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The [U.S. Department of Justice \(DOJ\)](#), [Office of Justice Programs \(OJP\)](#), [Bureau of Justice Statistics \(BJS\)](#) is pleased to announce that it is seeking applications for funding to administer state/tribal activities under the 2012 National Criminal History Improvement Program (NCHIP). This program furthers the Department's mission to enhance the crime fighting and criminal justice capabilities of state and tribal governments by improving the accuracy, utility, and interstate accessibility of criminal history records and enhancing records of protective orders involving domestic violence and stalking, sex offender records, automated identification systems and other state systems supporting national records systems and their use for criminal history background checks. For the purpose of this solicitation the term "state" includes the District of Columbia and U.S. territories.

## FY 2012 National Criminal History Improvement Program (NCHIP)

### Eligibility

Applicants are limited to the agency designated by the governor in each state to administer the NCHIP program, and federally recognized tribal entities. States and tribes may choose to submit applications as part of a multi-state consortium, multi-tribe consortium, or other entity. In such cases, please contact your BJS program manager for further information.

### Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. (See "How to Apply," page 13.) All applications are due by 11:59 p.m. eastern time on March 26, 2012. (See "Deadlines: Registration and Application," page 5.)

### Contact Information

For technical assistance with submitting an application, contact Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, or via e-mail to [support@grants.gov](mailto:support@grants.gov).

**Note:** The [Grants.gov](#) Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any other requirement of this solicitation, contact Devon B. Adams, Chief, Criminal Justice Data Improvement Program, by telephone at 202-307-0765 or by e-mail at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include "2012NCHIP" in the subject line.

Grants.gov number assigned to announcement: **BJS-2012-3187**

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# **FY 2012 National Criminal History Improvement Program (NCHIP) CFDA # 16.554**

## **Overview**

BJS is publishing this notice to announce the continuation of the National Criminal History Improvement Program (NCHIP) in Fiscal Year (FY) 2012, identify the program priorities, and provide information on application requirements.

## **Program goals**

The goal of the NCHIP grant program is to improve the nation's safety and security by enhancing the quality, completeness, and accessibility of criminal history record information and by insuring the nationwide implementation of criminal justice and noncriminal justice background check systems. Achieving this goal is contingent on accomplishing four objectives:

- providing direct financial and technical assistance to states and tribes to improve their criminal records systems and other related systems in an effort to support background checks;
- ensuring the infrastructure is developed to connect criminal history records systems to the state record repository or appropriate federal agency record system and ensuring records are accessible through the Federal Bureau of Investigation (FBI) records systems;
- providing the training and technical assistance needed to ensure that records systems are developed and managed to conform to FBI standards, and appropriate technologies, while ensuring that contributing agencies adhere to the highest standards of practice with respect to privacy and confidentiality; and
- assessing and measuring through systematic evaluation and standardized performance measurement and statistics, progress made implementing improvements in national records holdings and background check systems.

The NCHIP program serves as an umbrella for various record improvement activities and funding streams, each of which has unique goals and objectives. As a basic principle of this program, BJS strongly encourages states and tribes to ensure the integrated functioning of record improvement initiatives, regardless of the funding source. Also, BJS strongly encourages applicants to match and/or leverage the federal funds provided with other resources to the maximum extent possible.

## Authorizing legislation

In the past, appropriations for the NCHIP program have been made pursuant to the Crime Identification Technology Act of 1998 and the procedures for applying for NCHIP grants generally reflect the provisions of that Act. The NCHIP program implements the grant provisions of—

