

DARYL FOX: Good afternoon, everyone, and welcome to today's webinar, "FY 2024 Intellectual Property Enforcement Program: Protecting Public Health, Safety, and the Economy from Counterfeit Goods and Product Piracy," hosted by the Bureau of Justice Assistance. At this time, it's my pleasure to introduce David Lewis, Senior Policy Advisor with BJA, to begin the presentation. David.

DAVID P. LEWIS: Thank you, Daryl. And welcome everybody to today's presentation. As Daryl mentioned, I'm David Lewis. I'm a Senior Policy Advisor here at the Bureau of Justice Assistance. I recommend that you also take my contact number and email address down because I am the lead on this particular solicitation.

First of all, before I get started, I wanted to kind of give you a brief overview, in case you aren't familiar with the Office of Justice Programs. The Bureau of Justice Assistance is one of six entities that fall under the Office of Justice Programs. And Office of Justice Programs is one of the three organizations that provide funding to the field. We also provide training, research, and statistical information to the criminal justice community. As you can see all these agencies to the right, please be aware and make a note that all these agencies provide funding, training, technical assistance, and resources to you as the officers in the field.

Our mission is very simple. Our mission is to support state, local, Tribal, territorial law enforcement across the country and public safety organizations. We're there to work with governments, nonprofit organizations to reduce crime, recidivism, and really deal with unnecessarily confinement and promote a safe and fair criminal justice system.

At this time, I would also like to welcome you on behalf of our Director, Karlton Moore, who serves as the Director of the Bureau of Justice Assistance and is very involved with the field and very supportive of you in your jobs on an everyday basis.

I also want to kind of give you a brief overview of the work that we do. We're broken down into these four areas. We have the Policy Office. Today, I represent the Policy Office. We draft our solicitations, put them together, and make them available to the field. Our Programs Office takes care of all the funding initiatives that come out after an award is made. And if you're a successful candidate, you'll be able to work with both of these offices very closely. Our Operations Office is the overall looking at our budgets and performance measures. And then we have the Public Safety Officer Benefits Office. And these are for officers and public safety servants that are injured or lose their life in the line of duty. The one thing I just want to make a point real quick is we have very,

very focused areas. And if you look at the very beginning, the first words of each of these things is to improve public safety, reduction, integration of evidence-based, increasing program effectiveness, and ensuring organizational excellence. These are our focal points and these are what we focus to bring to you and to improve what services we provide to you in the field.

Now, I mentioned before that we're a funding organization, but we also educate. We equip the field for the things that they need based on changing times and trends. And we really work to partner with our organizations in the field. And we really look at you as state, federal, local, Tribal, territorial as our customers.

Real quick, these are the topics that we'll cover today. And, hopefully, I'll be able to answer all the questions that you have about this particular solicitation.

Now, what I'll say is Daryl was kind enough to do the full title. We'd like to call this particular solicitation, IPEP, I-P-E-P. So we're going to use that acronym as we go through today's presentation.

Now, the thing about it is, again, this is sponsored out of the Office of Justice Programs, through the Bureau of Justice Assistance. And it's really to support law enforcement and prosecutors dealing with intellectual property. And this could be a number of different things. I have some examples I'll go through during the presentation of cases that have been funded in the past. And this is really to support task forces or task forces or those that are planning to start a task force. As we mentioned, I continually talk about state, local, Tribal, and territorial law enforcement really in reducing the threat, any thefts, related crimes, productions of these intellectual property cases, and associated with how do we bring these cases and investigations together. And this is working in a combined partnership. This is not only the law enforcement task force but the prosecutors working with other federal agencies in this space. And, finally, this program specifically furthers the Department of Justice mission to uphold the rule of law to keep our community safe and to protect civil rights.

