



# Byrne State Crisis Intervention Program Frequently Asked Questions

*Updated August 2026*

## **1. What is the purpose of the Bureau of Justice Assistance (BJA) Byrne State Crisis Intervention Program (Byrne SCIP)?**

The purpose of Byrne SCIP is to provide funding for the creation or enhancement of state crisis intervention court proceedings and related programs or initiatives, including extreme risk protection order (ERPO) programs, as well as mental health courts, drug courts, and veterans treatment courts, as authorized by the Bipartisan Safer Communities Supplemental Appropriations Act, 2022 (Pub. L. No. 117- 159, 136 Stat. 1313, 1339); 28 U.S.C. 530C.

## **2. Who is eligible to apply for Byrne SCIP funds?**

Only states may apply under this program, and a state must designate a single State Administering Agency (SAA) that has authority to apply on its behalf. For the purposes of Byrne SCIP, the term “states” includes the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the U.S. Virgin Islands, Guam, and American Samoa. Throughout the Byrne SCIP Notice of Funding Opportunity (NOFO), each reference to a “state” or “states” includes all 56 jurisdictions. The eligible allocations by state for each fiscal year will be posted with that year’s NOFO.

## **3. Who is eligible to receive subawards under Byrne SCIP?**

Subrecipients may include but are not limited to courts (state, county, local, and tribal), institutes of higher learning, law enforcement, supervision agencies, prosecutors, public defenders, behavioral health, emergency communications, etc.

## **4. Are states required to track the FY 2022 and FY 2023 funds awarded under the FY 2022 – 2023 Byrne SCIP NOFO separately?**

No. States are not required to differentiate the FY 2022 and FY 2023 Byrne SCIP funds awarded under the FY 2022 – 2023 Byrne SCIP NOFO separately.

## **5. What is the performance period for the awards?**

The performance period for awards made under FY 2022 – 2023 Byrne SCIP is 48 months, from October 1, 2022 – September 30, 2026. The performance period for FY24 – FY26 awards is 36 months.

## **6. Is this Edward Byrne Memorial Justice Assistance Grant (JAG) Program funding?**

No. This funding was appropriated as part of the supplemental appropriations enacted under Division B of the Bipartisan Safer Communities Act.<sup>1</sup> Byrne SCIP is separate and distinct from the JAG Program, which is funded annually under Department of Justice appropriations acts. Division A, title II, section 12003 of the Bipartisan Safer Communities Act modified the JAG [statute](#) to include a new program area, 34 U.S.C. §10152 (a)(1)(I): “Implementation of State crisis intervention court proceedings and related programs or initiatives, including but not limited

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<sup>1</sup> Division B of P.L. 117-159 is the “Bipartisan Safer Communities Supplemental Appropriations Act, 2022.”

to—(i) mental health courts; (ii) drug courts; (iii) veterans courts; and (iv) extreme risk protection order programs[.]”

Byrne SCIP, consistent with the supplemental appropriations act, funds project implementation in this new program area only.

**7. When can funds be obligated?**

Funds may be obligated once awards have been offered and accepted, and any award conditions prohibiting obligations have been cleared, including the post-award approval of the program plan and budget. The program and budget plan withholding condition will allow obligations not to exceed \$20,000 for the sole purpose of developing the program and budget plans.

All subawards must be expressly authorized by BJA post award via a Grant Award Modification (GAM) before funds can be obligated for subawards. Properly incurred obligations (i.e., approved by BJA) must occur within the period of performance.

**8. If a program and budget plan from a prior SCIP award are already approved, is another submission required for a new award?**

Yes. With each new federal award, SAAs should submit a program and budget plan to BJA. While BJA recognizes that substantive changes may not have occurred since the prior plan’s approval, the approval process must take place for any subsequent years of funding. A program plan can be submitted that is designed to cover multiple award years (e.g., a plan that covers both the FY22-23 and FY24 funding). Budgets, however, must remain specific to a given fiscal year.

**9. Can funds be drawn down in advance?**

No. SAAs must request funds based upon immediate disbursement/reimbursement requirements. Funds will not be paid in advance but rather disbursed over time as project costs are incurred or anticipated.

Draw down requests must be timed to ensure that federal cash on hand is the minimum needed for disbursements/reimbursements to be made immediately or within 10 days. If not spent or disbursed within 10 days, funds must be returned to OJP. See the DOJ Grants Financial Guide for more information.

**10. Can funds be used for administrative costs?**

Yes. Up to 10 percent of the total award amount may be used for direct administrative costs for the award. This 10 percent must come from the state share of the award.