- The Crime Identification Technology Act of 1998 (CITA), Pub. L. No. 105-251, 112 Stat.1871 (1998), codified at 42 USC Section 14601 et seq.;
- The Brady Handgun Violence Prevention Act (Brady Act), Pub. L. No. 103-159, 107 Stat.1536 (1993), codified as amended at 18 U.S.C. Section 921 et seq.;
- The National Child Protection Act of 1993 (NCPA), Pub. L. No. 103-209, 107 Stat. 2490 (1993), codified as amended at 42 U.S.C. Sections 3759, 5101 note, 5119, 5119a, 5119b, 5119c;
- those provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (Omnibus Act), Pub. L. No. 90 351, 82 Stat. 197 (1968), codified as amended at 42 U.S.C. Section 3711 et seq., as amended; and the Violent Crime Control and Law Enforcement Act of 1994 (Violent Crime Control Act), Pub. L. No.103 322, 108 Stat. 1796 (1994), codified as amended at 42 U.S.C. Section 13701 et seq., which pertain to the establishment, maintenance, analysis, or use of criminal history records and criminal record systems;
- relevant requirements of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, Pub. L. No. 103-322, 108 Stat. 2038, Megan's Law, Pub.L. No. 104-145, 110 Stat. 1345, and the Pam Lychner Sexual Offender Tracking and Identification Act of 1996, Pub. L. No. 104-236, 110 Stat. 3093; and Title 1 of the Adam Walsh Child Protection and Safety Act of 2006, Pub L. 109-248;
- The Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464 (2000) and related laws pertaining to the identification, collection, analysis and interstate exchange of records relating to domestic violence and stalking (including protection orders);
- The Violence Against Women Act of 1994, codified as amended at 42 U.S.C. Section 14031 et seq; and
- The Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. No. 109-162, 119 Stat 2960 (2006); and
- relevant requirements of the Tribal Law and Order Act, Pub. L. No. 111-211, 124 Stat 2299, Section 251(b)(1) (2010).

## Deadlines: Registration and Application

Applicants must register with Grants.gov prior to submitting an application. OJP encourages applicants to register several weeks before the application submission deadline. The deadline to apply for funding under this announcement is 11:59 p.m. eastern time on Monday, March 26, 2012. See the “How to Apply” section on page 13 for more details.

## Eligibility

The NCHIP application must be submitted by the agency designated by the Governor to administer the NCHIP program or a federally recognized Indian tribe. States and tribes may choose to submit applications as part of a multi-state consortium, multi-tribe consortium, or other entity. In such cases, please contact your BJS program manager for further information.

Also, as required by Crime Identification Technology Act of 1998 (CITA) under 42 USC 14601(c), to be eligible to receive an NCHIP grant, the application must specifically assure that the state, territory, or tribe—

1. has the capability to contribute pertinent information to the National Instant Criminal Background Check System (NICS) established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note).
2. is or will be following a comprehensive strategy for information sharing systems to improve the functioning of the criminal justice system, with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole. Further, the strategy must be developed in consultation with appropriate federal, state, or local officials with emphasis on the recommendation of officials whose duty it is to oversee, plan, and implement integrated information technology systems, and contain—
  - a. a definition and analysis of “integration” in the jurisdictions developing integrated information sharing systems;
  - b. an assessment of the criminal justice resources being devoted to information technology;
  - c. resource needs;
  - d. federal, state, regional, local, and tribal information technology coordination requirements; and
  - e. priorities for planning and implementation of information technology systems.
3. coordinates the programs funded by NCHIP with other federally funded information technology programs, including directly funded local programs; and,

4. assures that the individuals who developed the grant application took into consideration the needs of all branches of the government and **specifically sought the advice of the chief of the highest court of the jurisdiction, with respect to the application.**

(See "Additional Attachments" on page 20)

## Program-Specific Information

The NCHIP program was initiated in 1995 and has encompassed evolving efforts to support state activities for the establishment of records systems and the collection and use of criminal history and related records. Since 1995 direct awards under the basic NCHIP (including awards to "priority" states and awards under the Advanced State Award Program (ASAP) have totaled over \$556 million. In addition, \$6 million was transferred to the FBI for implementation of the National Instant Criminal Background Check System (NICS) and over \$20 million was awarded to provide direct technical assistance to states, to evaluate the program, and to collect statistics and research data on presale firearm checks.

The National Sex Offender Registry Assistance Program (NSOR-AP) was added to NCHIP in FY 1998, with a \$25 million appropriation to help states upgrade sex offender registries consistent with federal and state standards and to provide data to the FBI's National Sex Offender Registry. Since FY 1999, funding for state sex offender registries has been covered under the general NCHIP.