Now, this program was designed specifically to deal with false items that are being sold out there and really could be a danger to the public. So we want to include all the efforts to take from a case on the street to the prosecution and actually share that information so other agencies that might have the same problem can learn from the successes of this particular program. Now, we really want to reduce the cases that are out there and really protect the community. And we're really looking at the importance of a buyer

awareness, what people need to know. Now, the other thing is that we want to do is I talk about having other agencies aware of what's going on and how things are being done. There is a stipulation in this particular solicitation that you work with other state, local, Tribal, and territorial task forces and the federal agencies to coordinate what you're doing in your particular area. We also ask that you use a deconfliction software that helps reduce blue-on-blue incidents and really gives a better use of resources out there by agencies. Now, there are three systems out there, Case Explorer, SAFETNet, and RISSafe.

Now, this year, this is a carve-out from our Economic, High-Technology, White Collar, and Internet Crime Prevention, or ECrime as we call it, TTA program. And there will be \$2.250 million available for this particular program and the selected applicants will be given up to \$375,000. So in your application, you can ask up to \$375,000. If an application comes in above that number, that could work against you and it might not be allowed to go forward for evaluation. Everything that's in your budget must be an allowable item. And we estimate that we'll be putting six awards out for this particular program. I will also make a point to say that this is a 24-month program and the budgets and plan need to reflect 24 months. There is one stipulation that if you are a successful IPEP candidate or awardee in FY 2023, you're not eligible to apply for this year's FY24 IPEP funding. The reason for that is, again, it's a 24-month program.

Now, these are the questions I get most under this particular program. What are allowable costs? And my next will be what are not allowable. What's allowable for this are very specific dealing with the cost of the task forces themselves. As you see in the slide, it could be wages, benefits, overtime, supervisor's time and overtime as well. This must be specifically documented in the budget. The estimated numbers as part of your personal time. And everything has to be associated with this particular program. If it's a detective, if it's a field officer, if it's a support, they all have to be associated to your intellectual property program. This also includes prosecutor cost. We've had awards in the past where they have had a prosecutor come online for, say, 50% of the time. In some cases, it was a hundred percent of the time. And they're limited to intellectual property cases.

Now, equipment. We're limited sometimes on what equipment could be bought. But what has to be documented in the narrative of the budget that this information is specifically for IPEP enforcement and is used as part of the task force. Now, this may include laptops, printers, but if you are a buying a copy machine for the department, we might allow a percentage of that, but we know that that copy machine may not be a

hundred percent just for the task force. And that's up to discretion of the Bureau of Justice Assistance. There also could be printing cost. If you're printing flyers for community awareness, which is a big part of this program. We also allow for education, training, and conferences but it must be reasonable. We've had agencies that have come in for this and they wanted to send 10 people to one conference. We look at that, BJA, as possibly unreasonable, but if you wanted to attend, we can send a few individuals to that individual training or conference.

Now, if you're hosting a training, it's extremely important that it's open to all task agencies and it's made available to other agencies in your geographic area. And the biggest question comes down, and the biggest evaluation that we use, "Are these costs reasonable?" "Are they allowed?" And, "are they necessary for the project to advance?" Now, I mentioned before that BJA has the discretion to look at the cost and question any cost that you're submitting in the budget.

Next are our non-allowable cost. This is where I get a lot of questions on this one because there are some nuances to this type of solicitation and dealing with task forces that usually deal with the area that you're in. The very first one, and I make this very clear, no vehicles of any kind are allowed to be purchased, leased, rented under this particular funding. This includes boats, planes, cars, trucks, tractor-trailers. Those have all come in as questions in the past. We also do not allow unmanned aircraft systems or anything that's associated with them. And it's any equipment also that is designed -just for the vehicle. This is to include cameras. You're not allowed to use the funds for confidential funds. You're not permitted to use foreign travel or excessive travel, service contracts. And these are for things like cellphones, wireless service for laptops. Those aren't permitted. You can buy the laptop or you can get the cellphone but the service has to be assumed by the agency.

