens who had been convicted of at least one felony or two misdemeanors (typically for violations of state or local law) and who were "incarcerated" under the legal authority of the applicant government for at least 4 consecutive days during the "reporting period." (Additional details are set out in later sections of this document.)

As part of its application, each applicant government provides particular information about individuals it "incarcerated" — under its own legal authority — for at least 4 consecutive days during the "reporting period" and whom the applicant government either (1) knows were "undocumented criminal aliens" or (2) reasonably and in good faith believes were "undocumented criminal aliens." (OJP transmits the data submitted on such individuals to DHS for a detailed review.) As part of its application, each applicant government also must provide information pertinent to its average costs of incarceration during the "reporting period."

Broadly speaking, SCAAP payments are calculated from information provided by applicant governments in online applications, information provided to OJP by DHS regarding the DHS review of data on "eligible inmates," and the amount of appropriated funds available for the SCAAP application cycle (e.g., for the FY 2020 program). All information submitted as part of an application is subject to appropriate review by OJP.

Statutory Authority

The FY 2020 program is authorized by 8 U.S.C. § 1231(i) and Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat 2317, 240. See also 28 U.S.C. § 530C(a).

Specific Information

Restriction on use of SCAAP payment; associated records

As a matter of federal law, a "state" or "unit of local government" that receives a payment under the FY 2020 program must use the payment "only for correctional purposes." See 8 U.S.C. § 1231(i)(6).

"Correctional purposes." With respect to a "state" or "unit of local government," use of a SCAAP payment for "correctional purposes" means:

- Use of the funds to pay any cost reasonably attributable to that government's operation of a "correctional facility" for its own use, such as:
 - Salaries and wages paid to employees who work primarily and directly in the "correctional facility" (**regardless** of whether those employees are "correctional officers").
 - Costs of employment benefits provided to (or on behalf of) employees who work directly in and for the "correctional facility."
 - The reasonably allocable portion of the salaries, wages, and benefits paid to employees who, although not primarily and directly working in and for the "correctional facility," provide necessary services either to the

- correctional facility (e.g., administrative support) or to the individuals "incarcerated" in the correctional facility (e.g., medical care, transportation).
 - Repair, maintenance, and "overhead" (e.g., utilities) costs reasonably attributable to operation of the "correctional facility."
- Use of the funds for payments to a "contract correctional facility" that are reasonably attributable to "incarceration" of individuals in such a facility on behalf of (pursuant to the legal authority of) the pertinent "state" or "unit of local government."
- Use of the funds for costs directly associated with (and attributable to) the "incarceration" (under the legal authority of the pertinent "state" or "unit of local government") of aliens who are or may be "undocumented" such as the reasonable costs of activities (e.g., development of policies and appropriate staff training on those policies) designed to ensure that the "state" or "unit of local government" does not restrict sending or receiving information regarding citizenship or immigration, as described in 8 U.S.C. § 1373, gives DHS agents access to "correctional facilities" in order to interview individuals believed to be aliens, and honors formal requests from DHS for advance notice of the scheduled release date and time for particular aliens being held in custody.

Maintenance of records

An applicant government that receives a payment under the FY 2020 program must, for not less than 3 years after the date it draws down that payment from OJP, maintain records sufficient to demonstrate that the payment was used solely for "correctional purposes," and must make those records available to DOJ (including OJP) upon request.

Limit on request for compensation

As a matter of federal law, "no jurisdiction shall request compensation for any cost greater than the actual cost for federal immigration and other detainees housed in state and local detention facilities." See, e.g., Consolidated Appropriations Act, 2020, Pub. L. No. 116-93, 133 Stat 2317, 2407.

Federal Award Information

Awards, Amounts and Durations

Anticipated Number of Awards

600

Anticipated Maximum Dollar Amount of Awards

\$59,000,000.00

Period of Performance Start Date

7/1/18 12:00 AM

Period of Performance Duration (Months)

12

Anticipated Total Amount to be Awarded Under Solicitation

\$210,293,500.00

Eligibility Information

IMPORTANT NOTE: The online FY 2020 SCAAP application specifically incorporates by reference the **eligibility requirements, definitions of terms, and detailed application instructions** set out in this document. (To assist applicants, this document uses quotation marks to highlight defined terms — *e.g.*, “state,” “unit of local government,” “undocumented criminal alien,” “eligible inmate,” and “correctional purposes.”)

In general, a “state” or “unit of local government” is eligible to apply for a payment under the FY 2020 program if it “incarcerated” individuals in a “correctional facility” during the “reporting period” whom it either (1) knows were “undocumented criminal aliens” or (2) reasonably and in good faith believes were “undocumented criminal aliens.” A detailed discussion of eligibility — including the definitions of “state” and “unit of local government” for purposes of SCAAP — appears in the Eligibility Information section.

Absent highly unusual circumstances, OJP will **not** extend this deadline or permit an applicant government to submit its application after the application deadline. Much as in previous years, promptly after the application deadline, OJP will transmit to the U.S. Department of Homeland Security (“DHS”) the data on “eligible inmates” from all of the applications submitted to JustGrants before the deadline. The volume of “eligible inmates” data transmitted to DHS (and the nature and complexity of the DHS review of those data) is such that it is not possible to transmit supplemental or corrected data to DHS.

Any application must be completed and submitted by a government official with the legal authority to apply to the FY 2020 program on behalf of the chief executive of the applicant government. This “submitting government official” must be registered in JustGrants in order to complete and submit an application under the FY 2020 program.

Instructions on how to register in JustGrants and how to access the online application for the FY 2020 program appear in the How to Apply section.

Only a “state” or a “unit of local government” is eligible to apply, and only on its own behalf.

For purposes of the FY 2020 program:

“State” includes the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, the Commonwealth of the Northern Mariana Islands, and American Samoa.

“Unit of local government” means a political subdivision of a “state” with authority to independently establish a budget and impose taxes (typically, a “general-purpose” political subdivision of a state). The term may include a county or a municipality (*e.g.*, city, county, town, township, village, borough, or parish). **Note: A department or agency that is part of such a “unit of local government” is not itself considered a “unit of local government” and applications listing an agency that is not the “unit of local government” will be denied.**

Joint applications by two or more “states” or “units of local government” are **not** permitted, **even if** the application names only one state or unit of local government as the applicant. As a rule, an application must **not** incorporate or report data on either (1) individuals held in custody by the applicant government on behalf of (pursuant to the legal authority of) another state or unit of local government or (2) costs associated with individuals held in custody on

behalf of another state or unit of local government.

Similarly, a governmental entity that is not itself a "state" or a "unit of local government" (e.g., a regional jail, special jail district, or regional jail authority or board) is **not** eligible to apply. Rather, each "state" or "unit of local government" that uses the regional facility may include (as part of its own application) data that directly reflect its own use of the facility.

NOTIFICATIONS: DOJ Intent to Modify SCAAP Requirements for Future Application Cycles

Consistent with its authority and discretion, including under 8 U.S.C. § 1231(i) and 28 U.S.C. § 530C(a), DOJ plans to add certain immigration laws-related eligibility requirements to SCAAP, beginning with the FY 2021 application cycle. **Because the annual "reporting period" for the FY 2021 application cycle began on July 1, 2019, "states" and "units of local government" that intend to apply to the FY 2021 program should take note.**

Starting with the FY 2021 application cycle for SCAAP (and assuming that appropriated funds then are legally available), DOJ intends to require each applicant government — in order to be eligible to receive a payment — to submit information to verify, with respect to the eligible inmates for whom the applicant seeks payment, that the applicant government notified DHS of (a) the name, (b) the release date (updated, as appropriate, from time to time), and (c) the home and work addresses, before the end of the fourth consecutive day of their incarceration.

See Appendix E for additional information about this forthcoming requirement.

Certifications in the online application for the FY 2020 program

As part of the online application to the FY 2020 program, the "submitting government official" must make a number of detailed certifications to OJP under penalty of perjury, including formal certifications regarding the accuracy of the information being provided, his/her conformity with the requirements and instructions set out in this document, and his/her legal authority to execute the certifications and submit the application on behalf of the applicant government.

JustGrants is designed to reject an application to the FY 2020 program if the "submitting government official" fails to execute any of the required certifications. An application cannot and will not be considered submitted (including for purposes of the application deadline) until all of the certifications have been made. See the Disclosures and Assurances section for more information.

DOJ reliance on the required certifications as material; penalties for false statements

As indicated in the text of each required certification, DOJ, including OJP, will rely on each certification submitted in connection with an application to the FY 2020 program as a material representation in any decision to make a payment.

A materially false, fictitious, or fraudulent statement to the federal government (or concealment or omission of a material fact) as part of a required certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject both

the "submitting government official" and the applicant government to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). Also, certifications provided to OJP in connection with the FY 2020 program are subject to review by DOJ, including by OJP and the DOJ Office of the Inspector General.

Application and Submission Information

In the online SCAAP application, each applicant government will be asked to provide specific types of information. In general, they are:

- Information on the applicant government and its "chief executive."
- Information on the "submitting government official."
- Data on "eligible inmates" during the "reporting period," which are provided through upload of a single ASCII-formatted file.
- Data pertinent to the applicant government's costs of incarceration for the "reporting period," including information on "correctional officers" and associated salary expenditures, the total number of inmates incarcerated, and the "maximum bed count" of the applicant's "correctional facilities."

"Submitting government official." The online SCAAP application may be completed and submitted only by an appropriate official of the applicant government. For each applicant government, there may be only one "submitting government official." That "submitting government official" must have the legal authority to apply to the FY 2020 program on behalf of the applicant government, must have the necessary knowledge and information to complete the entire application accurately, and must in fact complete and submit all sections of the application. **Due diligence is required.**

The certifications within the online application vary in their precise content, but in each of them, the "submitting government official" must certify, on behalf of himself/herself and the applicant government, under penalty of perjury, that the information entered is "true and correct to the best of my knowledge and belief, based upon diligent inquiry and review," and is provided in accordance with the requirements, definitions, and instructions set out in this document. In addition, in each such certification, the "submitting government official" certifies that he/she has "the legal authority to make this certification to OJP, including from the chief executive of the applicant government."

Part I. SCAAP Applicant Government and Its "Chief Executive"

Information on the applicant "state" or "unit of local government"

Refer to the information above on "Eligibility," including the definitions of "state" and "unit of local government," to determine whether an interested entity is eligible to apply.

If the prospective applicant is in fact a "state" or "unit of local government," enter the appropriate information for the applicant government in section 1 of the application.

Information on the "chief executive" of the applicant "state" or "unit of local government"

Also in section 1 of the application, enter the appropriate information for the current "chief executive" of the applicant government.

Note that, in virtually all cases, the chief executive of a "state" is the governor. As to "units of local government," the title of the chief executive will vary depending on the organization of the local government, but only one individual in the local government is its "chief executive" (e.g., the mayor).

Click on the "Save Information" button to continue to the next section of the application. (If an error

message appears, make the appropriate corrections, then click "Save Information" again.)

Part II. Information on "Eligible Inmates"

"Eligible inmates." Each applicant government is to provide detailed information about the individuals (1) the applicant government "incarcerated" for at least 4 consecutive days during the "reporting period" and (2) whom the applicant government either **knows** were "undocumented criminal aliens" or **reasonably and in good faith believes** were "undocumented criminal aliens." For purposes of the application to the FY 2020 program, such individuals are referred to as **"eligible inmates."**

Recap: An individual is an "eligible inmate" only if **all** of the following are true, and the inmate was:

- "Incarcerated" by the applicant government under its own legal authority (see definition below),
- For at least 4 consecutive days during the "reporting period," and
- The applicant government either **knows**, or **reasonably and in good faith believes**, that the inmate is an "undocumented criminal alien," that is, that the inmate is both —
 - "undocumented" (see definition below) and
 - a "criminal alien" (see definition below)

"Incarcerated." For purposes of the FY 2020 program, an individual is considered to have been "incarcerated" by (or on behalf of) the applicant government when held (confined) in a "correctional facility" **under the legal authority of the applicant government, following conviction of the individual for a criminal offense.** Such incarceration may have been in a correctional facility operated by the applicant government or in a "contract correctional facility" (including a regional facility) used by the applicant government.

- An inmate is not considered to have been "incarcerated" by or on behalf of an applicant government if the applicant government held the inmate in custody on behalf of (under the legal authority of) another "state" or "unit of local government," pursuant to a contractual arrangement. (See also the related discussion above.)

"Undocumented." For purposes of the FY 2020 program, an individual is "undocumented" **if, as of the date the individual was "incarcerated" by the applicant government,** the individual was a foreign citizen or foreign national with no legitimate claim under federal law to be a U.S. citizen or U.S. national, and the individual (1) entered the United States without authorization under federal law to do so, or (2) entered the United States under a federal legal authorization that had expired or otherwise was no longer in effect, or (3) was the subject of deportation or exclusion proceedings.

- Generally, a person born in the United States (including in a U.S. territory) is a U.S. citizen or U.S. national.

"Criminal alien." For purposes of the FY 2020 program, an alien (that is, an individual who is not a citizen or national of the United States) is a "criminal alien" if, as of the date the individual was "incarcerated" by the applicant go "Inmate records" and associated data elements. In section 2 of the application, the "submitting government official" is to provide an "inmate record" for each "eligible inmate."