As part of the Violent Crime Control Act, the Violence Against Women Act of 1994 authorized a total of \$6 million for fiscal years 1996 through 1998 to improve processes for entering data on stalking and domestic violence into local, state, and national databases. The funds were incorporated into and awarded under the NCHIP program during those years. This program was re-authorized by the Violence Against Women Act of 2000 (Pub. L. No. 106-386, Section 8) at \$3 million per year for fiscal years 2001 through 2006, and funding was re-instituted in FY 2002. The Violence Against Women and Department of Justice Reauthorization Act of 2005 (Pub. L. No. 109-162, Section 109) authorized appropriations for the program at \$3 million for each of fiscal years 2007 through 2011.

To date, all states, the District of Columbia, and five U.S. territories have received funds under NCHIP. Federally recognized tribes are also eligible to apply for funds under NCHIP. Further information about the history of the NCHIP program and its accomplishments are available at [www.bjs.usdoj.gov/index.cfm?ty=tp&tid=47](http://www.bjs.usdoj.gov/index.cfm?ty=tp&tid=47). NCHIP has provided support to states in the following areas:

- improving disposition reporting and support for courts
- facilitating participation in the Interstate Identification Index (III)
- improving record automation and fingerprint data
- increasing participation in the National Instant Criminal Background Check System
- creating, updating, and enhancing sex offender registries
- improving identification and access to domestic violence records/protection orders.

## Issues and needs to be addressed

Despite the tremendous progress made toward criminal record improvements, several significant shortcomings remain.

- Many arrest records available through III – excluding those for the 15 states participating in the National Fingerprint File (NFF) – are missing case outcome information in the FBI's Criminal History File. Missing case disposition information also continues to plague many record systems. It remains vitally important that the courts and prosecutors be major players in the development of improvements to criminal records systems. The involvement of these officials is key to helping ensure the timely and accurate transmittal of disposition information, including non-prosecution outcomes, to criminal record repositories.
- Many entities are not submitting all available qualifying records to the NICS Index.
- Some entities are not yet submitting qualifying records to the National Crime Information Center (NCIC) Protection Order File, and the FBI reports continued problems with the appropriate flagging of protection orders regarding the prohibition for firearm purchases.

This program announcement is intended to target FY 2012 NCHIP resources on these specific needs as identified in the following priorities.

### Priority areas for grant funding

Through this competitive solicitation, BJS invites applications from states, territories, and tribes that (1) propose projects that specifically and directly address one or more of the priority areas identified below, and (2) to the maximum extent possible, propose to match and/or leverage the NCHIP award with other resources.

#### 1. **Updating and automating case outcomes from courts and prosecutors in state records and the FBI's Criminal History File**

Allowable costs may include activities such as—

- a. automating the interface between the record repository and prosecutors, courts, and corrections, including the development of relevant information exchange package documentation based on the National Information Exchange Model (NIEM);
- b. implementing improved criminal history record capture procedures, including complete arrest reporting and researching missing dispositions, provided that the captured data are subsequently included in relevant state and federal files;
- c. ensuring that records of all criminal events that start with an arrest or indictment are included in background check files;
- d. capturing data on domestic violence misdemeanor convictions;

- e. capturing data on persons convicted of abuse of children, the elderly, and the disabled and/or stalking and domestic violence offenses (including protection orders and violations thereof);
- f. implementing or upgrading record systems that facilitate immediate identification of disposition records, provided the records are accessible for criminal history inquiries;
- g. reducing any backlog of missing court dispositions;
- h. implementing the standardized RAP sheet format, which relies on NIEM, and assisting states in converting criminal history records to the standard interstate RAP sheet format or developing electronic interchange capabilities related thereto;
- i. converting manual or other non-automated records to electronic records;
- j. submitting disposition information to the FBI via the Interstate Identification Index (III) Message Key (MKE), Machine Readable Data (MRD) process, or other methods of transmission accepted by the FBI;
- k. establishing more effective accuracy and information quality controls;
- l. converting juvenile records to the adult system (federal regulations allow the FBI to accept juvenile records if submitted by the state or local arresting agency);
- m. upgrading equipment to directly improve availability of data where appropriate, given the level of data completeness and participation in national records systems (***the ongoing and/or maintenance costs associated with any such equipment are allowable only for the first 12-month period***);
- n. purchasing livescan equipment for local agencies where the funds can be justified on the basis of geographic, population, traffic, or other related factors, and only when the jurisdiction has established an Automated Fingerprint Identification System (AFIS) and either has implemented or is implementing procedures to ensure that the AFIS is compatible with FBI standards (***the ongoing and/or maintenance costs associated with any such equipment are allowable only for the first 12-month period***); and
- o. ensuring compatibility with federal record systems, such as III, and implementing integrated system strategies that interface all components of the criminal justice system, including law enforcement, prosecutors, courts, and corrections, to the extent that such expenditures improve the availability of criminal record data, including protection orders, and provided that any systems funded are compatible with FBI standards for national data systems, such as National Incident-Based Reporting System (NIBRS), National Crime Information Center (NCIC), NICS, Integrated Automated Fingerprint Identification System (IAFIS), the NCIC Protection Order File, and the NCIC National Convicted Sexual Offender Registry. However, funds may not be used to support studies, analysis, design, or development of integrated systems strategies.