The other thing is we can't ask for items requested in previous awards issued by BJA. And this could be either an award that, for example, body worn cameras, you'll see down below there, or we have programs like bullet resistant vests. We have those programs under BJA. So you can't ask for funding under this solicitation for another program that's being funded by BJA. And we also don't permit equipment that should be issued by your agency. For example, BDUs, weapons, tactical equipment, body worn camera, vests, et cetera. We are not permitted if you're hosting a meeting or if you're having some kind of conference or having some kind of task force group meeting or training, you're not permitted to use any funding for food or refreshments for anything. That's one of the big things that is not permitted under this particular funding. You can't

do any land acquisitions or construction projects. We've had other task forces come in and ask about, for example, we're going to do a storage facility, in other words, like a storage shed outside the department. That has to be brought to the attention of BJA and they will evaluate that particular request. You're not permitted also to do any security enhancements of any equipment that was provided to you by another government agency. For example, if you got LPRs or stationary cameras that were provided from funds by another federal agency, you can't improve on those systems because you'd have to go back to that particular agency.

Now, this is the eligibility list. I'm not going to go through this. You'll read this in the solicitation. But it's very important to know that if you don't meet the eligibility and that particular application comes in, it will not go into the peer review process. So it's very important, the very first thing that you evaluate is whether or not you're applying as an eligible agency for this particular award.

Now, these are the ones—and these are all in the solicitation—it gives you a definition of law enforcement, what we consider intellectual property enforcement, and also what state means. So it's recommended that you become familiar with these definitions so you'll see how they apply to the application.

Now, we have some very specific deliverables for this program because we do measure the number of cases that are out there, prosecutions and so forth. So if you're a successful candidate, you'll have to provide information and would provide a system for you to provide that, the number of cases that were initiated, how we talk about success stories, and for investigations that show promise but maybe did not lead to an arrest, but good investigative skills were put into operation. There's reports that have to be completed and have to be made available in JustGrants and also in our Performance Management Tool, or PMT. Those are what I was talking about where those numbers are collected on the number of cases.

Now, you do have a responsibility in this solicitation that you have quarterly meetings of your task force members. In these you're going to talk about the things that you're doing, what cases are out there, prosecutions, what possible trainings, but we also like to hear what efforts you're taking for public awareness on this particular problem. Now, you also have to provide out there a lot of the information to your fellow task force members and keeping up the prosecution aware of all these things and any analytical tools that you might be using to help facilitate the investigations.

Now, the last point here is extremely, extremely important because it's a requirement and mandated for this particular project, that you have to have a sustainability plan. In other words, what would I do? How would this task force survive if tomorrow there were no further federal funding available? The sustainment plan needs to be submitted with the application and is an integral part to the evaluation of your application.

Now, there's a two-step application process and you need to make yourself well aware of this, is the very first portion, and it's due June 12th, 2024, at 8:59 p.m. Eastern Time. And this goes into our Grants.gov. Grants.gov is the first step. I will tell you right now, the second step is not required until June 20th, 2024, which is our JustGrants portion, step two. If you do not complete step one, you will not have an opportunity to do step two. So this is progressive. You have to do one to get to two.

Now, the kind of things that you're required in your application. A Proposal Abstract, and what this is is that one page that explains in the solicitation a summary of what's going to be done. We ask that you don't just regurgitate what's in the solicitation but tell us what you're going to do, what the problem is in your area, and how you're going to address it in a very brief. We use this for when we're announcing about successful candidates.

The Proposal Narrative. There's several sections under that. I did mention to you about the Sustainment Plan. And your budget will be a web-based budget. It's actually in the system so it's very easy to follow, but it's very important that all the numbers add up properly. And I'll explain that a little bit later. Copy of any Memorandum of Understandings or MOUs that you have with other agencies working together as part of your task force. And these should be most current and up to date, not ones that you have signed two, three years ago but they should be currently updated. And the last one is this letter from the chief executive that you actually have the ability and possibility to enforce intellectual property-type crimes.