Inmate records" and associated data elements. In section 2 of the application, the "submitting government official" is to provide an "inmate record" for each "eligible inmate ."

Multiple periods of incarceration. If, during the reporting period, the applicant government

incarcerated a particular "eligible inmate" for two or more periods of at least 4 consecutive days each, the applicant **must** create a **separate** "inmate record" for each such distinct period of incarceration. The applicant **may not** combine such distinct periods of incarceration in a single inmate record.

"Eligible inmates" who use aliases. If an applicant government has reason to believe that a particular "eligible inmate" uses or has used aliases, the applicant may submit a separate "inmate record" for each alias, provided the information in the separate inmate record(s) is identical in all respects, other than as to last, first, and/or middle names. (Note that this requirement for identical information — except as to names — specifically includes the "unique inmate number assigned by the applicant government." (See list below.)

Each "inmate record" is to provide all of the following information, to the extent known to the applicant government, using due diligence:

Alien number, also referred to as "A-number"

- Last name
- First name
- Middle name (not required, but to be provided if available)
- Date of birth
- Unique inmate identifying number assigned by the applicant government
- Foreign country of birth
- "Date incarcerated" (see definition in Appendix A)
- "Date released" (see definition in Appendix A)
- FBI number

-NEW- Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ). This new field will be optional in FY 2020 (include the information if available) but will be required in FY 2021. Please see Appendix E for more details.

The detailed instructions for each of these data elements are set out in the table titled "SCAAP Data Elements for 'Inmate Records' – FY 2020 Program" in Appendix A. That table identifies mandatory data elements; specifies the precise format to be used for each data element; sets out the rules to follow for individuals with compound or hyphenated first, last, or middle names; and specifically defines "date incarcerated" and "date released." (It also defines the required ASCII fixed-field format.)

- For ease of reference, the "submitting government official" may wish to print out a copy of "SCAAP Data Elements for 'Inmate Records' – FY 2020 Program."
- Be aware that an "inmate record" that does not identify a **specific country** as the inmate's country of birth, but instead indicates that the country of birth is "unknown," will **not** be considered in the calculation of the amount of any payment under the FY 2020 program unless DHS (through its data review) is able to confirm that the inmate was in fact "undocumented," and the "inmate record" otherwise is sufficient.

Submission of "inmate records." An applicant must provide "inmate records" for "eligible inmates by uploading a single ASCII-formatted (.txt) file that contains the **entire** set of inmate records for the "reporting period."

- The "submitting government official" will upload a single ASCII-formatted file with all "inmate records" for "eligible inmates."
 - Appendix A (titled "SCAAP Data Elements for 'Inmate Records' – FY 2020 Program") sets out the required ASCII fixed-field format to be used for the inmate file upload.
 - Appendix B lists (DHS) Immigration and Customs Enforcement (ICE) Country Codes. "Inmate records" submitted as part of a single ASCII fixed-field file are to include the appropriate "ICE Code" from the list in Appendix B. Do not use an abbreviation from

any other list of country codes. Appendix C (titled "Instructions for upload of ASCII fixed-field file of 'inmate records'") provides detailed instructions for the ASCII fixed-field file upload process.

- Appendix C (titled "Instructions for upload of ASCII fixed-field file of 'inmate records'") provides detailed instructions for the ASCII fixed-field file upload process.

Part III. Information on "Correctional Officers" and "Correctional Facilities"

Required information on "correctional officers"

In section 3 of the online application, the "submitting government official" must provide, by direct entry into the online application, all of the following information related to "correctional officers":

- The total number of **full-time "correctional officers"** employed by the **applicant government** during the reporting period.
- The total number (reported as Full-Time Employees) of **part-time "correctional officers"** employed by the applicant government during the reporting period.
- The total number of **full-time "correctional officers"** providing services to the **applicant government** as employees of "contract correctional facilities" (or as contractors) during the reporting period.
- The total number (reported as FTEs) of **part-time "correctional officers"** providing services to the applicant government as employees of "contract correctional facilities" (or as contractors) during the reporting period.
- "Actual salary expenditures for correctional officers" during the reporting period.

In addition, section 3 of the online application requires the "submitting government official" to provide (as a file "attached" to the application) a "Correctional officer" salary expenditures detail."

Pertinent definitions: correctional officers and associated salary expenditures

- **"Correctional facility"** means a facility typically used to hold (confine) in custody individuals convicted of one or more criminal offenses.
 - A "correctional facility" may be operated by a "state" or "unit of local government" for its own use.
 - Or a "correctional facility" may be operated by a private or governmental entity that holds individuals in custody on **behalf of** (pursuant to the legal authority of) a "state" or "unit of local government," pursuant to a contractual arrangement. For purposes of the FY 2020 program, such a facility (including a regional facility) is a **"contract correctional facility."**
 - A "correctional facility" may — in addition to holding in custody individuals who have been **convicted** of criminal offenses — also hold in custody individuals who have been **charged** with criminal offenses. A facility that is used primarily for pretrial detention, however, is **not** a "correctional facility."
- **"Correctional officer."** For purposes of the FY 2020 program, "correctional officer" means a person whose **primary** employment responsibility is to maintain custody of individuals held in a "correctional facility." A person who meets this definition is a "correctional officer," regardless of whether he/she is an employee of the applicant government or an employee of a "contract correctional facility" used by the applicant government.

Based on **primary** employment responsibility, the term "correctional officer" may include a person who fills a position such as deputy sheriff, correctional facility or jail supervisor, chief of security or shift commander for a correctional facility, or warden or assistant warden of a correctional facility. The term "correctional officer" also may include a transportation officer (or someone in a similar position), but **only if** the person's **primary** employment responsibility is to maintain custody of inmates who remain in custody but temporarily are outside of the "correctional facility.

 - "Incarcerated" is defined above.
 - Persons whose **primary** responsibility is something other than to maintain custody of individuals held in custody in a "correctional facility" are not "correctional officers" for

purposes of this program, and **may not** be included in the "correctional officer" data reported in section 3 of the online application. This is the case **even though** such persons may provide services to a correctional facility used by the applicant government or its inmates.

- Persons who provide office and secretarial support or administrative services to (or for) a "correctional facility"; or whose **primary** employment responsibility involves housekeeping or maintenance at a correctional facility; or provide food, health or medical care, education, training, or vocational counseling to "incarcerated" inmates are not "correctional officers" for purposes of the FY 2020 program. They **may not** be included in the "correctional officer" data reported in section 3 of the online application.
- Similarly, persons whose **primary** employment responsibility is to work with inmates who are no longer held in custody in a "correctional facility" (e.g., parole and probation officers) or whose work involves inmates but whose primary employment responsibility is something other than "maintaining custody" of an inmate held in custody in a "correctional facility" (e.g., judges, prosecutors, and public defenders; hearing officers; warrant and apprehension units personnel) are **not** "correctional officers" for purposes of the FY 2020 program. They **may not** be included in the "correctional officer" data reported in section 3 of the online application.
- "Total number" of "correctional officers"
 - For **full-time** "correctional officers" employed by the applicant government, report the total number of full-time correctional officers employed during the reporting period.
 - For **part-time** "correctional officers" employed by the applicant government, report the total number of part-time correctional officers employed during the reporting period.
 - For **full-time** "correctional officers" employed by a "contract correctional facility," include **only** the "total number" of such officers whose employment is reasonably attributable — using due diligence — to use of the correctional facility by the applicant government for inmates held in custody under its own legal authority. As the "total number," report the total number of such full-time correctional officers employed during the reporting period.
 - Similarly, for **part-time** "correctional officers" employed by a "contract correctional facility," include **only** the "total number" of such officers whose employment is reasonably attributable — using due diligence — to use of the correctional facility by the applicant government for inmates held in custody under its own legal authority. As the "total number," report the total number of such part-time correctional officers employed during the reporting period.
- ' **Actual salary expenditures for correctional officers,**' during the reporting period" means the sum of:
 - The actual amount (if any) paid by the applicant government during the "reporting period" as the "salaries and wages" of full-time and part-time "correctional officers" it employed. Paid leave (medical leave, family leave, vacation leave) may be included in this total.
 - The actual amount (if any) **paid by any** "contract correctional facility" as the "salaries and wages" of full-time and part-time "correctional officers," but only to the extent the amounts paid are reasonably attributable — using due diligence — to inmates held in custody on behalf of, and under the legal authority of, the applicant government.
- "**Salaries and wages**" may include amounts paid to a "correctional officer" as premium pay for specialized service, as shift-differential pay, and/or as fixed-pay increases for time in service. It also may include additional amounts paid for overtime when such additional amounts are required by law (e.g., by statute or regulation) or by contractual obligation.
 - "Salaries and wages" may not include any payments or costs for employment benefits, including (without limitation) social security, retirement or pension plans, health or medical services, insurance (e.g., medical, dental, vision, disability, and life insurance), and/or performance awards.

Information required in the "Correctional officer' salary expenditures detail (for the reporting period)."

Each applicant must attach a file to its application that sets out for each "correctional officer" included in the reported number of "correctional officers" the following:

- The **title** of the position held by the person (e.g., "corrections officer," "deputy sheriff," "warden") and the **total** "salaries and wages" paid to the person during the reporting period for that work. (The **name** of the correctional officer **should not** be included.)
- For an individual "correctional officer" employed by a "contract correctional facility," the "salaries and wages" listed must be the amount **reasonably attributable — using due diligence** — to inmates held in custody on behalf of, and under the legal authority of, the applicant government.
- This salary "detail" file may be submitted in one of several commonly used file formats (e.g., Adobe PDF, Microsoft Word, or Microsoft Excel). **Note:** The sum of all "salaries and wages" listed in the "detail" file must match the amount entered in the online application as "Actual salary expenditures for correctional officers," during the reporting period."
 - JustGrants 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."
- To "attach" the file:
 - Click on the "Attach" button. A pop-up window will appear.
 - Click on the "Browse" button.
 - Locate the correct file name and double-click on it. The file name will appear in the blank field.
 - Click the "Upload" button.

Required information on "correctional facilities"

In section 3 of the online application, the "submitting government official" also must provide, by direct entry into the online application, all of the following information related to "correctional facilities":

- "Maximum bed count" for the reporting period.
- "Total all inmate days" for the reporting period.

In addition, section 3 of the online application requires the "submitting government official" to provide, as a file "attached" to the application, detail on "All inmate days, by reporting day" for the reporting period.

Pertinent definitions: Correctional facilities

- "**Correctional facility**" and "**contract correctional facility**" are defined above.
- "**'Maximum bed count' for the reporting period**" If the applicant government held inmates in custody **only** in "correctional facilities" operated by the applicant government itself for its own use, the "'Maximum bed count' for the reporting period" is the **maximum capacity** during any single day of the reporting period of all such "correctional facilities" operated by the applicant government. If, however, the applicant government **either** did not operate a "correctional facility" for its own use or operated one or more "correctional facilities" for its own use but also used other facilities to hold inmates in custody, the "'Maximum bed count' for the reporting period" is the sum of:
 - The maximum **capacity** during any single day of the reporting period of all "correctional facilities" operated by the applicant government itself for its own use.
 - The maximum number of inmates, if any, actually held in custody on behalf of (under the legal authority of) the applicant government in a "contract correctional facility" during any single day of the reporting period.
 - The maximum number of inmates, if any, **actually held in custody** by the applicant government during any single day of the reporting period in "temporary" or "overflow" facilities (e.g., gymnasiums).
- "**'Total all inmate days' for the reporting period**" means the cumulative number of days — determined using the nightly "head count" for each of the days in the reporting period — inmates were held in custody in a "correctional facility" by or on behalf of the applicant government (pursuant to its own legal authority) during the "reporting period," **regardless of**

inmate citizenship, legal status, or the number of days held in custody.

Information required in the “All inmate days, by reporting day’ detail (for the reporting period)”

- Each applicant must attach a file to its application that sets out for **each particular day of the reporting period** — using nightly “head counts” — the number of inmates held in custody in a “correctional facility” by or on behalf of the applicant government (pursuant to its own legal authority), **regardless of inmate citizenship, legal status, or the number of days held in custody.**
- This “detail” file may be submitted in one of several commonly used file formats (e.g., Adobe PDF, Microsoft Word, or Microsoft Excel). **Note:** The sum of all daily entries for “all inmate days” listed in this “detail” file must match the number entered in the online application as “Total all inmate days’ for the reporting period.”
 - JustGrants 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.
- To “attach” the file:
 - Click on the “Attach” button. A pop-up window will appear.
 - Click on the “Browse” button.
 - Locate the correct file name and double-click on it. The file name will appear in the blank field.
 - Click the “Upload” button.

Important note regarding “correctional officers” and “correctional facilities” data

As indicated earlier, all information submitted as part of an application to the FY 2020 program is subject to appropriate review by OJP. In appropriate circumstances (e.g., indications that an entry related to “correctional officers” or to “total all inmate days” may be erroneous), OJP may require additional information related to the accuracy of the information in the application.

Using data provided by the applicant in section 3 of the application (e.g., data on “correctional officers,” data on “total all inmate days”), JustGrants calculates each applicant’s average daily (salaries) cost per inmate during the “reporting period.” As a point of reference and comparison, for the FY 2019 program, the overall average daily (salaries) cost per inmate (i.e., the average of the daily costs for all applicants that received payments) was \$46.73.