**2. Automating access to information concerning persons prohibited from possessing or receiving a firearm and transmitting relevant records to III, NCIC, and the NICS Index, including persons who have been adjudicated as a mental defective or have been committed to a mental institution; are unlawful users of, or addicted to, any controlled substance; are the subject of protection or restraining orders; and/or have been convicted of a misdemeanor crime of domestic violence**

Allowable costs may include activities such as—

- a. identifying and developing access to data on persons prohibited from firearm purchases under the Gun Control Act (18 U.S.C. Section 922), as amended by the Brady Act;
- b. participating in the FBI's Identification for Firearms Sales (IFFS) program, which is a system for flagging Interstate Identification Index (III) records for the immediate and accurate identification of convicted felons;
- c. enabling the state to serve as a Point of Contact (POC) under the NICS system (including costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures). However, funds may not be used to cover ongoing costs of presale firearm background checks, but may be used to pay costs associated with capturing dispositions in response to a specific NICS inquiry, provided that the captured data are entered into the automated state and FBI system, thus serving to upgrade the permanent quality of the record systems;
- d. instituting programming or operational changes in records management necessary to comply with the requirements for NICS record-keeping and reporting the status of transactions; and
- e. establishing electronic interfaces and/or information exchanges between criminal history records, sex offender registry, and civil protection order files to ensure that, consistent with state law, a complete data review is possible in connection with background checks for child care or other authorized purposes. Funds may be used to develop software to establish protocols to permit interface between the criminal history record system, the state sex offender registry, and related protection order files, including files of civil protection orders.

**3. Full participation in the Interstate Identification Index (III) and the National Fingerprint File (NFF) including adoption and implementation of the National Crime Prevention and Privacy Compact**

Allowable costs may include activities such as—

- a. paying reasonable costs associated with the adoption and implementation of the National Crime Prevention and Privacy Compact, including those associated with state review and enactment of the Compact, and the development and implementation of procedures (including purchase of equipment and development of software) necessary to facilitate operations pursuant to Compact protocols including those relating to participation in the FBI's National Fingerprint File (NFF);

- b. automating criminal record databases;
- c. synchronizing records between the state and the FBI; and
- d. developing software and hardware necessary to enable electronic access to state records on an intrastate or interstate basis.

### **Amount and Length of Awards**

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law. The FY 2012 total appropriation is \$6 million.

FY 2012 NCHIP awards will be “new” awards as opposed to supplemental awards, and will be made for up to 12 months. Since the program builds on long-term NCHIP activity, grantees will have the flexibility to begin funded activities immediately on receipt of the award or as late as October 1, 2012. All activities must be scheduled to be completed by September 30, 2013. FY 2012 projects may overlap with FY 2011 projects or may run consecutively.

### **Budget Information**

#### **Limitation on Use of Award Funds for Employee Compensation; Waiver**

With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal Government’s Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. The 2012 salary table for SES employees is available at [www.opm.gov/oca/12tables/indexSES.asp](http://www.opm.gov/oca/12tables/indexSES.asp). Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Director of the Bureau of Justice Statistics. An applicant requesting a waiver should include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit its budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

#### **Minimization of Conference Costs**

No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such

sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from OJP. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP website at [www.ojp.usdoj.gov/funding/funding.htm](http://www.ojp.usdoj.gov/funding/funding.htm).

**Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits by individuals with limited English proficiency may be allowable costs. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section of the OJP "Other Requirements for OJP Applications" Web page ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)).