**11. If the state utilizes the full 10 percent for direct administrative costs, can subaward recipients also claim direct administrative costs?**

Yes, however, subaward recipients are also limited to 10 percent for direct administrative costs.

**12. Are indirect costs allowable?**

Indirect costs are allowable if the recipient has a current negotiated indirect cost rate agreement approved by its cognizant federal agency or if the recipient is eligible to use, and elects to use, the "de minimis" indirect cost rate as set out at [2 C.F.R. 200.414\(f\)](#).

Indirect costs are not considered part of the 10 percent limit on direct administrative costs.

### **13. Are there any limitations on the use of Byrne SCIP funds?**

Based on the funding allocation, states must pass through 40 percent to local governments and are limited to using no more than 10 percent of the total award amount for direct administrative costs.

In addition to the unallowable costs identified in the [DOJ Grants Financial Guide](#), refer to the NOFO for additional unallowable costs.

**No award funds may be used for any expenses related to public awareness campaigns for an extreme risk protection program.**

The purchase of Unmanned Aircraft Systems (UAS) is allowable under BJA programs only with express prior approval from BJA. To request such approval, the recipient (or subrecipient, at any tier) must submit to BJA a written certification that only UAS verified by the U.S. Department of Defense, the Defense Contract Management Agency's [Blue UAS Cleared List](#) as not manufactured by a "covered foreign entity" may be purchased or operated under the federal award and, further, that no modifications or additional accessories may be introduced to the UAS, nor may the UAS be used to process, store, or transmit Federal information. The recipient also, in its submission to BJA, must assure OJP that it has sufficient policies and procedures regarding privacy, civil liberties, and information technology cybersecurity policies related to operation of the UAS. (Note: A recipient may not make the required certifications or assurances on behalf of any subrecipient unless it (or any lower-tier pass-through entity) has first obtained such certifications and assurances from an authorized subrecipient official.) The recipient may also be required to provide additional documentation to verify purchase and the related policies for the UAS. In addition, any UAS purchased with award funds may not be manufactured by an entity listed on the [Consolidated Screening List](#) published by the International Trade Administration of the Department of Commerce. Additional information and the required certification form may be found here: <https://bja.ojp.gov/funding/uas>.

### **14. Can Byrne SCIP funds be used for research and/or evaluation?**

Yes. Recipients will be required to cooperate with BJA and with statutorily required evaluation activities as part of the terms and conditions of the award. Applicants may budget and allocate grant funding to meet specific research and programmatic requirements under this award regarding:

- The effectiveness of the crisis intervention program or ERPO initiative in preventing violence and suicide.
- Measures that have been taken to safeguard the constitutional rights of an individual subject to a crisis intervention program or ERPO initiative.

Costs associated with research would not be considered part of the 10 percent limit for direct administrative costs.

If an application proposes research (including research and development) and/or evaluation, the applicant must document its research/evaluation independence and integrity, including appropriate safeguards, before it may obligate, expend, or draw down award funds. The

applicant must submit documentation of its research and evaluation independence and integrity by uploading it as an attachment in JustGrants. For additional information, see the [OJP Grant Application Resource Guide](#).

**15. Can funds be used to create or modify legislation in my state?**

No. Recipients and subrecipients must comply with the provisions in [2 C.F.R. § 200.450 \(Lobbying\)](#) and [18 U.S.C. 1913](#), as appropriate. See the [DOJ Grants Financial Guide](#) for more information.

**16. What are some of the specific prohibitions related to legislative activity that we should be aware of?**

Recipients and subrecipients must comply with the provisions in [2 C.F.R. § 200.450 \(Lobbying\)](#) and [18 U.S.C. 1913](#), as appropriate. The [DOJ Grants Financial Guide](#) notes specific activities for which award funds cannot be used, including:

- Attempting to influence (a) the introduction of federal or state legislation, (b) the enactment or modification of any pending federal or state legislation through communication with any member or employee of Congress or a state legislature (including efforts to influence state or local officials to engage in similar lobbying activity), (c) the enactment or modification of any pending federal or state legislation by preparing, distributing, or using publicity or propaganda, or by urging members of the general public, or any segment thereof, to contribute to or participate in any mass demonstration, march, rally, fundraising drive, lobbying campaign, or letter writing or telephone campaign, or (d) any government official or employee in connection with a decision to sign or veto enrolled legislation.
- Engaging in or supporting the development of publicity or propaganda designed to support or defeat legislation pending before legislative bodies.
- Paying, directly or indirectly, for any personal service, advertisement, telephone, letter, printed or written matter, or other device intended or designed to influence a member of Congress or a state legislature to favor or oppose, by vote or otherwise, any legislation or appropriation by either Congress or a state legislature, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation.
- Engaging in legislative liaison activities, including attendance at legislative sessions or committee hearings, gathering information regarding legislation, and analyzing the effect of legislation, when such activities are carried out in support of, or in knowing preparation for, an effort to engage in unallowable lobbying.
- Paying a publicity expert for purposes unallowable under the anti-lobbying rules.