REMINDER

The “submitting government official” identified in section 5 of the application **must be** the individual identified in section 2 of the application as the “submitting government official.”

For each applicant government, there may be only **one** “submitting government official.” That “submitting government official” **must** complete **all** sections of the application, and **must** be the one who submits the application to OJP.

Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 will be submitted in Grants.gov. The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the OJP Grant Application Resource Guide for additional information on completing the SF-424.

Intergovernmental Review: This solicitation (“funding opportunity”) **is** subject to Executive Order 12372. An applicant may find the names and addresses of state Single Points of Contact (SPOCs) at the following website: https://www.whitehouse.gov/wp-content/uploads/2020/01/spoc_1_16_2020.pdf. If the applicant’s state appears on the SPOC list, the applicant must contact the state SPOC to find out about, and comply with, the state’s

process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its state E.O. 12372 process. (An applicant whose state does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372 but has not been selected by the state for review.")

Standard Applicant Information (JustGrants 424 and General Agency Information)

The Standard Applicant Information section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. Applicants will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, applicants will need to: add zip codes for areas affected by the project; confirm their Authorized Representative; and verify the organization's legal name and address.

Disclosures and Assurances

Applicants will complete the following certifications electronically in JustGrants. The text of each required certification is included below.

Required Certification to OJP by the Submitting Government Official: Applicant Government and Submitting Government Official

On behalf of myself and the applicant government, and in support of this application to the FY 2020 program, I certify to OJP, under penalty of perjury, that the information on the applicant government and the submitting government official entered above as part of this online application to the FY 2020 program is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review, and is provided in accordance with the requirements, definitions, and instructions set out in the OJP document entitled State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this and all other certifications in this online application as material representations in any decision to make a SCAAP payment to the applicant government in response to this application.

I understand and 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 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant "State" or "unit of local government" to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also understand and acknowledge that payments under OJP programs such as SCAAP, including certifications provided in connections with such payments, are subject to review by USDOJ, including by OJP and the USDOJ Office of the Inspector General.

Required Certification to OJP by the Submitting Government Official: Information on "Eligible Inmates"

On behalf of myself and the applicant government, and in support of this application to the FY 2020 program, I certify to OJP, under penalty of perjury, that the information on "eligible inmates" entered or uploaded as part of this online application to the FY 2020 program-- (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the OJP document entitled State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions, and

(2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment under the FY 2020 program, and that this certification is subject to review by USDOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

Required Certification to OJP by the Submitting Government Official: Information on "Correctional Officers" and "Facilities"

On behalf of myself and the applicant government, and in support of this application to the FY 2020 program, I certify to OJP, under penalty of perjury, that the information on "correctional officers" and "correctional facilities" entered or uploaded as part of this online application to the FY 2020 program-- (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the OJP document entitled State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions, and (2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment under the FY 2020 program, and that this certification is subject to review by USDOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

Acknowledgement of USDOJ Intent to Modify SCAAP Program Requirements, Beginning with the FY 2021 Program

I certify that I have read and reviewed carefully the "Notification: USDOJ Intent to Modify SCAAP Requirements for Future Application Cycles" in the State Criminal Alien Assistance Program: FY 2020 Program Requirements and Application Instructions.

I further certify that I have advised appropriate officials of the applicant government, including its chief executive, of that Notification and its content, including the "reporting periods" that will be affected if the modifications described in the Notification are made.

I understand and acknowledge that this certification is subject to review by USDOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), I may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

FY 2020 Certification regarding federal statutes relevant to the incarceration of criminal aliens

Several federal statutes are relevant to the incarceration of criminal aliens. I have reviewed the statutes referenced in this certification, and, in connection with this certification, have consulted, as appropriate, with the chief legal officer for the applicant jurisdiction. On behalf of

the applicant jurisdiction, in support of its application for an award under the FY 2020 State Criminal Alien Assistance Program ("SCAAP"), I certify to the Office of Justice Programs ("OJP"), U.S Department of Justice ("USDOJ") that all of the following are true and correct:

1. Throughout the pertinent reporting period, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by any law, rule, policy, or practice that would or does (1) violate, or aid, or abet any violation of 8 U.S.C. § 1324(a); (2) impede the exercise by federal officers of authority under 8 U.S.C. § 1357(a); or (3) impede the exercise by federal officers of authority relating to 8 U.S.C. § 1226(a) or (c), 8 U.S.C. § 1231(a), or 8 U.S.C. § 1366(1) or (3).
2. Throughout the pertinent reporting period, neither the jurisdiction nor any entity, agency, or official of the jurisdiction has in effect, purports to have in effect, or is subject to or bound by any prohibition or any restriction that deals with either (1) the sending or receiving by a government entity or official of information regarding citizenship or immigration status as described in 8 U.S.C. §§ 1373(a) or 1644 or (2) the sending to, requesting or receiving from, maintaining, or exchanging by a government entity or official of information of the types (and with respect to the entities) described in 8 U.S.C. § 1373(b).

How to Apply

A "submitting government official" must submit any application on behalf of the applicant government through Grants.gov and DOJ's JustGrants. OJP urges the "submitting government official" to register promptly, especially if this is the first time he/she is using Grants.gov or JustGrants.

Applicants will submit an **SF-424** in Grants.gov at <https://www.grants.gov/web/grants/register.html>. For assistance with selecting the correct DUNs, please contact SCAAP@usdoj.gov.

Applicants will submit the **full application** including attachments in JustGrants at <https://justgrants.usdoj.gov/>.

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

Submission Dates and Time

The SF-424 will be submitted in Grants.gov by March 1, 2021 at 11:59 pm eastern time. OJP urges applicants to submit applications at least 72 hours prior to the application due date to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

The full application will be submitted in JustGrants by March 15, 2021 at 11:59 pm eastern time. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

Absent highly unusual circumstances, OJP will **not** extend this deadline or permit an applicant government to submit its application after the application deadline. Much as in previous years, promptly after the application deadline, OJP will transmit to the U.S. Department of Homeland Security (DHS) the data on "eligible inmates" from all of the applications submitted to JustGrants before the deadline. The volume of "eligible inmates" data transmitted to DHS

(and the nature and complexity of the DHS review of those data) is such that it is not possible to transmit supplemental or corrected data to DHS.

Application Review Information

Review Process

OJP review of applications; corrections to data (other than “eligible inmate” data)

All information submitted as part of an application is subject to appropriate review by OJP. If a properly submitted application appears to contain errors that may be corrected by the applicant (such as inaccurate data on correctional officers or correctional facilities), OJP typically will notify the applicant via an email message to the “submitting government official” and the applicant’s chief executive, using the email addresses provided in the application. In such a notification, OJP may provide an applicant with an opportunity to correct the application by a particular date. In any such case, to be considered for a SCAAP payment, the applicant must make the appropriate corrections by that date.

Due to the nature and complexity of the data review by DHS, however, **no** corrections may be made to data submitted on “eligible inmates” (or “inmate records”) after the application deadline has passed.

Federal Award Administration Information

Federal Award Notices

Notification and acceptance of payment

Once the amount of any payment under the FY 2020 program has been determined, OJP will send email notifications to applicants via the SCAAP Help Desk. The notifications will provide information concerning the amount available to the applicant government, and will provide detailed instructions for online acceptance (in JustGrants) and drawdown of funds.

An applicant government is to complete the online acceptance process within 60 calendar days after receipt of the email notice from OJP. Formal acceptance in JustGrants is required before any electronic transfer of funds to the applicant government.

Federal Awarding Agency Contact(s)

For assistance with the online application to the FY 2020 program or other aspects of the FY 2020 program, contact the SCAAP Help Desk by phone at 1-202-353-4411, or by email to SCAAP@usdoj.gov. The SCAAP Help Desk operates Monday through Friday during normal business hours (eastern time). It is closed on federal holidays. For technical assistance with submitting the SF-424 in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at Grants.gov customer support webpage, or email at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the full application in DOJ’s Justice Grants System (JustGrants), contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov, 833-872-5175. The JustGrants Service Desk operates 5 a.m. to 9 p.m. EST Monday–Friday

and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

Application Checklist

Appendix A: SCAAP Data elements for "inmate records" – FY 2020 program

SCAAP DATA ELEMENTS FOR "INMATE RECORDS" - FY 2020 PROGRAM					
The table below shows the data elements of an "inmate record" for an "eligible inmate." These data elements (along with the associated "Instructions") apply to all "inmate records" for "eligible inmates." The table also shows the ASCII fixed-field format to be used by an applicant government that chooses to provide its "inmate records" by ASCII file upload. In creating the ASCII-formatted file for upload, it is critical to follow the format requirements carefully and accurately. For example, JustGrants will reject any "inmate record" that is not exactly 165 or 166 characters long. Note: Do not use the TAB key to enter required spaces. After entering the appropriate information in a given field, use the SPACE BAR if spaces must be entered to complete the entry and advance to the beginning of the next field.					
Data Field Specifications					Instructions
Order In Data String	Data Element Name	Field Length	Begin At Column	Mandatory Item	
1	A-number	9	1	Yes, two options available	This is an "Alien number" or "Alien Registration number" assigned by (DHS) ICE and used to track individuals and verify identity. Do not use letters ("A") or symbols (such as dashes). Use zero(s) ("0") as the beginning digit(s) if the A-number is fewer than 9 digits. If the A-number is not available, enter 9 zeros ("0").
2	Last name(s)	40	10	Yes	If the name is fewer than 40 characters, enter the name and leave the remainder of the field blank. In the case of compound or hyphenated names, leave in the hyphen or space between the names. (Be aware that many Hispanics use two last names; both should be entered in this field.)
3	First name(s)	25	50	Yes	In the case of compound or hyphenated names, leave in the hyphen or space between the names. If the name is fewer than 25 characters, enter the name and leave the remainder of the field blank.
4	Middle name(s)	25	75	No, but provide if available	In the case of compound or hyphenated names, leave in the hyphen or space between the names If the name is fewer than 25 characters, enter the name and leave the remainder of the field blank.
5	Date of birth	8	100	Yes	The date must be in the format YYYYMMDD. Insert a zero ("0") in the sequence, as necessary, to fill in all spaces; e.g., "19830305" is March 5, 1983.
6	Unique inmate identifier number	15	108	Yes	This number is the unique inmate identifier assigned by the applicant government. If the number is fewer than 15 characters, enter the number and leave the remainder of the field blank. If more than one inmate record is submitted for a particular inmate and particular period of incarceration (as in the case of aliases), the same identifier must be used in all such inmate records.

7	Foreign country of birth	10	123	Yes	If preparing a single ASCII file of "inmate records," enter the ICE Country Code for the country of birth. The code will be from 2 to 5 letters long. After the code, add spaces to fill the field (the maximum field length is 110 characters). If the individual identifies a specific country of birth, but that country does not appear on the list (or in the drop-down menu for direct data entry), use a country in close geographic proximity, not "unknown."
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SCAAP DATA ELEMENTS FOR "INMATE RECORDS" - FY 2020 PROGRAM (CONTINUED)

Data Field Specifications					Instructions
Order in Data String	Data Element Name	Field Length	Begin At Column	Mandatory Item	
8	"Date incarcerated" (see instructions below)	8	133	Yes	The date must be in the format YYYYMMDD. See additional instructions below.
9	"Date released" (see instructions below)	8	141	Yes	The date must be formatted YYYYMMDD. See additional instructions below.
10	FBI number	10	149	No, but provide if available	This number is issued by the FBI to track arrests and fingerprint records. If the FBI number is not available, leave this field blank by inserting 10 spaces. If the FBI number is fewer than 10 characters, enter the number first, and then insert spaces for the remainder of the field length.
11	LESC IAQ	7 or 8	159	No, but provide if available Mandatory in 2021 application	See Appendix E for details.
Instructions for reporting "Date incarcerated" and "Date released"					

In an "inmate record" for a distinct, continuous period of "incarceration" of an "eligible inmate" during the "reporting period" —

"Date incarcerated" is to be the date — **following conviction for a criminal offense** — that the individual first was "incarcerated" by (or on behalf of) the applicant government, pursuant to its own legal authority.

- Special rule for **certain** periods of pretrial detention (continuous custody):

If an individual was held in custody by (or on behalf of) the applicant government under its legal authority for a period that started before trial and continued **uninterrupted** through **at least 4** consecutive days of (post-conviction) "incarceration" during the reporting period, the applicant government **may** report the starting date of that **continuous period of custody** as the "date incarcerated."

"Date released" is to be the **earlier** of (1) June 30, 2019, (the final day of the pertinent "reporting period") **or** (2) the date the "eligible inmate" "incarcerated" by or on behalf of the applicant government under its own legal authority was released from his/her confinement pursuant to that legal authority.

- Special rule for **certain** unusual circumstances (outstanding warrants and detainer requests):

If an "eligible inmate" is "incarcerated" by or on behalf of the applicant government under its own legal authority for at least 4 consecutive days during the reporting period and **thereafter** the individual continues — **without interruption** — to be lawfully held in custody by the applicant government for 1 or more additional days (during the reporting period) on the basis of an **outstanding warrant or detainer request from the federal government** (or on the basis of an **outstanding warrant from another "state" or "unit of local government"**), the applicant government **may** report the ending date of that continuous period of confinement as the "date released," **provided** that the applicant government was not paid or otherwise compensated by the other government (federal, state, or local) for the additional days it held the individual on the basis of the outstanding warrant or detainer request.