**Match Requirement (cash or in-kind)**

Federal funds awarded under this program may not cover more than 90% of the total costs of the project being funded. The applicant must identify the source of the 10% non-federal portion of the total project costs and how match funds will be used. If a successful applicant's proposed

match exceeds the required match amount, the match amount that is incorporated into its OJP-approved budget is mandatory and subject to audit. (Match is restricted to the same uses of funds as allowed for the federal funds.) Applicants may satisfy this match requirement with either cash or in-kind services. The formula for calculating the match is:

$$\frac{\text{Federal Award Amount}}{\text{Federal Share Percentage}} = \text{Adjusted (Total) Project Costs}$$

$$\text{Required Recipient's Share Percentage} \times \text{Adjusted Project Cost} = \text{Required Match}$$

**Example:** 90%/10% match requirement: for a federal award amount of \$500,000, match would be calculated as follows:

$$\frac{\$500,000}{90\%} = \$555,555 \quad 10\% \times \$555,555 = \$55,555 \text{ match}$$

Applicants are encouraged to propose matching and/or leveraging the NCHIP award to the maximum extent possible with other resources in their application. The narrative should include a description of cash contributions, in-kind services, or activities, with accompanying fiscal implications which will serve as the match for activities funded under NCHIP.

## Performance Measures

To assist the Department in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. Any award recipient will be required, post award, to provide the data requested in the “Data Grantee Provides” column so that OJP can calculate values for the “Performance Measures” column. Performance measures for this solicitation are as follows:

Objective	Performance Measure(s)	Data Grantee Provides
<p>Improve criminal history record systems in the states and territories to support background checks for the purposes of identifying ineligible firearms purchasers, as well as persons ineligible to hold positions involving children, the elderly, or the disabled.</p>	<p>Percentage of recent state/tribal records which are automated.</p> <p>Percentage of records accessible through Interstate Identification Index (III).</p> <p>Percentage of applications for firearms transfers rejected primarily for the presence of a prior felony conviction.</p>	<p>Number of criminal history records, manual and automated, in the state's/tribe's criminal history file.</p> <p>Number of fully automated records (records for which the master name index and entire criminal history are automated) in the state's or tribe's criminal history database.</p> <p>Number of records available through the Interstate Identification Index (III) System (including arrests and case outcomes).</p> <p>Number of arrests reported to the repository by mail, fax, electronic, and other means of submission; of these, the number communicated by automated interface.</p> <p>Number of court dispositions reported to the repository by mail, fax, electronic, and other means of submission.</p> <p>Number of court dispositions reported to the repository by mail, fax, electronic, and other means of submission.</p> <p>Number of applications for firearms transfers.</p> <p>Number of applications for firearms transfers rejected for the presence of a prior felony conviction or other ineligibility factor.</p>
<p>Ensure that the infrastructure is developed to connect each state's and tribe's records systems to national records and, in turn, to connect each state's background check databases to one another.</p>	<p>Number of states and tribes participating in the FBI's Integrated Automated Fingerprint Identification System (IAFIS).</p> <p>Number of states and tribes participating in the FBI's protection order file (POF).</p>	<p>Number of records submitted to the FBI's Integrated Automated Fingerprint Identification System (IAFIS).</p> <p>Number of records submitted to the FBI's protection order file (POF).</p>

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section “What an Application Should Include” (page 16) for additional information.

### **Note on Project Evaluations**

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements likely do not constitute “research.” Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, “a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge” 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the “Research and the Protection of Human Subjects” section of the OJP “Other Requirements for OJP Applications” Web page ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)). Applicants whose proposals may involve a research or statistical component also should review the “Confidentiality” section on that Web page.

### **Notice of Post-Award FFATA Reporting Requirement**

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at [www.fsrs.gov](http://www.fsrs.gov).

Please note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

### **How to Apply**

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal awards to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be

found at [www.Grants.gov](http://www.Grants.gov). If the applicant experiences technical difficulties at any point during this process, call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.
2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).
3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to [www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Note that there can be more than one AOR for the organization.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is CFDA 16.554, titled, "National Criminal History Improvement Program "(NCHIP) and the funding opportunity number is BJS-2012-3187.

6. **Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.
7. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation. **Important:** Applicants are urged to submit applications **at least 72 hours prior** to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

**Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). GMS does not accept executable file types as application attachments.** These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

**Note: Duplicate Applications**

If an applicant submits multiple versions of an application, BJS will review the most recent version submitted.