Now, failure to include any of these documents may lead for the application not to move forward in the application process. This is a list of additional documents for inclusion. These aren't mandatory but some of them may or may not be applicable, but please read through this. And I would tell you right now, one of the key elements I would tell you is resumes for key personnel. There's a Capabilities and Capacities section in the Narrative area of this, and one of the key points that we look at in there are resumes of the individuals that may be supervisor for the program, might be an analyst for the

program. Those things are very important and that really helps on the evaluation part and the peer review.

Now, the actual review process starts off. The very first thing when the application comes in, we look to see if you're actually an eligible applicant and that you've submitted the required document. That's number one. Then we do the peer review process. Just to let you know, the peer review process is done by three subject matter experts from the field. They're not done by BJA staff or DOJ staff. They're by professionals from the field that have experience. And what they do is they evaluate the application based on the elements that are in the solicitation and they score those applications. Then they provide those to BJA and BJA does an evaluation of the scoring list that come from the peer reviewers. Then we look at all the other elements in there. We look at the budgets. And then the notification comes on. You will get notification from us whether you were successful or not. And you have the right to ask for, if you may have not been a successful candidate, what did the peer reviewers say, how can you strengthen possibly future applications.

Now, I just want to mention this real quick. I'm going to give you these tips. These tips will be very, very helpful and could be the decision whether or not you get chosen to be an applicant. The very first thing, and I can't stress this enough, is read the entire solicitation. You need to answer all the questions or items that we want for the solicitation. The thing that I will tell you also is if you have any questions, ask them. Never assume, because what you think we're asking for might be different than what we really want. You have contact information that you can reach out and ask those questions.

One, that you meet that eligibility. Extremely, extremely important. One of the things we see as an issue a lot is budget numbers don't add up. So if you have personnel and all the different subcategories and then you have year one, then year two, and then the final number doesn't add up to what you're asking for, that's a red flag for us. Now, you want to be able to also clearly articulate what you want to do in the allowed amount of spaces. If it says for 10 pages, you can only submit 10 pages. If you submit anything longer than that, those pages won't be considered. The peer reviewers will only read the basic number of pages that were asked for. Follow the directions. Use the contacts. Again, don't assume. I can't stress that any more than I have. And double-check on the required documents that are attached to the application before you submit. This is a big one. Please don't wait until the last minute. Sometimes there may be technical difficulties in submitting this and you won't be able to get it in that deadline time.

Now, I'm going to go over, just briefly, some resources that are available for you as grant applicants. The solicitation is available on the BJA website. And you'll see this is the actual page right there. Lower left-hand corner, you'll see that gold bar that allows you to download the solicitation from here. And this red circle will bring this document up to the right. This is a summary document of the Intellectual Property Program, the IPEP Program. So these are good reference materials. And you have to really read that solicitation more than once. Unfortunately, there are about 37 pages, but you need to look at all the items in there so you don't miss anything.

As I mentioned before, these are the two steps that you have. You have the Grants.gov set and then the JustGrants set. These are the references in there. It gives you a hotline number, gives you an email number. These are extremely, extremely important. These will be available. You'll see them in the solicitation. You also see them in the webinar that's recorded and made available to you.

This is just a resource page of all the applications and guides that we have out there. You can see it's full of information. Every one of those are a hyperlink that will help you write your application. I can't stress enough, look at these resources that are out there and if you have questions, please ask.

I'm going to echo this again because we'll have people saying, "Well, I missed this one." Dual deadlines. First one, Grants.gov, June 12th, 2024, 8:59 Eastern Time. And JustGrants deadline, June 20th, 2024, 8:59 also. Please make note, in previous years, the submission time used to be 11:59 p.m. Eastern Time. It has now moved up and you need to make a note, it's 8:59 p.m. Eastern Time.