Appendix B: (DHS) ICE country codes – for use in "inmate records"

Country Name	ICE Code	Country Name	ICE Code	Country Name	ICE Code
Afghanistan	AFGHA	Chad	CHAD	Ghana	GHANA
Albania	ALBAN	Chile	CHILE	Gibraltar	GIBRA
Algeria	ALGER	China, Peoples Republic	CHINA	Greece	GREEC
Andorra	ANDOR	Christmas Island	CHRIS	Greenland	GREEN
Angola	ANGOL	Cocos Islands	COCOS	Grenada	GRENA
Anguilla	ANGUI	Colombia	COLOM	Guadeloupe	GUADE
Antigua-Barbuda	ANTIG	Comoros	COMOR	Guatemala	GUATE
Argentina	ARGEN	Congo, Democratic Republic	DECON	Guinea	UINEA
Armenia	ARMEN	Congo, Republic	CONGO	Guinea Bissau	BISSA
Aruba	ARUBA	Cook Islands	COOK	Guyana	GUYAN
Australia	RALIA	Costa Rica	COSTA	Haiti	HAITI
Austria	STRIA	Cote d'Ivoire	IVORY	Holy See	VATIC
Azerbaijan	AZERB	Croatia	CROAT	Honduras	HONDU
Bahamas, The	BAHAM	Cuba	CUBA	Hong Kong	HONGK
Bahrain	BAHRA	Cyprus	CYPRU	Hungary	HUNGA
Bangladesh	BANGL	Czech Republic	CZREP	Iceland	ICELA
Barbados	BARBA	Czechoslovakia, former	CZECH	India	INDIA
Belarus	BELAR	Denmark	DENMA	Indonesia	INDON
Belgium	BELGI	Djibouti	DJIBO	Iran	IRAN
Belize	BELIZ	Dominica	INICA	Iraq	IRAQ
Benin	BENIN	Dominican Republic	DR	Ireland	IRELA
Bermuda	BERMU	Ecuador	ECUAD	Israel	ISRAE
Bhutan	BHUTA	Egypt	EGYPT	Italy	ITALY
Bolivia	BOLIV	El Salvador	ELSAL	Jamaica	JAMAI
Bosnia-Herzegovina	BOSNI	Equatorial Guinea	EQUAT	Japan	JAPAN
Botswana	BOTSW	Eritrea	ERITR	Jordan	JORDA
Brazil	BRAZI	Estonia	ESTON	Kazakhstan	KAZAK
British Virgin Islands	BVI	Ethiopia	ETHIO	Kenya	KENYA
Brunei	BRUNE	Falkland Islands	FALKL	Kiribati	KIRIB
Bulgaria	BULGA	Fiji	FIJI	Korea	KOREA
Burkina Faso	BURKI	Finland	FINLA	Kuwait	KUWAI
Burma	BURMA	France	FRANC	Kyrgyzstan	KYRGY
Burundi	BURUN	French Guiana	FRGUI	Laos	LAOS
Cambodia	CAMBO	French Polynesia	POLYN	Latvia	LATVI
Cameroon	CAMER	French Southern and Antarctic Lands	ANTAR	Lebanon	LEBAN
Canada	CANAD	Gabon	GABON	Lesotho	LESOT
Cape Verde	CAPEV	Gambia	GAMBI	Liberia	LIBER
Cayman Islands	CAYMA	Georgia	GEORG	Libya	LIBYA
Central African Republic	CAFRI	Germany	GERMA	Liechtenstein	LIECH
Lithuania	LITHU	Palestine	PALES	Sweden	SWEDE

Country Name	ICE Code	Country Name	ICE Code	Country Name	ICE Code
Luxembourg	LUXEM	Panama	PANAM	Switzerland	SWITZ
Macau	MACAU	Papua New Guinea	PAPUA	Syria	SYRIA
Macedonia	MACED	Paraguay	PARAG	Taiwan	TAIWA
Madagascar	MADAG	Peru	PERU	Tajikistan	TAJIK
Malawi	MALAW	Philippines	PHILI	Tanzania	TANZA
Malaysia	MALAY	Pitcairn Island	PITCA	Thailand	THAIL
Maldives	MALDI	Poland	POLAN	Togo	TOGO
Mali	MALI	Portugal	PORTU	Tonga	TONGA
Malta	MALTA	Qatar	QATAR	Trinidad and Tobago	TRINI
Marshall Islands	MARSH	Reunion	REUNI	Tunisia	TUNIS
Martinique	MARTI	Romania	ROMAN	Turkey	TURKE
Mauritania	MAUTA	Russia	RUSSI	Turkmenistan	TURKM
Mauritius	MAUTI	Rwanda	RWAND	Turks and Caicos Islands	TURKS
Mexico	MEXIC	Samoa	SAMOA	Tuvalu	TUVAL
Micronesia, Federated States	FSM	San Marino	SANMA	Uganda	UGAND
Moldova	MOLDO	Sao Tome and Principe	SAOTO	Ukraine	UKRAI
Monaco	MONAC	Saudi Arabia*	SAUDI	United Arab Emirates	UAE
Mongolia	MONGO	Senegal	SENEG	United Kingdom	UK
Montserrat	MONTS	Seychelles	SEYCH	Uruguay	URUGU
Morocco	MOROC	Sierra Leone	SIERR	Uzbekistan	UZBEK
Mozambique	MOZAM	Singapore	SINGA	Vanuatu	VANUA
Namibia	NAMIB	Slovak Republic	SLOVA	Venezuela	VENEZ
Nauru	NAURU	Slovenia	SLOVE	Vietnam	VIETN
Nepal	NEPAL	Solomon Islands	SOLOM	Wallis and Futuna Islands	WALLI
Netherlands	NETHE	Somalia	SOMAL	West Indies	WINDI
Netherlands Antilles	ANTIL	South Africa	SAFRI	Western Sahara	WSAHA
New Caledonia	NEWCA	South Korea	SKORE	Western Samoa	WSAMO
New Zealand	NEWZE	Soviet Union, former	USSR	Yemen	YEMEN
Nicaragua	NICAR	Spain	SPAIN	Yugoslavia, former	YUGOS
Niger	NIGE	Sri Lanka	SRILA	Zambia	ZAMBI
Nigeria	NIGIA	St. Helena	STHEL	Zimbabwe	ZIMBA
Niue	NIUE	St. Kitts-Nevis	STKIT		
North Korea	NKORE	St. Lucia	STLUC	Born on ship/plane	SHIP
Northern Ireland	NIREL	St. Pierre and Miquelon	STPIE	Stateless	STATE
Norway	NORWA	St. Vincent and the Grenadines	STVIN	Unknown	UNKNO
Oman	OMAN	Sudan	SUDAN	* ARABI also may be used as the code for Saudi Arabia	
Pakistan	PAKIS	Suriname	SURIN		
Palau	PALAU	Swaziland	SWAZI		

Appendix C: Instructions for upload of ASCII fixed-field file of “inmate records”

Upload of an ASCII fixed-field file of all “inmate records”

This method for submitting “inmate records” on “eligible inmates” allows an applicant to submit its entire set of inmate records as a **single ASCII-formatted file** uploaded directly into JustGrants. Appendix A specifies the required fields and format.

Each "inmate record" in the uploaded ASCII file is to contain **all** mandatory data fields in the specified format. Through a file upload "status report" (which will refer to each "inmate record" as a "line"), JustGrants will flag "inmate records" within the ASCII file that do not contain the required information, are not exactly **165 or 166** characters long, or do not follow (or appear not to follow) the specified data format.

"Inmate records" that are incomplete or are not in the specified format as of the date and time of the application deadline will **not** be considered as part of OJP's payment calculation process. If an ASCII inmate-record file has been uploaded, but the applicant government has **not** yet submitted its application to OJP's JustGrants, the applicant has the option to correct, add to, or otherwise modify the ASCII inmate-record file and upload that file as a **replacement** for the entire file previously uploaded. (See below.)

To help ensure that the maximum number of "inmate records" is taken into account in the calculation of the amount of any payment, the applicant should be **meticulous** in preparing the ASCII fixed-field file. If JustGrants nevertheless identifies errors in the file — and the application deadline has not yet passed — the applicant should correct those errors as soon as possible, **before** it "submits" the application to JustGrants.

ALERTS

- An ASCII "inmate-record" file may **not** be corrected, added to, or modified in **any way** once the application deadline has passed.
- If an applicant uploads an ASCII fixed-field file of "inmate records," any subsequent upload of a new or modified file **will overwrite (and delete)** the previously uploaded file **in its entirety**. Similarly, the addition of **any** inmate records via direct data entry will overwrite (and delete) the previously uploaded ASCII fixed-field file **in its entirety**.
- Upload of a large ASCII fixed-field file of "inmate records" may take a considerable amount of time.
 - Generally, there is a brief start-up delay when the upload is being initiated.
 - A file that contains 50,000 "inmate records" may take 15 minutes or longer to upload, even after the file upload actually has begun.
 - If the applicant's internet browser "times out" or is disconnected during the file upload process, errors may result. It is important to review the file upload "status report" (see below) to determine whether the expected number of "inmate records" in fact was uploaded.

The Upload Process – In General

To submit "inmate records" for "eligible inmates" by uploading a single ASCII fixed-field file that includes all such inmate records, follow these steps:

Step 1: In section 2 of the online application, click on the "Upload Inmate File" button.

Step 2: Click on the "Upload" box to attach the file. A pop-up window will appear.

Step 3: Click on the "Browse" button in the pop-up window.

Step 4: Locate the correct file name and double-click on it. The file name will appear in the blank field.

Step 5: Click the "Upload" button. A message should appear in the pop-up window that indicates the status of the file upload. Click the "X" in the upper right corner of the pop-up box to close it. The ASCII fixed-field file name should now appear next to the upload button on the main page.

Step 6: Click the "Validate" button. Any errors present in the inmate file will be displayed. Correct any errors listed and reupload the entire inmate file once the update is completed.

Step 7: Click "Continue" button to proceed to the next section of the application.

The file upload "status report" will indicate the total number of "inmate records" uploaded and the number of those records that are "complete." In addition, the report will provide a detailed list of any inmate records (by "line" number) that are incomplete and/or are not in the specific data format. It also will indicate the data fields in which the error(s) appear.

Appendix D: SCAAP payment calculations – general overview

A general overview of the method OJP uses to calculate payments under SCAAP

1. DHS reviews "inmate records." All "complete" inmate records submitted in applications from "eligible applicants" are forwarded by OJP to DHS promptly after the application deadline.
2. DHS conducts a detailed review that focuses on determining whether each individual identified in an "inmate record" **in fact** was "undocumented" — or was instead a U.S. citizen (or national) or otherwise lawfully present in the United States — at the time of the incarceration identified in the inmate record.
3. DHS provides the results of its review to OJP.
4. OJP reviews the data provided by applicants, including data on "correctional officers," "actual salary expenditures for correctional officers," and "total all inmate days." As appropriate and feasible, OJP requires additional — or corrected — information from applicants.
5. For each applicant government with one or more "inmate records" determined to be eligible for payment, JustGrants calculates the average daily (salaries) cost per inmate for the applicable "reporting period." In general, this is done by dividing "actual salary expenditures for correctional officers" (for the reporting period) by "total all inmate days" (for the reporting period).
6. Using the results of the DHS review, the OJP review, and each applicant's average daily (salaries) cost per inmate, JustGrants calculates an amount — referred to as the applicant's total "eligible inmate costs" — that reflects the applicant's total (salaries) costs of incarcerating "undocumented criminal aliens" during the applicable "reporting period."
7. Funds available from appropriations to OJP for SCAAP for the particular application cycle are paid to applicant governments on a proportionate (percentage) basis, using each applicant's total "eligible inmate costs."

For the FY 2019 program, payments made to applicant governments represented

approximately 26 percent of each applicant's total "eligible inmate costs."

Appendix E: Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ) Overview

Overview

The Department of Justice has updated how state and local law enforcement agencies will submit applications for reimbursement under the State Criminal Alien Assistance Program. Starting in the FY 2021 application cycle, submitting agencies will be required to certify that they seek reimbursement payments only with respect to those undocumented criminal aliens about whom the applicant government has provided specific notice to the Department of Homeland Security of the alien's name, the release date, and his/her home and work addresses. For the 2020 SCAAP application, the Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ) field will be optional for each inmate record. For the 2021 SCAAP application, the LESAC IAQ field will be required.

Submitting agencies will establish the eligibility of inmates for SCAAP reimbursement by sending notification to the Immigration and Customs Enforcement LESAC in the form of an IAQ.

LESC is ICE's single national point of contact that provides timely immigration status information, identity information, and real-time assistance to local, state, and federal law enforcement agencies on aliens suspected, arrested, or convicted of criminal activity. LESAC, located in Williston, Vermont, operates 24 hours a day, 7 days a week, 365 days a year.