**Experiencing Unforeseen Grants.gov Technical Issues**

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must email the BJS staff contact identified in the Contact Information section on cover page **within 24 hours after the application deadline** and request approval to submit its application. The applicant must include in the e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) the applicant has received. **Note: Requests are not automatically approved by BJS.** After the program office reviews all of the information submitted, and contacts the Grants.gov Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding Web page at [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

## What an Application Should Include

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are unresponsive to the scope of the solicitation, or that do not include application elements designated by BJS to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative. The Budget Narrative and the Budget Detail Worksheet may be combined in one document. However, if only one document is submitted, it must contain **both** narrative and detail information.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. OJP recommends that resumes be included in a single file.

Applicants should submit the following:

### 1. Information to Complete the Application for Federal Assistance (SF 424)

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and GMS take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

### 2. Program Narrative (Attachment #1)

The program narrative should include the following four sections:

#### Section 1: Background and identification of needs

Accomplishments. Applicants must provide a detailed summary of the major accomplishments achieved with funding under NCHIP. This section should describe, in quantifiable terms if possible, results achieved and advances made since the inception of NCHIP. Accomplishments can be grouped in blocks of years (e.g. 1995-1999; 2000-2005; 2006 – present). Specifically address accomplishments relating to participation in each of the national databases and initiatives (i.e., III, NICS, NCIC Protection Order File, IAFIS, mental health records, and livescan/AFIS capability). Where relevant, reference should be made to surveys and data quality audits.

Progress on record improvement goals. This section should include a short update of current efforts relating to improvement of criminal history and related records (including efforts supported under OJP and other federal or state funded programs) and should discuss any evaluative efforts undertaken to identify the key areas of weakness in the



state's criminal record system since submission of previous NCHIP applications. Tribal applicants should discuss progress related to record automation and improvement funded by other federal sources that are applicable to the above areas.

**Current status in specific subject areas.** Please describe the status of the applicant's participation in each of the following subject areas in your application and include current number of records in each system, where applicable.

- Disposition available to III. All applicants should discuss the percentage of state records with final dispositions/case outcomes linked to arrests and available at the time of a firearm background check. Applicants should provide information on efforts to improve reporting and availability at the national level. The application should also discuss the extent to which dispositions requested in connection with a NICS inquiry have not been provided within the required time frame and must identify any problems that are delaying instant responses to NICS inquiries and identify proposed solutions to these problems.
- NICS Index and mental health record availability. All applications should discuss the extent to which the applicant provides information to the FBI's NICS Index. Applicants that do not submit information to this file should describe the prohibiting factors and any plans to overcome them. Additionally, all applicants should indicate whether mental health records are checked, either by the state POC or the FBI, during a NICS check. Where mental health records are accessible, please include the number of records currently available and any plans to improve availability. If mental health records are not currently accessible at the time of a background check, please describe factors which limit or prohibit exchange of mental health records.
- Protection order files. All applicants should indicate whether they submit information for inclusion in the FBI's NCIC Protection Order file. Applicants that submit protection orders should indicate the number of active protection orders provided to the FBI. Applicants that do not submit protection orders should describe the prohibiting factors and any plans to overcome them.
- Sex offender registry. All applicants should discuss the extent to which the applicant provides information to the FBI's NCIC Convicted Sexual Offender Registry file, including the current number of records available through NCIC.

## **Section 2: Description of tasks to be funded under NCHIP**

Please describe the activities to be conducted with NCHIP funds over the project period and specifically address how activities relate to each of the priority areas identified under "Priority areas for grant funding" on Page 7. **Dollar amounts should be included for each funded task.**

- Courts. In recognition of the importance of court reporting to the development of complete and accurate criminal records, all applications should describe tasks and indicate the level of funds that will be made directly available to the courts. **Where no**

**funds are provided for court-directed disposition reporting activities, a certification by the appropriate state or tribal court official declining participation must be included with this section.**

### **Section 3: Coordination**

The administering NCHIP agency should coordinate efforts with relevant emergency management task forces and agencies to ensure that records development activities are compatible with security measures for preventing acts of terrorism.

