

Edward Byrne Memorial Justice Assistance Grant (JAG) Program Frequently Asked Questions (FAQs)* – Updated July 2020

FBI. This is the most common type of disparity.

- A second type of disparity exists when both a county and a municipality within that county qualify for a direct award, but the award amount for the municipality exceeds 150 percent of the county's award amount.
- The third type of disparity occurs when a county and multiple municipalities within that county are all eligible for direct awards, but the sum of the awards for the individual municipalities exceeds 400 percent of the county's award amount.

How should units of local government determine how to split the award in a disparate situation?

Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used.

How is it determined as to which unit of local government will be the fiscal agent responsible for applying for the disparate funds?

When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant or fiscal agent for joint funds must be completed and signed by the "Authorized Representative" for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to: www.bja.gov/Funding/JAGMOU.pdf.

When there is a group of disparate jurisdictions applying for a JAG award, do the "Certifications and Assurances by Chief Executive of Applicant" apply to each disparate jurisdiction or just the fiscal agent?

The "Certifications and Assurances by the Chief Executive of the Applicant Government" must be submitted by the applicant/fiscal agent to OJP. The subrecipients in the disparate group are not required to submit such a certification by their chief executive, although each unit of local government must abide by state/local policies and procedures regarding governing body review and public comment opportunity.

Does the disclosure of pending applications requirement apply to each disparate jurisdiction or just the unit of local government that is the fiscal agent?

For disparate jurisdictions, the disclosure of pending applications should cover all projects and activities proposed to be funded under the award, whether by the applicant/fiscal agent or by other jurisdictions. The disclosure could take the form of a single compiled attachment or separate attachments from the disparate jurisdictions. If there are multiple agencies in the disparate group and none have any identical items to disclose, the standard language can be included in the MOU. This information can also be submitted separately from the MOU, but must be part of the JAG application.

*These FAQs are for reference only and to assist states and units of local government. These FAQs do not supersede any conflicting guidance provided in the relevant JAG State or JAG Local solicitations or grant award documents.