Guidance to submitting agencies

For more information and FAQs, please see the following link:

<https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/IAQ-FAQ-June2019.pdf>



BJA FY 2021 State Criminal Alien Assistance Program

Program Requirements and Application Instructions

Assistance Listing Number #	16.606
Grants.gov Opportunity Number:	O-BJA-2021-171190
Solicitation Release Date:	March 09, 2022 3:00 PM
Version:	1
Grants.gov Deadline:	April 25, 2022 8:59 PM
Application JustGrants Deadline:	May 09, 2022 8:59 PM

Overview

Under the statutorily required State Criminal Alien Assistance Program (SCAAP), the Office of Justice Programs (OJP) of the U.S. Department of Justice (DOJ) makes payments to eligible "states" and "units of local government" that incur certain types of costs due to "incarceration" of "undocumented criminal aliens" during a particular 12-month reporting period. **The reporting period for the FY 2021 program is July 1, 2019, through June 30, 2020.**

Before entering **any** information into the online application for the FY 2021 program, the government official who will complete and submit the application on behalf of an applicant government **MUST** carefully review this document.

NOTICE: OJP continues work to finalize the necessary steps in order to make FY 2020 State Criminal Alien Assistance Program (SCAAP) reimbursements available as soon as possible. This Bureau of Justice Assistance (BJA) FY 2021 SCAAP Requirements and Application Instructions announcement is released prior to the availability of FY 2020 SCAAP reimbursements in order to expedite the availability of FY 2021 reimbursements.

Eligible Applicants:

City or township governments, County governments, State governments, Other

Other

See Eligibility Information in this solicitation.

For purposes of this solicitation, "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

Contact Information

For technical assistance with submitting the Application for Federal Assistance standard form (SF)-424 in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, Grants.gov Customer Support, or support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at 833-872-5175 or JustGrants.Support@usdoj.gov. The JustGrants Service Desk operates 5 a.m. to 9 p.m. eastern time Monday - Friday and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

For assistance with the online application to the FY 2021 program or other aspects of the FY 2021 program, contact the **SCAAP Help Desk** by phone at 1-202-353-4411 or by email to SCAAP@usdoj.gov. The SCAAP Help Desk operates Monday through Friday during normal business hours (eastern time). It is closed on federal holidays.

Submission Information

Applications will be submitted to DOJ in two steps:

Step 1: Applicants must submit by the Grants.gov deadline the required Application for Federal Assistance standard form (SF)-424 when they register in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, applicants will need to obtain Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal. Please contact the SCAAP Help Desk at SCAAP@usdoj.gov for assistance with identifying the correct applicant DUNS.

Beginning April 4, 2022, the federal government will cease using the Data Universal Numbering System (DUNS) number to uniquely identify entities. At that point, entities doing business with the federal government will use a Unique Entity Identifier (UEI) created in SAM.gov. If your entity is currently registered in SAM.gov, your UEI has already been assigned and is viewable in SAM.gov. This includes inactive registrations. For additional information, see the [Unique Entity Identifier Update](#) and the [OJP Grant Application Resource Guide](#).

Step 2: Applicants must then submit the **full application**, including attachments, in JustGrants at JustGrants.usdoj.gov. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline. OJP encourages applicants to review the "How to Apply" section in the [OJP Grant Application Resource Guide](#) and the [JustGrants website](#) for more information, resources, and training.

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Program Description

Overview

OJP is committed to advancing work that promotes civil rights and racial equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety and protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

OJP's BJA administers SCAAP. Under SCAAP, OJP is statutorily required to make payments to "states" and "units of local government" that incur certain types of costs due to the "incarceration" of "undocumented criminal aliens" during a specific 12-month "reporting period."

Under the FY 2021 program, payments will be made in connection with "undocumented criminal aliens" who had been convicted of at least one felony or two misdemeanors (typically for violations of state or local law) and who were "incarcerated" under the legal authority of the applicant government for at least 4 consecutive days during the "reporting period." (Additional details are set out in later sections of this document.)

As part of its application, each applicant government provides particular information about individuals it "incarcerated" — under its own legal authority — for at least 4 consecutive days during the "reporting period" and whom the applicant government either (1) knows were "undocumented criminal aliens" or (2) reasonably and in good faith believes were "undocumented criminal aliens." (OJP transmits the data submitted on such individuals to the U.S. Department of Homeland Security (DHS) for a detailed review.) As part of its application, each applicant government also must provide information pertinent to its average costs of incarceration during the "reporting period."

Broadly speaking, SCAAP payments are calculated from information provided by applicant governments in online applications, information provided to OJP by DHS regarding the DHS review of data on "eligible inmates," and the amount of appropriated funds available for the SCAAP application cycle (e.g., for the FY 2021 program). All information submitted as part of an application is subject to appropriate review by OJP.

Statutory Authority

The FY 2021 program is authorized by 8 U.S.C. § 1231(i) and Department of Justice Appropriations Act, 2021, Pub. L. 116-260, 134 Stat 1182, 1258.

Specific Information

Restriction on Use of SCAAP Payment; Associated Records

As a matter of federal law, a "state" or "unit of local government" that receives a payment under the FY 2021 program must use the payment "only for correctional purposes." See 8 U.S.C. § 1231(i)(6).

"Correctional Purposes": With respect to a "state" or "unit of local government," use of a SCAAP payment for "correctional purposes" means:

- Use of the funds to pay any cost reasonably attributable to that government's operation of a "correctional facility" for its own use, such as:
 - Salaries and wages paid to employees who work primarily and directly in the "correctional facility" (**regardless** of whether those employees are "correctional officers").
 - Costs of employment benefits provided to (or on behalf of) employees who work directly in and for the "correctional facility."
 - The reasonably allocable portion of the salaries, wages, and benefits paid to employees who, although not primarily and directly working in and for the "correctional facility," provide necessary services either to the correctional facility (e.g., administrative support) or the individuals "incarcerated" in the correctional facility (e.g., medical care, transportation).
 - Repair, maintenance, and "overhead" (e.g., utilities) costs reasonably attributable to operation of the "correctional facility."
- Use of the funds for payments to a "contract correctional facility" that are reasonably attributable to "incarceration" of individuals in such a facility on behalf of (pursuant to the legal authority of) the pertinent "state" or "unit of local government."

Maintenance of Records

An applicant government that receives a payment under the FY 2021 program must, for not less than 3 years after the date it draws down that payment from OJP, maintain records sufficient to demonstrate that the payment was used solely

for “correctional purposes,” and must make those records available to DOJ (including OJP) upon request.

Limit on Request for Compensation

As a matter of federal law, “no jurisdiction shall request compensation for any cost greater than the actual cost for federal immigration and other detainees housed in state and local detention facilities.” See, e.g., Department of Justice Appropriations Act, 2021, Pub. L. 116-260, 134 Stat 1182, 1258.

Federal Award Information

Solicitation Categories

This solicitation does not include Solicitation Categories.

Awards, Amounts and Durations

Anticipated Number of Awards	Anticipated Maximum Dollar Amount of Awards
600	\$59,000,000.00
Period of Performance Start Date	Period of Performance Duration (Months)
7/1/19 12:00 AM	12
Anticipated Total Amount to be Awarded Under Solicitation	
\$221,175,193.00	

Eligibility Information

Important Note: The online FY 2021 SCAAP application specifically incorporates by reference the **eligibility requirements, definitions of terms, and detailed application instructions** set out in this document. (To assist applicants, this document uses quotation marks to highlight defined terms (e.g., “state,” “unit of local government,” “undocumented criminal alien,” “eligible inmate,” and “correctional purposes”).

In general, a “state” or “unit of local government” is eligible to apply for a payment under the FY 2021 program if it “incarcerated” individuals in a “correctional facility” during the “reporting period” whom it either (1) knows were “undocumented criminal aliens” or (2) reasonably and in good faith believes were “undocumented criminal aliens.” A detailed discussion of eligibility — including the definitions of “state” and “unit of local government” for purposes of SCAAP — appears in the Eligibility Information section.

Absent highly unusual circumstances, OJP will not extend the application deadline or permit an applicant government to submit its application after the application deadline. Much as in previous years, promptly after the application deadline, OJP will transmit to DHS the data on “eligible inmates” from all of the applications submitted to JustGrants prior to the application deadline. The volume of “eligible inmates” data transmitted to DHS (and the nature and complexity of the DHS review of those data) is such that it is not possible to transmit supplemental or corrected data to DHS.

Any application must be completed and submitted by a government official with the legal authority to apply to the FY 2021 program on behalf of the chief executive of the applicant government. This “submitting government official” must be registered in JustGrants in order to complete and submit an application under the FY 2021 program.

Instructions on how to register in JustGrants and how to access the online application for the FY 2021 program appear in the How to Apply section.

Only a “state” or “unit of local government” is eligible to apply, and only on its own behalf.

For purposes of the FY 2021 program:

“**State**” includes the District of Columbia, Puerto Rico, Guam, the U.S. Virgin Islands, the Commonwealth of the Northern Mariana Islands, and American Samoa.

“**Unit of local government**” means a political subdivision of a “state” with authority to independently establish a budget and impose taxes (typically, a “general-purpose” political subdivision of a state). The term may include a county or municipality (e.g., city, county, town, township, village, borough, or parish). **Note: A department or agency that is part of such a “unit of local government” is not itself considered a “unit of local government,” and applications listing an agency that is not the “unit of local government” will be denied.**

Joint applications by two or more "states" or "units of local government" are **not** permitted, **even if** the application names only one state or unit of local government as the applicant. As a rule, an application must **not** incorporate or report data on either (1) individuals held in custody by the applicant government on behalf of (pursuant to the legal authority of) another state or unit of local government or (2) costs associated with individuals held in custody on behalf of another state or unit of local government.

Similarly, a governmental entity that is not itself a "state" or a "unit of local government" (e.g., a regional jail, special jail district, or regional jail authority or board) is **not** eligible to apply. Rather, each "state" or "unit of local government" that uses the regional facility may include (as part of its own application) data that directly reflect its own use of the facility.

Certifications in the Online Application for the FY 2021 Program

As part of the online application to the FY 2021 program, the "submitting government official" must make a number of detailed certifications to OJP under penalty of perjury, including formal certifications regarding the accuracy of the information being provided, the official's conformity with the requirements and instructions set out in this document, and the official's legal authority to execute the certifications and submit the application on behalf of the applicant government.

JustGrants is designed to reject an application to the FY 2021 program if the "submitting government official" fails to execute any of the required certifications. An application cannot and will not be considered submitted (including for purposes of the application deadline) until all of the certifications have been made. See the Disclosures and Assurances section for more information.

DOJ Reliance on the Required Certifications as Material; Penalties for False Statements

As indicated in the text of each required certification, DOJ, including OJP, will rely on each certification submitted in connection with an application to the FY 2021 program as a material representation in any decision to make a payment.

A materially false, fictitious, or fraudulent statement to the federal government (or concealment or omission of a material fact) as part of a required certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject both the "submitting government official" and the applicant government to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). Also, certifications provided to OJP in connection with the FY 2021 program are subject to review by DOJ, including by OJP and the DOJ Office of the Inspector General.

Application and Submission Information

In the online SCAAP application, each applicant government will be asked to provide specific types of information. In general, they are:

- Information on the applicant government and its "chief executive."
- Information on the "submitting government official."
- Data on "eligible inmates" during the "reporting period," which are provided through upload of a single ASCII-formatted file.
- Data pertinent to the applicant government's costs of incarceration for the "reporting period," including information on "correctional officers" and associated salary expenditures, the total number of inmates incarcerated, and the "maximum bed count" of the applicant's "correctional facilities."

"Submitting Government Official": The online SCAAP application may be completed and submitted only by an appropriate official of the applicant government. For each applicant government, there may be only one "submitting government official." That "submitting government official" must have the legal authority to apply to the FY 2021 program on behalf of the applicant government, must have the necessary knowledge and information to complete the entire application accurately, and must in fact complete and submit all sections of the application. **Due diligence is required.**

The certifications within the online application vary in their precise content, but in each of them, the "submitting government official" must certify, on behalf of the official and the applicant government, under penalty of perjury, that the information entered is "true and correct to the best of my knowledge and belief, based upon diligent inquiry and review," and is provided in accordance with the requirements, definitions, and instructions set out in this document. In addition, in each such certification, the "submitting government official" certifies that the official has "the legal authority to make this certification to OJP, including from the chief executive of the applicant government."

Part I. SCAAP Applicant Government and Its "Chief Executive"

Information on the Applicant "State" or "Unit of Local Government"

Refer to the information above on "Eligibility," including the definitions of "state" and "unit of local government," to determine whether an interested entity is eligible to apply.

If the prospective applicant is in fact a "state" or "unit of local government," enter the appropriate information for the applicant government in section 1 of the application.

Information on the "Chief Executive" of the Applicant "State" or "Unit of Local Government"

Also in section 1 of the application, enter the appropriate information for the current "chief executive" of the applicant government.

Note that, in virtually all cases, the chief executive of a "state" is the governor. As to "units of local government," the title of the chief executive will vary depending on the organization of the local government, but only one individual in the local government is its "chief executive" (e.g., the mayor).

Click on the "Save Information" button to continue to the next section of the application. (If an error message appears, make the appropriate corrections, then click "Save Information" again.)