To encourage coordination and information sharing among criminal justice systems, all OJP awards that support information technology development are subject to a special condition requiring that a description of the project be submitted to the state Information Technology POC, if one has been designated. A copy of the correspondence can be submitted as part of Other Attachments (see below) or sent directly to BJS prior to fund drawdown.

There is no requirement that the point of contact concur with the information technology project. The intent of this condition is to facilitate communication within the state.

Recipients of funds under this solicitation should seek to ensure that any funded activities will be coordinated with related activities supported with OJP funding including awards under OJP's Residential Substance Abuse Treatment Program, Drug Court Program, or the Mentally Ill Offender Act Program. Of particular interest are awards under these programs which may involve reportable records that can be shared with state and national record systems. To the extent feasible under state law and regulations, such records should be made available to the state criminal history record repository and federal files managed by the FBI, including III, NCIC, IAFIS and the NICS Index.

Tribal applicants should provide documentation that activities proposed for funding will be coordinated with a tribal consortia, state, or directly with the FBI.

Unexpended funds. The application should describe the specific reasons that previously awarded NCHIP funds remain unexpended (if applicable) and include the current unexpended balance.

Compatibility with other systems. The application should describe the extent to which proposed activities are compatible with NIBRS, NCIC, NICS, IAFIS, and other applicable statewide or regional criminal justice information sharing standards or plans, including state anti-terrorism plans.

### **Section 4: Plan for Collecting the Data Required for this Solicitation's Performance Measures**

Submission of performance measures data is not required for the application. Performance measures are included as an alert that successful applicants will be required to submit specific data to BJS as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should the applicant receive funding.

### 3. Budget Detail Worksheet and Budget Narrative (Attachment #2)

#### a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at [www.ojp.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.gov/funding/forms/budget_detail.pdf). If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, please see the OJP Financial Guide at [www.ojp.usdoj.gov/financialguide/index.htm](http://www.ojp.usdoj.gov/financialguide/index.htm).

#### b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. Proposed budgets are expected to be complete; reasonable and allowable; cost effective; and necessary for project activities. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how all costs were estimated and calculated and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

**Match.** There is a 10% cash or in-kind match requirement in connection with the FY 2012 NCHIP program. The narrative should include a description of cash contributions, in-kind services, or activities (with accompanying fiscal implications) that will serve as the match for activities funded under NCHIP. BJS will consider all documented efforts underway in the jurisdiction which are designed to contribute to, or meet, NCHIP program goals to be allowable in support of the 10% match requirement. BJS will work with applicants to ensure that they properly identify and quantify all records improvement activities being undertaken within the jurisdiction so as to include, where appropriate, these improvement efforts within the match definition.

#### 4. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at [www.ojp.usdoj.gov/funding/pdfs/indirect\\_costs.pdf](http://www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf).

#### 5. Tribal Authorizing Resolution (if applicable)

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the

inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).

If an applicant is unable to obtain and submit with its application a fully-executed (If an applicant is unable to obtain and submit with its application a fully-executed (*i.e.*, signed) copy of a tribal resolution or other, comparable legal documentation as may be consistent with the tribe's governance structure, then, at minimum, the applicant should submit an unsigned, draft version of such legal documentation as part of its application (except in cases where, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, use of and access to funds will be contingent on receipt of the fully-executed tribal resolution or other, comparable legal documentation.

## **6. Additional Attachments**

The following documents are required and should be submitted as attachments:

- letter of support/commitment from the courts (particularly if no funds are going to the courts);
- letter to the state Information Technology POC describing the current application request, as referenced above;
- as required by CITA, the authorizing legislation for the NCHIP program, a statement certifying that (1) the state/territory/tribe is either currently participating in the Interstate Identification Index (III) or actively working toward such participation, and (2) has initiated, or will initiate, a comprehensive strategy for statewide or tribe-wide information sharing that emphasizes the integration of all criminal justice system components, including law enforcement, courts, prosecution, corrections, and probation and parole; and
- a 1-year project timeline outlining each activity, completion time, and responsible party.

## **7. Other Standard Forms**

Additional forms that may be required in connection with an award are available on OJP's funding page at [www.ojp.usdoj.gov/funding/forms.htm](http://www.ojp.usdoj.gov/funding/forms.htm). For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms.