**17. Are there penalties for violating the lobbying prohibitions?**

Yes. The [Anti-Lobbying Act, 18 U.S.C. § 1913](#), contains significant restrictions on the use of appropriated funding for lobbying. These anti-lobbying restrictions are enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by [31 U.S.C. § 1352](#).

**18. Who can we contact with specific questions relating to the lobbying restrictions?** Any question(s) relating to the lobbying restrictions should be submitted in writing to your BJA Grant Manager.

**19. How were the Byrne SCIP allocations determined?**

Consistent with the program authority provided by Division B of the Bipartisan Safer Communities Act, Byrne SCIP funds will be “...awarded pursuant to the formula allocation (adjusted in proportion to the relative amounts statutorily designated therefor) that was used in the fiscal year prior to the year for which funds are provided for the Edward Byrne Memorial Justice Assistance Grant Program.” The allocations by state can be found at:

- FY 2022 – 2023 Byrne SCIP - <https://bja.ojp.gov/funding/fy-2022-2023-byrne-scip-allocations.pdf>
- FY 2024 - <https://bja.ojp.gov/funding/fy-2024-byrne-scip-allocations.pdf>
- FY 2025 - <https://bja.ojp.gov/funding/fy-2025-byrne-scip-allocations.pdf>
- FY 2026 - <https://bja.ojp.gov/funding/fy-2026-byrne-scip-allocations.pdf>

**20. Are there pass-through requirements?**

Yes. Where applicable,<sup>2</sup> states must pass through the 40 percent portion to local governments. This 40 percent portion is comprised of the share of funds, proportionately decreased, that was available for direct local JAG awards in the prior fiscal year, and the share of funds, proportionately decreased, that was added to the state share in the prior fiscal year for less-than-\$10,000 jurisdictions. States have discretion on projects and priorities for subawards.

- **Direct Local Pass-through Requirement:** This could include, but is not limited to, an organizational unit of local government such as a prosecutor’s office, public defender’s office, law enforcement agency, public health agency, or court system. States are not required to pass funds through to every unit of local government that was eligible for a direct local JAG award in the prior fiscal year and have the discretion on the use of the direct local pass-through funds. This pass-through is mandatory and not eligible for a waiver, and state direct administrative costs cannot be deducted from the minimum direct local pass-through amount.
- **Less than \$10,000 Pass-through Requirement:** Where applicable,<sup>3</sup> states must provide additional funds to state courts that provide criminal justice and civil proceeding services as the “less-than-\$10,000 jurisdictions” within the state and/or subaward the funds to such jurisdictions. State direct administrative costs cannot be deducted from the minimum direct local pass-through amount. States have discretion to utilize the less-than-\$10,000 pass-through funding in several ways:
  1. Fund one less-than-\$10,000 jurisdiction.

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<sup>2</sup> This is not applicable to the U.S. territories and the District of Columbia which do not receive local JAG funds.

<sup>3</sup> In addition to the U.S. territories and the District of Columbia, Hawaii did not receive less-than-\$10,000 JAG funds in FY 2021 and FY 2022; therefore, this requirement is also not applicable to Hawaii for FY 2022-2023 Byrne SCIP.

2. Fund multiple less-than-\$10,000 jurisdictions.
3. Fund state courts that provide criminal justice and civil justice services to the less-than-\$10,000 jurisdictions within the state.
4. Fund a combination of less-than-\$10,000 jurisdiction(s) and state courts that provide criminal justice and civil justice services to the less-than-\$10,000 jurisdictions within the state.
5. Request a waiver to retain the less-than-\$10,000 funds, or a portion thereof, at the state level for a project that would directly benefit less-than-\$10,000 jurisdictions (see question 30).
6. Any combination of 1 – 5 above.

All subawards must be expressly authorized by BJA post award via a GAM before funds can be obligated for subawards.

