

John

SCAAP 2007

**Olson, Fay [DOC]**

---

**From:** SCAAP [SCAAP@usdoj.gov]  
**Sent:** Friday, November 02, 2007 3:55 PM  
**To:** SCAAP  
**Subject:** FY 2007 SCAAP Update

Dear FY 2007 SCAAP Applicants,

The Bureau of Justice Assistance (BJA) continues to work on processing the FY 2007 SCAAP applications.

BJA would like to remind FY 2007 SCAAP applicants of updates in the Guidelines, including that starting with 2007 SCAAP awards, funds may be used for "correctional purposes only." Jurisdictions receiving FY 2007 SCAAP awards will be required to certify, when they accept the awards, that they intend to use FY 2007 SCAAP funding for one or more of the corrections purposes appearing in the list within this email. Additionally, please note that inmate data submitted with SCAAP applications may be shared with other federal government agencies.

For questions regarding the use of funds list or suggestions for the list, please contact the SCAAP Help Desk at [SCAAP@usdoj.gov](mailto:SCAAP@usdoj.gov)

SCAAP Program Team

**FY 2007 SCAAP Use of Funds List**

- Salaries for corrections officers
- Overtime costs
- Performance based bonuses
- Corrections work force recruitment and retention
- Construction of corrections facilities
- Training / education for offenders
- Training for corrections officers related to offender population management
- Consultants involved with offender population
- Medical and mental health services
- Vehicle rental / purchase for transport of offenders
- Prison Industries
- Pre-release / reentry programs
- Technology involving offender management / inter agency information sharing
- Disaster preparedness continuity of operations for corrections facility

**BUREAU OF JUSTICE ASSISTANCE  
STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)**

**NEW: Use of SCAAP Awards**

The Department of Justice Reauthorization Act of 2005 (Pub. L. 109-162, Title XI) included the following requirement regarding the use of SCAAP funds: "Amounts appropriated pursuant to the authorization of appropriations in paragraph (5) that are distributed to a State or political subdivision of a State, including a municipality, may be used only for correctional purposes." Beginning with FY 2007 SCAAP awards, SCAAP funds must be used for correctional purposes only. Jurisdictions receiving SCAAP awards will be asked to report the projected use of these funds at the time the award is accepted.

**PART I: SCAAP Guidelines**

**SCAAP Overview**

The Bureau of Justice Assistance (BJA), Office of Justice Programs, U.S. Department of Justice, administers SCAAP, in conjunction with the U.S. Department of Homeland Security (DHS). SCAAP provides federal payments to states and localities that incurred correctional officer salary costs for incarcerating undocumented criminal aliens who have at least one felony or two misdemeanor convictions for violations of state or local law, and who are incarcerated for at least 4 consecutive days during the reporting period.

**SCAAP Legislative Authority**

SCAAP is governed by Section 241(l) of the Immigration and Nationality Act, 8 U.S.C. § 1231(i), as amended, and Title II, Subtitle C, Section 20301, Violent Crime Control and Law Enforcement Act of 1994, Pub. L. 103-322. In general terms, if a chief executive officer of a state or a political subdivision exercises authority over the incarceration of undocumented criminal aliens and submits a written request to the U.S. Attorney General, the Attorney General may provide compensation to that jurisdiction for those incarceration costs. SCAAP is subject to additional terms and conditions of yearly congressional appropriations.

**Eligible Applicants**

States and local units of government that have authority over correctional facilities that incarcerate or detain undocumented criminal aliens for a minimum of 4 consecutive days are eligible to apply for SCAAP funds. States and local units of general government include the 50 state governments, the District of Columbia, Guam, Puerto Rico, the U.S. Virgin Islands, and the more than 3,000 counties and cities with correctional facilities.

Regional jails, special jail districts, or regional jail authorities and boards do not qualify as political subdivisions of a state for purposes of SCAAP, and therefore are not eligible to directly apply for SCAAP funds. Each unit of government that houses inmates at a regional facility must apply independently for SCAAP funds, based on its own costs of housing its undocumented aliens in the regional facility. Regional facilities may not submit SCAAP applications on behalf of jurisdictions in its service area, nor may a regional facility submit one application for all participating jurisdictions, using one jurisdiction's name as the recipient.

**Authorized Officials**

SCAAP payments must go directly to eligible states and localities. Authorized jurisdiction employees for SCAAP purposes must be listed as either the Authorized Representative or Alternate Contact in the GMS User Profile. The chief executive officer (CEO) of an eligible jurisdiction may apply directly or delegate authority to another jurisdiction official. The CEO is generally considered the highest ranking elected or appointed official of a unit of government.

**Minimum Period of Incarceration**

Only eligible persons who were incarcerated for 4 or more consecutive days between July 1, 2005 and June 30, 2006 may be included in the FY 2007 SCAAP application.

**Multi-Jurisdictional Issues**

- Eligible inmates housed in the applicant's facility exclusively on behalf of another jurisdiction may only be reported by the sending jurisdiction, regardless of whether the applicant received reimbursement for related incarceration costs.