- a. [Standard Assurances](#)  
Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.
- b. [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)  
Applicants must read, certify and submit in GMS prior to the receipt of any award funds.
- c. [Accounting System and Financial Capability Questionnaire](#) (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and submitted).

## Selection Criteria

All applications should be responsive to this Program Announcement. Applicants are strongly encouraged to review the evaluation criteria BJS will use in making funding decisions before deciding whether to submit an application for this competitive solicitation. Applicants should understand that applications should respond to priorities identified and that full funding may not be possible for all proposed activities. **For FY 2012, NCHIP grants will be made on a competitive basis. Completeness of the application, in terms of all required information, will be a key consideration for BJS.** Awards will also be based on the following review criteria:

### (1) Statement of the Problem as Described in the Program Narrative (25%)

- the application proposes to directly address one or more of the priorities as identified in the solicitation.
- the extent to which the application addresses the scope of the need and identifies **quantifiable** measures to demonstrate how the funds will improve the quality, completeness, and accessibility of records at the national level.

### (2) Project/Program Design and Implementation (20%)

- the extent to which the application recognizes the role of the courts in ensuring complete records.
- the extent to which the proposal appears reasonable in light of the applicant's current level of system development and statutory framework.
- the extent to which the application demonstrates the technical feasibility of the proposed task(s) and details the specific implementation plan to achieve the intended deliverables.

### (3) Capabilities/Competencies (25%)

- evidence of applicant's progress in record quality improvement efforts as demonstrated by making relevant records available for national background checks and the reported number of records currently available in the national files.

- the extent to which the applicant has fulfilled goals of previous NCHIP awards (or related criminal record improvement awards), **including consideration of the total funds already awarded and expended funds from previous awards.**
- the applicant's commitment to the national record system as evidenced by membership in III and participation in the FBI's NFF, and the current status of development of its criminal records.

**(4) Plan for Collecting the Data required for this Solicitation's Performance Measures (5%)**

**(5) Budget complete; reasonable and allowable; cost effective; and necessary for project activities (15%)**

- the reasonableness of the budget, including the basis of the estimates, nature of the proposed expenditures, and their relation to the priorities identified herein.
- the extent to which the applicant proposes to match and/or leverage the NCHIP award with other resources.
- the extent to which the applicant proposes to leverage funds to **directly** support activities associated with the proposed tasks.

**(6) Impact/Outcomes and Evaluation (10%)**

- the extent to which the application identifies the anticipated outcomes of the proposed project(s) in **quantifiable** terms to demonstrate the anticipated level of impact at the national level.

**Review Process**

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Statistics reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. Applications for formula awards will be reviewed to ensure statutory requirements have been met.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. BJS may use either internal peer reviewers, external peer reviewers, or a combination, to review the applications under this solicitation. An external peer reviewer is an expert in the subject matter of a given solicitation who is NOT a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Applications that meet basic minimum requirements will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with Bureau of Justice Statistics, conducts a financial review of applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

All final award decisions will be made by the Director of the Bureau of Justice Statistics, who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

## **Additional Requirements**

Applicants selected for award must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at [www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations

- For-profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of \$5,000,000 – Federal Taxes Certification Requirement
- Active CCR Registration

### **Provide Feedback to OJP on This Solicitation**

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).



# Application Checklist

## 2012 National Criminal History Improvement Program

The application check list has been created to aid you in developing your application. Please refer to corresponding sections in the Program Announcement to determine specific content of each of these sections.

### Eligibility Requirement:

- Agency Designated by the Governor to Administer NCHIP
- Federally recognized tribal entity

### What an Application Should Include

- Application for Federal Assistance (SF-424) (see page 16)
- Program Narrative (see pgs 16-18)
- Budget Detail Worksheet (see page 19)
- Budget Narrative (see page 19)
- Disclosure of Lobbying Activities (SF-LLL) (see page 15)
- Indirect Cost Rate Agreement, (if applicable) (see page 19)
- Tribal Authorizing Resolution, (if applicable) (see page 19)
- Additional Attachments (see page 20)
  - Letter of Support/Commitment from the Courts
  - Letter to State IT POC
  - CITA Certification Statement
  - 1-year Project Period Timeline
- Other Standard Forms as applicable (see page 20)
  - Accounting System and Financial Capability Questionnaire (if applicable)