**21. How is “unit of local government” defined?**

For the purpose of Byrne SCIP, a “unit of local government” is defined as a city, county, township, town, or certain federally recognized American Indian tribes. See 34 U.S.C § 10251 (a)(3). Note: Organizational units of government that are state government entities consistent with state law are not eligible to receive local pass-through funds.

**22. Can SAAs subaward funds to the state court agency to meet the direct local pass-through requirement, in cases where the state court agency is not the SAA?**

No. SAAs must provide these funds directly to units of local government that were eligible to receive a direct local JAG award in the prior fiscal year. States are not required to pass funds through to every unit of local government that was eligible for a direct local JAG award in the prior fiscal year and have the discretion on the use of the direct local pass-through funds.

**23. Can SAAs provide funds to the state court agency to meet the less-than-\$10,000 pass-through requirement?**

Yes. SAAs are permitted to subaward these funds to the state court agency, which provides criminal justice and civil justice to one or more of the prior fiscal year less-than-\$10,000 jurisdictions without a waiver.

**24. If the SAA provides funds to the state court agency to meet the less-than-\$10,000 pass-through requirement, is the state court agency permitted to subaward those funds to county and/or municipal courts?**

Yes. The state court agency is permitted to subaward less-than-\$10,000 pass-through funds to one or more courts that provides criminal justice and civil justice to one or more of the prior fiscal year less-than-\$10,000 jurisdictions without a waiver.

**25. What are the requirements and process for an SAA to request a waiver of the less than \$10,000 pass-through requirement?**

- a. Requirements: The less than \$10,000 pass-through requirement is eligible for a waiver to the extent that (1) the **state-administered** project will directly benefit a unit (or units)

of local government, and (2) the benefiting unit (or units) of local government voluntarily certifies in writing that (a) the specified amount of state- administered funds will directly benefit the unit(s) of local government in question and (b) funding the project at the state level is in the best interest of the unit(s) of local government.

- b. Process: A waiver request of the less than \$10,000 pass-through requirement, must include a letter, on the letterhead of the recipient jurisdiction and signed by the recipient's "authorized representative" for the Byrne SCIP award in question, that:
  - i. Provides a summary of the project(s) and stipulates the project(s) will directly benefit one or more units of local government.
  - ii. Identifies the specific unit(s) of local government that will benefit from the state-administered project(s).
  - iii. Attaches the certification(s) from the unit(s) of local government described above in Section A.

The waiver request can be processed two different ways post-award: (1) using OJP's JustGrants system, submit a "Programmatic Costs" GAM, marked "Other" and with "Byrne SCIP – Pass-Through Waiver" typed in the available text box; or (2) by attaching the required waiver letter above to the subaward request GAM. Refer to 3 for steps on requesting subrecipient approval.

**26. Can units of local government apply to receive Byrne SCIP funds directly from BJA?**

No. Only SAAs are eligible to receive direct Byrne SCIP awards from BJA. Units of local government can reach out to their [State Administering Agencies](#) to obtain information on funding opportunities using pass-through funds.

**27. Are the penalties/reductions under the Sex Offender Registration and Notification Act and the Prison Rape Elimination Act applicable to Byrne SCIP funds?**

No.

**28. What types of programs can Byrne SCIP funds be used for?**

Byrne SCIP funds can be used for implementation of state crisis intervention court proceedings and related programs or initiatives, including but not limited to: mental health courts; drug courts; veterans courts; and extreme risk protection order (ERPO) programs.

For purposes of this program, "related programs or initiatives" refers to those programs or initiatives that have a direct connection to crisis intervention. Programs or initiatives that are solely focused on non-crisis intervention activities and have no reasonable relationship or rational connection to the intervention of a crisis would not be considered crisis intervention. Related programs or initiatives can include certain court-based programs, programs that deflect or divert individuals to behavioral health services, and gun safety programs. Such programs or initiatives can include, but are not limited to:

- Law enforcement crisis intervention
  - Specialized training for law enforcement, including crisis response and intervention training (CRIT), and overtime for officers to attend such training
  - Personnel, supplies, and other related costs for crisis intervention
- Court-based programming
  - Expand the capacity of existing drug, mental health, and veterans treatment courts
  - Prosecutor, pretrial, or court diversion programs
  - Embed clinicians in prosecutor, public defender and/or courts agencies to provide screening, assessment, and referral to services
- Referrals to treatment for people in crisis
  - Assertive community treatment
  - Assisted outpatient treatment
  - Civil commitment
  - Behavioral threat assessment programs and related training
  - Regional crisis call centers
  - Crisis receiving and stabilization facilities
  - Suicide prevention and intervention services
- ERPO programs - <https://erpo.org/state-by-state/>
  - Training for judiciary and court staff, family members, law enforcement and first responders, social service providers, and clinicians on ERPO and ERPO proceedings