This goes back and talks a little bit from our resource center. And the second bullet point here, the OJP Financial Guide, is if you're in grants and looking to do this, this is a reference document you need to have on your desktop. It answers a lot of questions on what I can and can't submit for and a lot of the things that are allowed or not allowed under DOJ funding. We do have a management training online and we also have an OJP Resource Guide.

We've moved into the modern ages at the Department of Justice, Bureau of Justice Assistance, and OJP. We have all these social media contacts that we post stuff out there and you should log on to those because they'll make you aware of things we have

available, not only at BJA but maybe things that we have at OJP or one of our sister agencies at DOJ.

You can also subscribe to this information. You'll see on the left, the blue box there, it's your email address to 468-311 to subscribe. That'll allow you to subscribe and get this information sent to you directly.

If you have any additional questions, here's the OJP Response Center. And that's our email, 800 number, and a TTY number for your reference. Final thoughts. I just want to kind of reiterate these things. Read the entire solicitation. Ask questions. If you're unsure about anything, call us, ask us. Remember dual deadlines. Apply early. Double-check the guidelines, you have the required documents added, and any letters of support in the submission. Any problems entering the application, contact the appropriate technical assistance provider immediately. Don't wait to see if the system comes back up. Contact them for assistance.

Again, this is just some quick references. That is our Grants.gov support center, our JustGrants, and technical assistance through the Office of Justice Program Response Center. With that, I'll take any questions that you might have.

DARYL FOX: Great. Thanks so much, David. Yes, and for those that do have questions, enter that in the Q&A box, far bottom right of your screen, three dots, and we'll get those in queue. We still have a lot of time left in today's webinar if needed. For the reference, the recording, PowerPoint, and transcript for today will be posted to BJA's website. So everybody that registered today will receive an email when those are posted and how to access those so you can go back and reference everything talked about today. Nothing in the queue at this time, David, but we'll hang on here for a while.

DAVID P. LEWIS: Okay. Thank you, Daryl.

DARYL FOX: And for everybody's references, as he mentioned, once we conclude today, if you do have any questions about the programmatic requirements of the solicitation, you can contact the OJP Response Center at grants@ncjrs.gov. We'll leave this slide up for a little bit if you do need to jot the information down. It seems you were very thorough, David. No questions in the queue.

DAVID P. LEWIS: Okay. I'll stay on for a few minutes, Daryl. If anything comes up or somebody comes up, we'll answer them. We've had some very successful task forces

under this. I talked about some situations. Los Angeles had gangs that were selling counterfeit jeans, funding their operations. We've had batteries, illegal batteries going out there, where people were getting injured. So there's a lot of different things. One of the things that's brought up is the new cases where there's counterfeit medications being put out there and sold over the internet. That gets a little bit tougher when you're doing it over the internet. But there's a lot of different things. We're looking for new and inventive ways out there, looking at current trends. So if you have great ideas in looking at stuff like that. And, I think it's very important, also, I'd share, to get your prosecutors online to know exactly what you're doing, because what you don't want to work a case, bring it to them, and they're not prepared for it. But working with them in conjunction from square one is extremely important.

DARYL FOX: I'll just put this slide up as well. It was a great slide. Final thoughts from David. One of the things to note as you're looking at the solicitation and preparing your applications. Nothing in the queue at this time. Most people seem to be dropping off a little bit here.

DAVID P. LEWIS: Okay, Daryl. We'll stay on a couple more minutes and then we'll call it a day, okay?

DARYL FOX: Sounds great. And, also, as David mentioned, I can't stress this enough, the dual deadlines for both Grants.gov and JustGrants. One's a week prior. And if you don't make that deadline, you will not be able to move to that next step for JustGrants. So just keep in mind. And those are listed out in the solicitation itself too.

DAVID P. LEWIS: Okay, Daryl. I think it's a wrap.

DARYL FOX: Okay. So on behalf of the Bureau of Justice Assistance and our panelists, we want to thank you for joining today's webinar. This will end today's presentation.