Part II. Information on "Eligible Inmates"

"Eligible Inmates": Each applicant government is to provide detailed information about the individuals (1) the applicant government "incarcerated" for at least 4 consecutive days during the "reporting period" and (2) whom the applicant government either **knows** were "undocumented criminal aliens" or **reasonably and in good faith believes** were "undocumented criminal aliens." For purposes of the application to the FY 2021 program, such individuals are referred to as **"eligible inmates."**

Recap: An individual is an "eligible inmate" only if **all** of the following are true, and the inmate was:

- "Incarcerated" by the applicant government under its own legal authority (see definition below).
- For at least 4 consecutive days during the "reporting period."
- The applicant government either **knows**, or **reasonably and in good faith believes**, that the inmate is an "undocumented criminal alien," that is, that the inmate is both —
 - "undocumented" (see definition below)
 - "criminal alien" (see definition below)

"Incarcerated": For purposes of the FY 2021 program, an individual is considered to have been "incarcerated" by (or on behalf of) the applicant government when held (confined) in a "correctional facility" **under the legal authority of the applicant government, following conviction of the individual for a criminal offense.** Such incarceration may have been in a "correctional facility" operated by the applicant government or in a "contract correctional facility" (including a regional facility) used by the applicant government.

- An inmate is not considered to have been "incarcerated" by or on behalf of an applicant government if the applicant government held the inmate in custody on behalf of (under the legal authority of) another "state" or "unit of local government," pursuant to a contractual arrangement. (See also the related discussion above.)

"Undocumented": For purposes of the FY 2021 program, an individual is "undocumented" **if, as of the date the individual was "incarcerated" by the applicant government,** the individual was a foreign citizen or foreign national with no legitimate claim under federal law to be a U.S. citizen or U.S. national, and the individual (1) entered the United States without authorization under federal law to do so, or (2) entered the United States under a federal legal authorization that had expired or otherwise was no longer in effect, or (3) was the subject of deportation or exclusion proceedings.

- Generally, a person born in the United States (including in a U.S. territory) is a U.S. citizen or U.S. national.

"Criminal Alien": For purposes of the FY 2021 program, an "alien" (that is, an individual who is not a citizen or national of the United States) is a "criminal alien" if, as of the date the individual was "incarcerated" by the government, that individual had been convicted of at least one felony or two misdemeanors.

- Adjudication of a juvenile as a delinquent does not constitute conviction of a felony or a misdemeanor for purposes of the FY 2021 program

"Inmate Records" and Associated Data Elements: In section 2 of the application, the "submitting government official" is to provide an "inmate record" for each "eligible inmate."

- **Multiple Periods of Incarceration:** If, during the reporting period, the applicant government incarcerated a particular "eligible inmate" for two or more periods of at least 4 consecutive days each, the applicant **must** create a **separate** "inmate record" for each such distinct period of incarceration. The applicant **may not** combine such distinct periods of incarceration in a single inmate record.
- **"Eligible Inmates" Who Use Aliases:** If an applicant government has reason to believe that a particular "eligible inmate" uses or has used aliases, the applicant may submit a separate "inmate record" for each alias, provided the information in the separate inmate record(s) is identical in all respects, other than as to last, first, and/or middle names. (Note that this requirement for identical information — except as to names — specifically includes the "unique inmate number assigned by the applicant government." (See list below.)

Each "inmate record" is to provide all of the following information, to the extent known to the applicant government, using due diligence:

- Alien number, also referred to as "A-number"
- Last name
- First name
- Middle name (not required, but to be provided if available)
- Date of birth
- Unique inmate identifying number assigned by the applicant government
- Foreign country of birth
- "Date incarcerated" (see definition in Appendix A)
- FBI number

Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ): This is an OPTIONAL field.

The detailed instructions for each of these data elements are set out in the table titled "SCAAP Data Elements for 'Inmate Records' — FY 2021 Program" in Appendix A. That table identifies mandatory data elements; specifies the precise format to be used for each data element; sets out the rules to follow for individuals with compound or hyphenated first, last, or middle names; and specifically defines "date incarcerated" and "date released." (It also defines the required ASCII fixed-field format.)

- For ease of reference, the "submitting government official" may wish to print out a copy of "SCAAP Data Elements for 'Inmate Records' — FY 2021 Program."
- Be aware that an "inmate record" that does not identify a **specific** country as the inmate's country of birth, but instead indicates that the country of birth is "unknown," will **not** be considered in the calculation of the amount of any payment under the FY 2021 program unless DHS (through its data review) is able to confirm that the inmate was in fact "undocumented," and the "inmate record" otherwise is sufficient.

Submission of "Inmate Records": An applicant must provide "inmate records" for "eligible inmates by uploading a single ASCII-formatted (.txt) file that contains the **entire** set of inmate records for the "reporting period."

- The "submitting government official" will upload a single ASCII-formatted file with all "inmate records" for "eligible inmates"
 - Appendix A (titled "SCAAP Data Elements for 'Inmate Records' — FY 2021 Program") sets out the required ASCII fixed-field format to be used for the inmate file upload.
 - Appendix B lists (DHS) Immigration and Customs Enforcement (ICE) Country Codes. "Inmate records" submitted as part of a single ASCII fixed-field file are to include the appropriate "ICE Code" from the list in Appendix B. Do not use an abbreviation from any other list of country codes.
 - Appendix C (titled "Instructions for upload of ASCII fixed-field file of 'inmate records'") provides detailed instructions for the ASCII fixed-field file upload process.

Part III. Information on "Correctional Officers" and "Correctional Facilities"

Required Information on "Correctional Officers"

In section 3 of the online application, the "submitting government official" must provide, by direct entry into the online application, all of the following information related to "correctional officers":

- The total number of **full-time "correctional officers"** employed by the **applicant government** during the reporting period.
 - The total number (reported as Full-Time Employees (FTEs)) of **part-time "correctional officers"** employed by the applicant government during the reporting period.
 - The total number of **full-time "correctional officers"** providing services to the **applicant government** as employees of "contract correctional facilities" (or as contractors) during the reporting period.
 - The total number (reported as FTEs) of **part-time "correctional officers"** providing services to the applicant government as employees of "contract correctional facilities" (or as contractors) during the reporting period.
- "Actual salary expenditures for correctional officers" during the reporting period.

In addition, section 3 of the online application requires the "submitting government official" to provide (as a file "attached" to the application) a "Correctional Officer" Salary Expenditures Detail."

Pertinent Definitions: "Correctional Officers" and "Associated Salary Expenditures"

"**Correctional facility**" means a facility typically used to hold (confine) in-custody individuals convicted of one or

more criminal offenses.

- A "correctional facility" may be operated by a "state" or "unit of local government" for its own use.
- Or a "correctional facility" may be operated by a private or governmental entity that holds individuals in custody on **behalf of** (pursuant to the legal authority of) a "state" or "unit of local government," pursuant to a contractual arrangement. For purposes of the FY 2021 program, such a facility (including a regional facility) is a **"contract correctional facility."**
- A "correctional facility" may — in addition to holding in-custody individuals who have been **convicted** of criminal offenses — also hold in-custody individuals who have been **charged** with criminal offenses. A facility that is used primarily for pretrial detention, however, is **not** a "correctional facility."
- **"Correctional Officer"**: For purposes of the FY 2021 program, "correctional officer" means a person whose **primary** employment responsibility is to maintain custody of individuals held in a "correctional facility." A person who meets this definition is a "correctional officer," regardless of whether this person is an employee of the applicant government or an employee of a "contract correctional facility" used by the applicant government.
 - Based on **primary** employment responsibility, the term "correctional officer" may include a person who fills a position such as deputy sheriff, correctional facility or jail supervisor, chief of security or shift commander for a correctional facility, or warden or assistant warden of a correctional facility. The term "correctional officer" also may include a transportation officer (or someone in a similar position), but **only if** the person's **primary** employment responsibility is to maintain custody of inmates who remain in custody but temporarily are outside of the "correctional facility."
 - "Incarcerated" is defined above.
 - Persons whose **primary** responsibility is something other than to maintain custody of individuals held in custody in a "correctional facility" are not "correctional officers" for purposes of this program, and **may not** be included in the "correctional officer" data reported in section 3 of the online application. This is the case **even though** such persons may provide services to a correctional facility used by the applicant government or its inmates.
 - Persons who provide office and secretarial support or administrative services to (or for) a "correctional facility"; or whose **primary** employment responsibility involves housekeeping or maintenance at a correctional facility; or provide food, health or medical care, education, training, or vocational counseling to "incarcerated" inmates are not "correctional officers" for purposes of the FY 2021 program. They **may not** be included in the "correctional officer" data reported in section 3 of the online application.
 - Similarly, persons whose **primary** employment responsibility is to work with inmates who are no longer held in custody in a "correctional facility" (e.g., parole and probation officers) or whose work involves inmates but whose primary employment responsibility is something other than "maintaining custody" of an inmate held in custody in a "correctional facility" (e.g., judges, prosecutors, public defenders, hearing officers, and warrant and apprehension units personnel) are **not** "correctional officers" for purposes of the FY 2021 program. They **may not** be included in the "correctional officer" data reported in section 3 of the online application.
- **"Total number" of "correctional officers"**:
 - For **full-time** "correctional officers" employed by the applicant government, report the total number of full-time correctional officers employed during the reporting period.
 - For **part-time** "correctional officers" employed by the applicant government, report the total number of part-time correctional officers employed during the reporting period.
 - For **full-time** "correctional officers" employed by a "contract correctional facility," include **only** the "total number" of such officers whose employment is reasonably attributable — using due diligence — to use of the correctional facility by the applicant government for inmates held in custody under its own legal authority. As the "total number," report the total number of such full-time correctional officers employed during the reporting period.
 - Similarly, for **part-time** "correctional officers" employed by a "contract correctional facility," include **only** the "total number" of such officers whose employment is reasonably attributable — using due diligence — to use of the correctional facility by the applicant government for inmates held in custody under its own legal authority. As the "total number," report the total number of such part-time correctional officers employed during the reporting period.
- **"Actual salary expenditures for correctional officers' during the reporting period"** means the sum of:
 - The actual amount (if any) paid by the applicant government during the "reporting period" as the "salaries and wages" of full-time and part-time "correctional officers" it employed. Paid leave (medical leave, family leave, vacation leave) may be included in this total.
 - The actual amount (if any) **paid by any** "contract correctional facility" as the "salaries and wages" of full-time and part-time "correctional officers," but only to the extent the amounts paid are reasonably attributable — using due diligence — to inmates held in custody on behalf of, and under the legal authority of, the applicant government.
- **"Salaries and wages"** may include amounts paid to a "correctional officer" as premium pay for specialized service, as shift-differential pay, and/or as fixed-pay increases for time in service. It also may include additional amounts paid for overtime when such additional amounts are required by law (e.g., by statute or regulation) or by contractual obligation.
 - "Salaries and wages" may not include any payments or costs for employment benefits, including (without limitation) social security, retirement or pension plans, health or medical services, insurance (e.g., medical, dental, vision, disability, and life insurance), and/or report awards.

Information Required in the "Correctional Officer Salary Expenditures Detail (for the Reporting Period)"

Each applicant must attach a file to its application that sets out for each "correctional officer" included in the reported number of "correctional officers" the following:

The **title** of the position held by the person (e.g., "corrections officer," "deputy sheriff," "warden") and the **total** "salaries and wages" paid to the person during the reporting period for that work. (The **name** of the correctional

- officer **should not** be included.)
- For an individual "correctional officer" employed by a "contract correctional facility," the "salaries and wages" listed must be the amount **reasonably attributable — using due diligence** — to inmates held in custody on behalf of, and under the legal authority of, the applicant government.
- This salary "detail" file may be submitted in one of several commonly used file formats (e.g., Adobe PDF, Microsoft Word, or Microsoft Excel). **Note:** The sum of all "salaries and wages" listed in the "detail" file must match the amount entered in the online application as "Actual salary expenditures for correctional officers' during the reporting period."
 - JustGrants 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."
- To "attach" the file:
 - Click on the "attach" button. A pop-up window will appear.
 - Click on the "Browse" button.
 - Locate the correct file name and double-click on it. The file name will appear in the blank field. Click the "Upload" button.

Required Information on "Correctional Facilities"

In section 3 of the online application, the "submitting government official" also must provide, by direct entry into the online application, all of the following information related to "correctional facilities":

- "Maximum bed count" for the reporting period.
- "Total all inmate days" for the reporting period.

In addition, section 3 of the online application requires the "submitting government official" to provide, as a file "attached" to the application, detail on "All inmate days, by reporting day" for the reporting period.

Pertinent Definitions: "Correctional Facilities"

- "**Correctional facility**" and "**contract correctional facility**" are defined above.
- "**'Maximum bed count' for the reporting period**": If the applicant government held inmates in custody only in "correctional facilities" operated by the applicant government itself for its own use, the "'maximum bed count' for the reporting period" is the **maximum capacity** during any single day of the reporting period of all such "correctional facilities" operated by the applicant government. If, however, the applicant government **either** did not operate a "correctional facility" for its own use or operated one or more "correctional facilities" for its own use, but also used other facilities to hold inmates in custody, the "'maximum bed count' for the reporting period" is the sum of:
 - The maximum **capacity** during any single day of the reporting period of all "correctional facilities" operated by the applicant government itself for its own use.
 - The maximum number of inmates, if any, **actually held in custody** on behalf of (under the legal authority of) the applicant government in a "contract correctional facility" during any single day of the reporting period. The maximum number of inmates, if any, actually held in custody by the applicant government during any single day of the reporting period in "temporary" or "overflow" facilities (e.g., gymnasiums).
- "**'Total all inmate days' for the reporting period**" means the cumulative number of days — determined using the nightly "head count" for each of the days in the reporting period — inmates were held in custody in a "correctional facility" by or on behalf of the applicant government (pursuant to its own legal authority) during the "reporting period" **regardless of inmate citizenship, legal status, or the number of days held in custody.**

Information Required in the "'All Inmate Days, by Reporting Day' Detail (for the Reporting Period)"

- Each applicant must attach a file to its application that sets out for **each particular day of the reporting period** — using nightly "head counts" — the number of inmates held in custody in a "correctional facility" by or on behalf of the applicant government (pursuant to its own legal authority), **regardless of inmate citizenship, legal status, or the number of days held in custody.**
- This "detail" file may be submitted in one of several commonly used file formats (e.g., Adobe PDF, Microsoft Word, or Microsoft Excel). **Note:** The sum of all daily entries for "all inmate days" listed in this "detail" file must match the number entered in the online application as "'Total all inmate days' for the reporting period."
- JustGrants 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."
- To "attach" the file:
 - Click on the "Attach" button. A pop-up window will appear.
 - Click on the "Browse" button.
 - Locate the correct file name and double-click on it. The file name will appear in the blank field.
 - Click the "Upload" button.