## **29. What activities and costs are allowable in Byrne SCIP programs?**

In addition to the limitations described in FAQ #15 and the requirements for allowability in the DOJ Grants Financial Guide and 2 CFR 200 Uniform Requirements, activities and costs included in Byrne SCIP program plans and budgets (including subawards) must demonstrate that they have a direct connection to crisis intervention. Activities that are solely focused on non-crisis intervention activities and have no reasonable relationship or rational connection to the intervention of a crisis would not be allowable.

State program plans and subaward project descriptions submitted to BJA should provide clarity on how the proposed activities and costs will address crisis intervention. While activities might also have broader prevention outcomes to the communities at large, assist with the response to violence already occurring, or use information and lessons from past crises, the primary focus and purpose of proposed activities and costs should be targeted crisis intervention.

## **30. Are there any requirements for extreme risk protection order programs?**

As required by 34 USC §10152 (a)(1)(I)(iv), ERPO programs must include, at a minimum:

- a. Pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including, but not limited to, the Bill of Rights and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the states and as interpreted by state courts and

United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase, to prevent any violation of constitutional rights, and, at minimum notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses.

- b. The right to be represented by counsel at no expense to the government.
- c. Pre-deprivation and post-deprivation heightened evidentiary standards and proof, which mean not less than the protections afforded to a similarly situated litigant in federal court or promulgated by the state's evidentiary body and sufficient to ensure the full protections of the Constitution of the United States, including, but not limited to, the Bill of Rights and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the states and as interpreted by state courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases, prevent any violation of any constitutional right, and, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation.
- d. Penalties for abuse of the program.

For each year a Byrne SCIP recipient plans to use funding to support ERPO programs, it must submit to BJA a principal legal officer signed [Certification Relating to Pub. L. No. 90-351, Title I, Sec. 501\(a\)\(1\)\(I\)\(iv\) \(Extreme-Risk Protection-Order Programs\)](#), certifying that the extreme-risk protection-order program to be funded satisfies each of the requirements above prior to the use of grant funds for ERPO programs.

If ERPO activity is implemented by an SAA and/or subaward, an updated ERPO certification shall be required for each calendar year ERPO programs are operational. For example, an SAA provides an ERPO certification signed Jan 1, 2025, for two-year subaward performance period from Jan 1, 2025 - Dec. 31, 2026. A new certification is required to be signed on Jan 1, 2026.

**No award funds may be used for any expenses related to public awareness campaigns for an extreme risk protection program.**

**31. Who may sign the certification of compliance with Pub. L. No. 90-351, Title I, Sec. 501(a)(1)(I)(iv) as a principal legal officer?**

A principal legal officer is an individual at a high level in the government, with the responsibility and authority to provide legal advice to the government. OJP expects that the principal legal officer with the requisite responsibility and authority would have a job title such as Attorney General, Deputy Attorney General, or state agency General Counsel. This guidance should not be viewed as legal advice from OJP as to the identification of the appropriate official. The applicant government must identify the appropriate official after review of this guidance, the certification of compliance, and the applicant's own governance rules and authorities.

**32. Is the adult drug court violent offender prohibition applicable to Byrne SCIP?**

No. The Adult Drug Court program's prohibition of participation by "violent offenders" (see 34 U.S.C. § 10612) is not applicable to Byrne SCIP.

**33. Are there any training and technical assistance resources for Byrne SCIP recipients and subrecipients to support their use of Byrne SCIP funding?**

Yes. Contact your assigned BJA grant manager to request training and technical assistance.

**34. Will funds be available to develop program and budget plans prior to BJA approval?**

Yes. The program and budget plan withholding condition will allow obligations not to exceed \$20,000 for the sole purpose of developing the program and budget plans. Such obligations may be made retroactively to the project period start date.

**35. What must be submitted for post-award program plan and budget approval?**

Using OJP's JustGrants system, submit a "Scope Change" GAM, select "Changing the purpose of the project." The GAM submission should include the following items and attachments:

- An updated project description (as part of the GAM in JustGrants) to align with the post-award program plan. This should be a summary of how the grantee intends to utilize Byrne SCIP funding and will be publicly available at USAspending.gov.
- A program plan outlining the overall goals for the use of Byrne SCIP funds and the process for awarding subawards (both for the required 40 percent pass-through and any other subawards to be made).
- The budget worksheet and narrative, showing a clear breakdown of costs, including identified administrative costs and the required pass-through amount.
- If ERPO programs are proposed, a signed [Certification Relating to Pub. L. No. 90-351, Title I, Sec. 501\(a\)\(1\)\(I\)\(iv\) \(Extreme-Risk Protection-Order Programs\)](#).

