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BUREAU OF JUSTICE ASSISTANCE

OFFICE OF JUSTICE PROGRAMS, U. S. DEPARTMENT OF JUSTICE

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Pages: 4 , including this cover sheet.

From: Dustin Koonce,
Policy Advisor
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Subject: See the enclosed correspondence regarding program funds being used to support associated costs for electronic grants management information systems. If you have any questions or concerns, please let me know. Also, please continue to invite BJA/Information Technology Policy Office in your on-going discussions.

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U.S. Department of Justice

Office of Justice Programs

Office of the General Counsel

Washington, D.C. 20531

FEB 25 2002

MEMORANDUM TO: Richard R. Nedelkoff, Director
Bureau of Justice Assistance

FROM: Rafael A. Madan 
General Counsel

SUBJECT: Pennsylvania Request for Program Approval of Electronic
Criminal Justice Grants System

Per your request of January 15, 2002, I have reviewed the proposal of the Pennsylvania Commission on Crime and Delinquency (PCCD) to use Byrne Formula Grant Program funds to implement an electronic criminal justice grants system. The language of the Byrne Formula Grant Program would support a limited expenditure of program funds for the proposed purpose.

The PCCD proposes to use Byrne Program funds to "cover some of the implementation costs" of a "web-based grants application and management system." Such a system would help the PCCD process the nearly 1,300 subgrant applications that are currently processed on paper. According to your memorandum, the PCCD proposes to spend Byrne Program funds in addition to the minimum 5% set-aside required by law for the improvement of criminal justice records (see 42 U.S.C. § 3759a) by spending the funds pursuant to purpose area 15(b) (42 U.S.C. § 3751(b)(15)(b)). Purpose area 15(b) allows expenditure of Byrne Program funds for "criminal justice information systems to assist law enforcement, prosecution, courts, and corrections organization (including automated fingerprint identification systems)."

To the extent that the proposed electronic criminal justice grants system is a "criminal justice information system," Byrne Program funds may properly be spent on its implementation. Such expenditures are, however, limited insofar as they may only support systems which "assist law enforcement, prosecution, courts, and corrections organization[s]."

Ultimately, of course, approval of such an expenditure is a programmatic decision. In terms of compliance with the Byrne statutory requirements, however, based on the information provided to me, the proposed expenditure appears to be proper under purpose area 15(b).

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COM ON CRIME

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U.S. Department of Justice

Office of Justice Programs

Bureau of Justice Assistance

Office of the Director

Washington, D.C. 20531
10 April 2002

James Thomas, Executive Director
Pennsylvania Commission on
Crime and Delinquency
P. O. Box 1167
Harrisburg, PA 17108-1167

Dear Mr. Thomas:

I am pleased to let you know that I have approved your request to use a portion of the Fiscal Year 2001 Byrne Formula program funds under Purpose Area 15B in order to support costs associated with a criminal justice electronic grants management and information system. My approval is based on a comparative review of your proposed system, as set forth in your Program Approval Request, and the requirements of Purpose Area 15B. It is important to mention that the proposed grant information and management systems, to meet the requirements of Purpose Area 15B, must be capable of direct access to and interaction with existing and potential subgrantees, and support the functions of on-line application, data collection and sorting, grant tracking and administration. In addition to the substantive requirement of Purpose Area 15B, the Pennsylvania Commission on Crime and Delinquency (PCCD) must:

1. Cooperate with the Office of Justice Programs (OJP) in the development of the PCCD electronic grants management system to ensure interoperability with the evolving OJP electronic grants management system.
2. Reduce the federal share of program costs in the event any program income or cost savings are realized from a joint development effort of the electronic grants management system by PCCD and another entity or entities.
3. Make the design and documentation of the electronic grants management system available to other states at no cost other than the reproduction of the documents.
4. Ensure that the funds available for the design, development, and implementation costs come from the state's share and will not be assigned to the amount allocated as passthrough to the local jurisdictions. Based on the latest Attachment A for the Fiscal Year 2001 Byrne Formula Grant awarded to the PCCD, up to \$6,167,704 is available for state level initiatives.

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Please provide BJA with an addendum to the Statewide Strategy Update for FY2002 that includes the electronic grants management information system as an official program. I look forward to hearing of your progress, discussions with other states and the successes realized as a result of implementation of this system.

Sincerely,



Richard R. Nedelkoff
Director