Important Note Regarding "Correctional Officers" and "Correctional Facilities" Data

As indicated earlier, all information submitted as part of an application to the FY 2021 program is subject to appropriate review by OJP. In appropriate circumstances (e.g., indications that an entry related to "correctional officers" or "total all inmate days" may be erroneous), OJP may require additional information related to the accuracy of the information in the application.

Using data provided by the applicant in section 3 of the application (e.g., data on "correctional officers," data on "total all inmate days"), JustGrants calculates each applicant's average daily (salaries) cost per inmate during the "reporting period." As a point of reference and comparison, for the FY 2019 program, the overall average daily (salaries) cost per inmate (i.e., the average of the daily costs for all applicants that received payments) was \$46.73.

REMINDER

For each applicant government, there may be only one "submitting government official." That "submitting government official" must complete all sections of the application, and must be the one who submits the application to OJP.

Application and Submission Information

See the [OJP Grant Application Resource Guide](#) for additional information.

Information to Complete the Application for Federal Assistance (SF-424)

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

In Section F of the SF-424, please include the name and contact information of the individual **who will complete the application in JustGrants**. JustGrants will use this information (*email address*) to assign the application to this user in JustGrants.

Intergovernmental Review: This solicitation ("funding opportunity") is subject to [Executive Order 12372](#). An applicant may find the names and addresses of state Single Points of Contact (SPOCs) at the following website: <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>. If the applicant's state appears on the SPOC list, the applicant must contact its SPOC to find out about, and comply with, the state's process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its state E.O. 12372 process.

An applicant whose state does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372 but has not been selected by the state for review."

Standard Applicant Information (JustGrants 424 and General Agency Information)

The "Standard Applicant Information" section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. The applicant will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, the applicant will need to add zip codes for areas affected by the project, confirm its Authorized Representative, and verify and confirm the organization's unique entity identifier, legal name, and address.

Disclosures and Assurances

The applicant will address the following certifications electronically in JustGrants. The text of each required certification is included below.

Required Certification to OJP by the Submitting Government Official: Applicant Government and Submitting Government Official

On behalf of myself and the applicant government, and in support of this application to the FY 2021 program, I certify to OJP, under penalty of perjury, that the information on the applicant government and the submitting government official entered above as part of this online application to the FY 2021 program is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review, and is provided in accordance with the requirements, definitions, and instructions set out in the OJP document entitled "State Criminal Alien Assistance Program: FY 2021 Program Requirements and Application Instructions." I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this and all other certifications in this online application as material representations in any decision to make a SCAAP payment to the applicant government in response to this application.

I understand and 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 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant "state" or "unit of local government" to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and §§ 3801-3812). I also understand and acknowledge that payments under OJP programs such as SCAAP, including certifications provided in connections with such payments, are subject to review by DOJ, including by OJP and the DOJ's Office of the Inspector General.

Required Certification to OJP by the Submitting Government Official: Information on "Eligible Inmates"

On behalf of myself and the applicant government, and in support of this application to the FY 2021 program, I certify to OJP, under penalty of perjury, that the information on "eligible inmates" entered or uploaded as part of this online application to the FY 2021 program (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the OJP document entitled "State Criminal Alien Assistance Program: FY 2021 Program Requirements and Application Instructions" and (2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment under the FY 2021 program, and that this certification is subject to review by DOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

Required Certification to OJP by the Submitting Government Official: Information on "Correctional Officers" and "Facilities"

On behalf of myself and the applicant government, and in support of this application to the FY 2021 program, I certify to OJP, under penalty of perjury, that the information on "correctional officers" and "correctional facilities" entered or uploaded as part of this online application to the FY 2021 program (1) was determined and is reported here using due diligence, and in accordance with the requirements, definitions, and instructions set out in the OJP document entitled "State Criminal Alien Assistance Program: FY 2021 Program Requirements and Application Instructions," and (2) is true and correct to the best of my knowledge and belief, based upon diligent inquiry and review. I further certify that I have the legal authority to make this certification to OJP, including from the chief executive of the applicant government.

I understand and acknowledge that OJP will rely upon this certification as a material representation in making any SCAAP payment under the FY 2021 program, and that this certification is subject to review by DOJ. I also understand that, if this certification is false or otherwise inaccurate or misleading (including because of omission of a material fact), both I and the applicant government may be subject to criminal prosecution, civil penalties, and/or administrative remedies, including as described in the certification in this online application as to the "Applicant Government and Submitting Government Official."

How to Apply

A "submitting government official" must submit any application on behalf of the applicant government through Grants.gov and DOJ's JustGrants. OJP urges the "submitting government official" to register promptly, especially if this is the first time the official is using Grants.gov or JustGrants.

Step 1: The applicant will submit the SF-424 in Grants.gov at <https://www.grants.gov/web/grants/register.html>. For assistance with selecting the correct DUNs, please contact SCAAP@usdoj.gov.

Step 2: The applicant will submit the full application, including attachments, in JustGrants at JustGrants.usdoj.gov.

For additional information, see the "How to Apply" section in the [OJP Grant Application Resource Guide](#) and the [DOJ Application Submission Checklist](#).

Submission Dates and Time

The **SF-424** must be submitted in Grants.gov by April 25, 2022, at 8:59 pm eastern time.

The **full application** must be submitted in JustGrants by May 9, 2022 at 8:59 pm eastern time.

OJP urges applicants to submit their Grants.gov and JustGrants submissions prior to the due dates to allow sufficient time to correct errors and resubmit by the submission deadlines if a rejection notification is received. To be considered timely, the **full application** must be submitted in JustGrants by the JustGrants application deadline.

Absent highly unusual circumstances, OJP will **not** extend this deadline or permit an applicant government to submit its application after the application deadline. Much as in previous years, promptly after the application deadline, OJP will transmit to the DHS the data on "eligible inmates" from all of the applications submitted to JustGrants. The volume of "eligible inmates" data transmitted to DHS (and the nature and complexity of the DHS review of those data) is such that it is not possible to transmit supplemental or corrected data to DHS.

An applicant that experiences unforeseen SAM.gov, Grants.gov, or JustGrants technical issues beyond its control that prevents application submission by the deadline must demonstrate all efforts in requesting technical support in order to submit an application by the deadline. Technical support is available via phone and email to the applicable SAM.gov, Grants.gov, or JustGrants support centers or service desks in which an applicant received a ticket number for resolution. If an applicant misses a deadline due to unforeseen technical difficulties, the applicant may request a waiver to submit an application after the deadline. *Note: If an applicant does not submit all the required Grants.gov forms by the Grants.gov deadline, the applicant will not be able to proceed to the JustGrants portion of the application process.*

Applicants experiencing technical difficulties with the following systems must contact the associated support desk indicated below to report the technical issue and receive a tracking number:

- Grants.gov — Contact the [Grants.gov Customer Support Hotline](#).
- SAM.gov — Contact the [SAM Help Desk \(Federal Service Desk\)](#).
- JustGrants — Contact the JustGrants Support Desk at JustGrants.Support@usdoj.gov or 833-872-5175.

Applicants requesting a waiver to submit a late application must document their request for technical assistance in an email to the SCAAP@usdoj.gov **within 24 hours after the application deadline** to request approval to submit its application after the deadline. If an applicant has technical issues with Grants.gov, the applicant must contact the Grants.gov Customer Support Hotline within 24 hours of the Grants.gov deadline to request approval to submit after the deadline. However, waiver requests will not be reviewed until after the JustGrants deadline to allow time for all waivers to be submitted. Waiver requests to submit after the submission deadline must:

- Describe the technical difficulties experienced.
- Include a timeline of the applicant's submission efforts (e.g., what date and time did the error occur, what date and time was action taken to resolve the issue and resubmit, and what date and time did support representatives respond).
- Include an attachment(s) of the complete grant application and all required documentation and material.
- Include the applicant's DUNS number (or Unique Entity Identifier if applying after April 4, 2022), any applicable SAM.gov tracking number(s), and Grants.gov Help Desk and JustGrants Support Desk ticket numbers.

OJP will review each request for late submission and required supporting documentation and notify the applicant whether the request has been approved or denied. For more details on the waiver process, OJP encourages applicants to review the "Experiencing Unforeseen Technical Issues" section in the [OJP Grant Application Resource Guide](#).

Application Review Information

Review Process

OJP Review of Applications; Corrections to Data (Other than "Eligible Inmate" Data)

All information submitted as part of an application is subject to appropriate review by OJP. If a properly submitted application appears to contain errors that may be corrected by the applicant (such as inaccurate data on correctional officers or correctional facilities), OJP typically will notify the applicant via an email message to the "submitting government official" and the applicant's chief executive using the email addresses provided in the application. In such a notification, OJP may provide an applicant with an opportunity to correct the application by a particular date. In any such case, to be considered for a SCAAP payment, the applicant must make the appropriate corrections by that date.

Due to the nature and complexity of the data review by DHS, however, **no** corrections may be made to data submitted on "eligible inmates" (or "inmate records") after the application deadline has passed.

Federal Award Administration Information

Federal Award Notices

Notification and Acceptance of Payment

Once the amount of any payment under the FY 2021 program has been determined, OJP will send email notifications to applicants via the SCAAP Help Desk. The notifications will provide information concerning the amount available to the applicant government, and will provide detailed instructions for online acceptance (in JustGrants) and drawdown of funds.

An applicant government is to complete the online acceptance process within 60 calendar days after receipt of the email notice from OJP. Formal acceptance in JustGrants is required before any electronic transfer of funds to the applicant

government.

Federal Awarding Agency Contact(s)

For assistance with the online application to the FY 2021 program or other aspects of the FY 2021 program, contact the SCAAP Help Desk by phone at 1–202–353–4411, or by email to SCAAP@usdoj.gov. The SCAAP Help Desk operates Monday through Friday during normal business hours (eastern time). It is closed on federal holidays. For technical assistance with submitting the SF-424 in Grants.gov, contact the Grants.gov Customer Support Hotline at 800–518–4726, 606–545–5035, at the Grants.gov customer support web page, or email at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the full application in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov, 833–872–5175. The JustGrants Service Desk operates 5 a.m. to 9 p.m. EST Monday through Friday and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

Application Checklist

Appendix A: SCAAP Data Elements for "Inmate Records" — FY 2021 Program

Please go to <https://bja.ojp.gov/funding/fy-2021-SCAAP-appendix-a.pdf> for Appendix A.