**36. Do we need to demonstrate advisory approval of SCIP program and budget plans or subawards?**

No. While the FY23-23 and FY24 Byrne SCIP awards required a Crisis Intervention Advisory Board that informed and approved a state's program and budget plan, this requirement is no longer a condition of the Byrne SCIP program. States do not need to demonstrate board approval for SCIP program and budget plans, including changes in scope of previously approved plans, or any subawards under current or future SCIP awards. The requirement to request BJA express prior approval of SCIP program and budget plans and all subawards remains in effect.

**37. Are there any costs that require prior approval under Byrne SCIP?**

In addition to the costs requiring prior approval listed in the [DOJ Grants Financial Guide](#), all subawards, including the required pass-through awards, require post-award approval by BJA via a GAM. See [Subawards and Procurement Contracts under OJP Awards](#) for more information. Please note that even if the proposed subaward is clearly identified in the

Budget Detail Worksheet and/or Budget Detail Narrative in the application as approved by OJP, the recipient must request and obtain written authorization from BJA via a GAM before it may make the subaward.

**38. What are the requirements for subaward authorization and obligation, and the process for obtaining BJA approval of subawards?**

Subawards must be authorized post award. Requests for subaward authorization must be submitted via a GAM after BJA's approval of the program plan and budget and removal of the withholding condition.

To request authorization of subawards, a recipient must:

- a. Use OJP's JustGrants system to submit a Programmatic "Scope Change" GAM and select "Staff changes that include experiencing or making changes to the organization or staff with primary responsibility for award implementation. These changes can include (choose one): 'Contracting out' and/or 'sub-awarding.'"
- b. Attach to the GAM documentation that:
  - i. Summarizes the selection process for the subawards included in the request.
  - ii. Lists the one or more units of local government that will be issued subawards, along with their proposed award amounts and project periods.
  - iii. Includes a description of the proposed subaward(s), including whether the subaward project will include any ERPO activities, and the subaward budget(s).
  - iv. Provides the part of the allocation the subawards will be made under: state share, direct local pass-through, or less than \$10,000 pass-through.
  - v. If a waiver to the less than \$10,000 pass through will be submitted with the subaward authorization request, refer to FAQ #29 for waiver requirements.

**39. Do states need approval from BJA for changes in subawards?**

States must have BJA approval to change the scope of an approved subaward.

**40. Can states with a unified court system utilize the direct local portion of funding for "local" courts**

No. States that identify as a unified court system must utilize the state or the less than \$10,000 allocations for such a court-based project. A waiver is not required for the less than \$10,000 allocation as it is a state-based court program. The direct local pass-through is mandatory and not eligible for a waiver.

**41. Are matching funds required under Byrne SCIP?**

No. There is no match requirement under Byrne SCIP.

**42. Can Byrne SCIP funds be utilized as match for other federal programs?**

No. Unless otherwise authorized by law, federal funds may not be matched with other federal funds. However, the leveraging of multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

**43. What is supplanting and is it allowable under Byrne SCIP?**

The definition of supplanting in the [DOJ Grants Financial Guide](#) is “to deliberately reduce State or local funds because of the existence of Federal funds. For example, when State funds are appropriated for a stated purpose and Federal funds are awarded for that same purpose, the State replaces its State funds with Federal funds, thereby reducing the total amount available for the stated purpose.” Supplanting is prohibited under Byrne SCIP for all allowable costs.

**44. What are the reporting requirements for Byrne SCIP?**

The following reporting elements will be required, along with any other applicable reporting outlined in the award conditions (e.g., Federal Funding Accountability and Transparency Act (FFATA) and Federal Awardee Performance and Integrity Information System (FAPIIS)):

Quarterly Federal Financial Reports (and one final Federal Financial Report after all funds have been obligated and expended) and semi-annual performance measurement reports must be submitted through OJP's JustGrants system.

**45. How can I communicate success stories to BJA and OJP?**

We encourage and welcome the submission of stories explaining how BJA funding has made a positive impact within your agency, organization, or community at the following link: <https://bjaojp.gov/submit-success-story>.