Appendix B: (DHS) ICE Country Codes — For Use in "Inmate Records"

Country Name	ICE Code	Country Name	ICE Code	Country Name	ICE Code
Afghanistan	AFGHA	Chad	CHAD	Ghana	GHANA
Albania	ALBAN	Chile	CHILE	Gibraltar	GIBRA
Algeria	ALGER	China, Peoples Republic	CHINA	Greece	GREEC
Andorra	ANDOR	Christmas Island	CHRIS	Greenland	GREEN
Angola	ANGOL	Cocos Islands	COCOS	Grenada	GRENA
Anguilla	ANGUI	Colombia	COLOM	Guadeloupe	GUADE
Antigua-Barbuda	ANTIG	Comoros	COMOR	Guatemala	GUATE
Argentina	ARGEN	Congo, Democratic Republic	DECON	Guinea	UINEA
Armenia	ARMEN	Congo, Republic	CONGO	Guinea Bissau	BISSA
Aruba	ARUBA	Cook Islands	COOK	Guyana	GUYAN
Australia	RALIA	Costa Rica	COSTA	Haiti	HAITI
Austria	STRIA	Cote d'Ivoire	IVORY	Holy See	VATIC
Azerbaijan	AZERB	Croatia	CROAT	Honduras	HONDU
Bahamas, The	BAHAM	Cuba	CUBA	Hong Kong	HONGK
Bahrain	BAHRA	Cyprus	CYPRU	Hungary	HUNGA
Bangladesh	BANGL	Czech Republic	CZREP	Iceland	ICELA
Barbados	BARBA	Czechoslovakia, former	CZECH	India	INDIA
Belarus	BELAR	Denmark	DENMA	Indonesia	INDON
Belgium	BELGI	Djibouti	DJIBO	Iran	IRAN
Belize	BELIZ	Dominica	INICA	Iraq	IRAQ
Benin	BENIN	Dominican Republic	DR	Ireland	IRELA
Bermuda	BERMU	Ecuador	ECUAD	Israel	ISRAE
Bhutan	BHUTA	Egypt	EGYPT	Italy	ITALY
Bolivia	BOLIV	El Salvador	ELSAL	Jamaica	JAMAI
Bosnia-Herzegovina	BOSNI	Equatorial Guinea	EQUAT	Japan	JAPAN

Botswana	BOTSW	Eritrea	ERITR	Jordan	JORDA
Brazil	BRAZI	Estonia	ESTON	Kazakhstan	KAZAK
British Virgin Islands	BVI	Ethiopia	ETHIO	Kenya	KENYA
Brunei	BRUNE	Falkland Islands	FALKL	Kiribati	KIRIB
Bulgaria	BULGA	Fiji	FIJI	Korea	KOREA
Burkina Faso	BURKI	Finland	FINLA	Kuwait	KUWAI
Burma	BURMA	France	FRANC	Kyrgyzstan	KYRGY
Burundi	BURUN	French Guiana	FRGUI	Laos	LAOS
Cambodia	CAMBO	French Polynesia	POLYN	Latvia	LATVI
Cameroon	CAMER	French Southern and Antarctic Lands	ANTAR	Lebanon	LEBAN
Canada	CANAD	Gabon	GABON	Lesotho	LESOT
Cape Verde	CAPEV	Gambia	GAMBI	Liberia	LIBER
Cayman Islands	CAYMA	Georgia	GEORG	Libya	LIBYA
Central African Republic	CAFRI	Germany	GERMA	Liechtenstein	LIECH
Lithuania	LITHU	Palestine	PALES	Sweden	SWEDE
Luxembourg	LUXEM	Panama	PANAM	Switzerland	SWITZ
Macau	MACAU	Papua New Guinea	PAPUA	Syria	SYRIA
Macedonia	MACED	Paraguay	PARAG	Taiwan	TAIWA
Madagascar	MADAG	Peru	PERU	Tajikistan	TAJIK
Malawi	MALAW	Philippines	PHILI	Tanzania	TANZA
Malaysia	MALAY	Pitcairn Island	PITCA	Thailand	THAIL
Maldives	MALDI	Poland	POLAN	Togo	TOGO
Mali	MALI	Portugal	PORTU	Tonga	TONGA
Malta	MALTA	Qatar	QATAR	Trinidad and Tobago	TRINI
Marshall Islands	MARSH	Reunion	REUNI	Tunisia	TUNIS
Martinique	MARTI	Romania	ROMAN	Turkey	TURKE
Mauritania	MAUTA	Russia	RUSSI	Turkmenistan	TURKM
Mauritius	MAUTI	Rwanda	RWAND	Turks and Caicos Islands	TURKS
Mexico	MEXIC	Samoa	SAMOA	Tuvalu	TUVAL
Micronesia, Federated States	FSM	San Marino	SANMA	Uganda	UGAND
Moldova	MOLDO	Sao Tome and Principe	SAOTO	Ukraine	UKRAI
Monaco	MONAC	Saudi Arabia*	SAUDI	United Arab Emirates	UAE
Mongolia	MONGO	Senegal	SENEG	United Kingdom	UK
Montserrat	MONTS	Seychelles	SEYCH	Uruguay	URUGU
Morocco	MOROC	Sierra Leone	SIERR	Uzbekistan	UZBEK
Mozambique	MOZAM	Singapore	SINGA	Vanuatu	VANUA
Namibia	NAMIB	Slovak Republic	SLOVA	Venezuela	VENEZ
Nauru	NAURU	Slovenia	SLOVE	Vietnam	VIETN
Nepal	NEPAL	Solomon Islands	SOLOM	Wallis and Futuna Islands	WALLI
Netherlands	NETHE	Somalia	SOMAL	West Indies	WINDI
Netherlands Antilles	ANTIL	South Africa	SAFRI	Western Sahara	WSAHA

New Caledonia	NEWCA	South Korea	SKORE	Western Samoa	WSAMO
New Zealand	NEWZE	Soviet Union, former	USSR	Yemen	YEMEN
Nicaragua	NICAR	Spain	SPAIN	Yugoslavia, former	YUGOS
Niger	NIGE	Sri Lanka	SRILA	Zambia	ZAMBI
Nigeria	NIGIA	St. Helena	STHEL	Zimbabwe	ZIMBA
Niue	NIUE	St. Kitts-Nevis	STKIT		
North Korea	NKORE	St. Lucia	STLUC	Born on ship/plane	SHIP
Northern Ireland	NIREL	St. Pierre and Miquelon	STPIE	Stateless	STATE
Norway	NORWA	St. Vincent and the Grenadines	STVIN	Unknown	UNKNO
Oman	OMAN	Sudan	SUDAN	* ARABI also may be used as the code for Saudi Arabia	
Pakistan	PAKIS	Suriname	SURIN		
Palau	PALAU	Swaziland	SWAZI		

Appendix C: Instructions for Upload of ASCII Fixed-field File of "Inmate Records"

Upload of an ASCII Fixed-field File of All "Inmate Records"

This method for submitting "inmate records" on "eligible inmates" allows an applicant to submit its entire set of inmate records as a **single ASCII-formatted file** uploaded directly into JustGrants. Appendix A specifies the required fields and format.

Each "inmate record" in the uploaded ASCII file is to contain **all** mandatory data fields in the specified format. Through a file upload "status report" (which will refer to each "inmate record" as a "line"), JustGrants will flag "inmate records" within the ASCII file that do not contain the required information, are not exactly **165 or 166** characters long, or do not follow (or appear not to follow) the specified data format.

"Inmate records" that are incomplete or are not in the specified format as of the date and time of the application deadline will **not** be considered as part of OJP's payment calculation process. If an ASCII inmate-record file has been uploaded, but the applicant government has **not** yet submitted its application to OJP's JustGrants, the applicant has the option to correct, add to, or otherwise modify the ASCII inmate-record file and upload that file as a **replacement** for the entire file previously uploaded. (See below.)

To help ensure that the maximum number of "inmate records" is taken into account in the calculation of the amount of any payment, the applicant should be **meticulous** in preparing the ASCII fixed-field file. If JustGrants nevertheless identifies errors in the file — and the application deadline has not yet passed — the applicant should correct those errors as soon as possible, **before** it "submits" the application to JustGrants.

ALERTS

- An ASCII "inmate-record" file may **not** be corrected, added to, or modified in **any way** once the application deadline has passed.
- If an applicant uploads an ASCII fixed-field file of "inmate records," any subsequent upload of a new or modified file **will overwrite (and delete)** the previously uploaded file **in its entirety**. Similarly, the addition of any inmate records via direct data entry will overwrite (and delete) the previously uploaded ASCII fixed-field file in its entirety.
- Upload of a large ASCII fixed-field file of "inmate records" may take a considerable amount of time.
 - Generally, there is a brief start-up delay when the upload is being initiated.
 - A file that contains 50,000 "inmate records" may take 15 minutes or longer to upload, even after the file upload actually has begun.
 - If the applicant's internet browser "times out" or is disconnected during the file upload process, errors may result. It is important to review the file upload "status report" (see below) to determine whether the expected number of "inmate records" in fact was uploaded.

The Upload Process – In General

To submit “inmate records” for “eligible inmates” by uploading a single ASCII fixed-field file that includes all such inmate records, follow these steps:

Step 1: In section 2 of the online application, click on the “Upload Inmate File” button.

Step 2: Click on the “Upload” box to attach the file. A pop-up window will appear.

Step 3: Click on the “Browse” button in the pop-up window.

Step 4: Locate the correct file name and double click on it. The file name will appear in the blank field.

Step 5: Click the “Upload” button. A message should appear in the pop-up window that indicates the status of the file upload. Click the “X” in the upper right corner of the pop-up box to close it. The ASCII fixed-field file name should now appear next to the upload button on the main page.

Step 6: Click the “Validate” button. Any errors present in the inmate file will be displayed. Correct any errors listed and reupload the entire inmate file once the update is completed.

Step 7: Click the “Continue” button to proceed to the next section of the application.

The file upload “status report” will indicate the total number of “inmate records” uploaded and the number of those records that are “complete.” In addition, the report will provide a detailed list of any inmate records (by “line” number) that are incomplete and/or are not in the specific data format. It also will indicate the data fields in which the error(s) appear.

Appendix D: SCAAP Payment Calculations — General Overview

A General Overview of the Method OJP Uses to Calculate Payments under SCAAP

1. DHS reviews “inmate records.” All “complete” inmate records submitted in applications from “eligible applicants” are forwarded by OJP to DHS promptly after the application deadline.
2. DHS conducts a detailed review that focuses on determining whether each individual identified in an “inmate record” in fact was “undocumented” — or was instead a U.S. citizen (or national) or otherwise lawfully present in the United States — at the time of the incarceration identified in the inmate record.
3. DHS provides the results of its review to OJP.
4. OJP reviews the data provided by applicants, including data on “correctional officers,” “actual salary expenditures for correctional officers,” and “total all inmate days.” As appropriate and feasible, OJP requires additional — or corrected — information from applicants.
5. For each applicant government with one or more “inmate records” determined to be eligible for payment, JustGrants calculates the average daily (salaries) cost per inmate for the applicable “reporting period.” In general, this is done by dividing “actual salary expenditures for correctional officers” (for the reporting period) by “total all inmate days” (for the reporting period).
6. Using the results of the DHS review, the OJP review, and each applicant’s average daily (salaries) cost per inmate, JustGrants calculates an amount — referred to as the applicant’s total “eligible inmate costs” — that reflects the applicant’s total (salaries) costs of incarcerating “undocumented criminal aliens” during the applicable “reporting period.”
7. Funds available from appropriations to OJP for SCAAP for the particular application cycle are paid to applicant governments on a proportionate (percentage) basis, using each applicant’s total “eligible inmate costs.”

For the FY 2019 program, payments made to applicant governments represented approximately 26 percent of each applicant’s total “eligible inmate costs.”

Appendix E: Law Enforcement Support Center (LESC) Immigration Alien Query (IAQ) Overview

State and local law enforcement agencies may provide specific notice to DHS of the “undocumented criminal alien’s” name, the release date, and the individual’s home and work addresses through the Law Enforcement Support Center (LESC). The LESL Immigration Alien Query (IAQ) field is an **optional field** for each inmate record to assist in establishing the eligibility of inmates for SCAAP reimbursement.

LESC is ICE’s single national point of contact that provides timely immigration status information; identity information; and

real-time assistance to local, state, and federal law enforcement agencies on aliens suspected, arrested, or convicted of criminal activity. LESC, located in Williston, Vermont, operates 24 hours a day, 7 days a week, 365 days a year.



MEMORANDUM

(Revised)

TO: Honorable Interim Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: December 6, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 3(B)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____ to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(B)(1)
12-6-22

RESOLUTION NO. _____ R-1145-22

RESOLUTION RETROACTIVELY AUTHORIZING THE ACTION OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO APPLY FOR, RECEIVE, AND EXPEND FEDERAL FUNDS FROM THE UNITED STATES DEPARTMENT OF JUSTICE'S STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) IN THE AMOUNT OF \$1,871,292.00 FOR THE 2020 SCAAP YEAR AND IN THE AMOUNT OF \$1,860,410.00 FOR THE 2021 SCAAP YEAR TO PARTIALLY REIMBURSE THE COUNTY FOR CORRECTIONAL OFFICER SALARY COSTS INCURRED FOR THE INCARCERATION OF UNDOCUMENTED CRIMINAL ALIENS WHO HAVE AT LEAST ONE FELONY OR TWO MISDEMEANOR CONVICTIONS; AND FURTHER AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO FILE AND EXECUTE ANY NECESSARY AMENDMENTS TO THE APPLICATIONS

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, a copy of which is incorporated herein by reference,

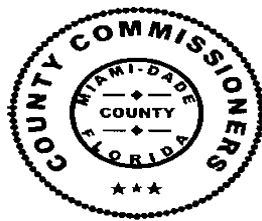
NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board retroactively authorizes the County Mayor or County Mayor's designee to apply for, receive, and expend federal funds from the United States Department of Justice, specifically the Bureau of Justice Assistance's State Criminal Alien Assistance Program (SCAAP) in the amount of \$1,871,292.00 for the 2020 SCAAP year and \$1,860,410.00 for the 2021 SCAAP year, to partially reimburse correctional officer salary costs associated with the incarceration of undocumented criminal aliens who have at least one felony or two misdemeanor convictions of state or local law and who were incarcerated for at least four consecutive days during the reporting period of July 1, 2018 through June 30, 2019

for the 2020 SCAAP year and during the reporting period of July 1, 2019 through June 30, 2020 for the 2021 SCAAP year, and authorizes the County Mayor or County Mayor's designee to execute any necessary amendments as required by law to the applications.

The foregoing resolution was offered by Commissioner **Eileen Higgins**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Interim Chairman	aye	
Raquel A. Regalado, Interim Vice Chairwoman	aye	
Marleine Bastien	aye	Juan Carlos Bermudez aye
Kevin Marino Cabrera	aye	Sen. René García aye
Roberto J. Gonzalez	aye	Keon Hardemon aye
Danielle Cohen Higgins	aye	Eileen Higgins aye
Kionne L. McGhee	aye	Anthony Rodríguez aye
Micky Steinberg	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of December, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **Basia Pruna**
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Anita Viciano Zapata