

National Forensic Sciences Improvement Act

Information Memorandum 2002

MEMORANDUM TO: State Administrative Agency Directors
State Administrative Agency Contacts

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SUBJECT: Paul Coverdell National Forensic Sciences Improvement Act
Grants

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I. National Forensic Sciences Improvement Act Formula Grant Program Appropriation

President Bush signed the Omnibus Consolidated Appropriations Act of 2002 on November 28, 2001, covering the Department of Justice's programs for Fiscal Year (FY) 2002. This bill provides funding for Public Law 106-561, the Paul Coverdell Forensic Sciences Improvement Grants in the amount of \$5 million. The Paul Coverdell National Forensic Sciences Improvement Act (herein after referred to as NFSIA for the National Forensic Sciences Improvement Act), authorizes funding to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes. The State allocation table is attached as Appendix 1.

II. Program Description

In general, the NFSIA program provides funding to crime laboratories and medical examiner's offices through the State Administrating Agency (SAA) based on population and crime statistics. The program permits funding for expenses

related to facilities, personnel, computerization, equipment, supplies, accreditation, certification, education, and training. NFSIA requires that States receiving a grant under the program use the award to carry out all or a substantial part of a program to improve the quality and timeliness of forensic science or medical examiner services in the State. Included are those services provided by laboratories or medical examiner's offices operated by the State and those operated by units of local government within the State. Funds *may not* be used for any general law enforcement or non-forensic investigatory function.

III. **Required Elements of the Program**

NFSIA requires that States certify the existence of a consolidated State plan for forensic science laboratories operated by the State or other units of local government within a State. State applications must specifically describe how grant funds will augment the implementation or utility of the consolidated State forensic science plan, and the State plan should be attached as an appendix to the application. This program requires no State match.

Applications must be submitted through the designated State Administrating Agency (SAA). Since the NFSIA funds received are to be used to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes, a certification is required attesting that the State or unit of local government within the State has:

- A. An established forensic science laboratory or laboratory system that:
 - Employs one or more full-time scientists whose principal duties are examining physical evidence for law enforcement agencies in criminal matters and providing testimony with respect to such physical evidence to the criminal justice system.
 - Employs generally accepted practices and procedures, as established by appropriate accrediting organizations.
 - Is accredited by the Laboratory Accreditation Board of the American Society of Crime Laboratory Directors Laboratory Accreditation Board (ASCLD-LAB) or the National Association of Medical Examiners (NAME), or will use a portion of the grant amount to prepare and apply for such accreditation by not later than two years after the date a grant is initially awarded.

- B. A medical examiner's office (as defined by the National Association of Medical Examiners) that:

- Employs generally accepted practices and procedures, as established by appropriate accrediting organizations.
- Is accredited by the Laboratory Accreditation Board of the American Society of Crime Laboratory Directors Laboratory Accreditation Board (ASCLD-LAB) or the National Association of Medical Examiners (NAME), or will use a portion of the grant amount to prepare and apply for such accreditation by not later than two years after the date a grant is initially awarded.

States are encouraged to assess all aspects of evidentiary forensic sample examination--from crime scene through laboratory analysis--to identify bottlenecks and general inefficiencies that could be alleviated with NFSIA funds. The result of NFSIA funding should be a demonstrated improvement over current operations in the average number of days between submission of a sample to a forensic science laboratory and the delivery of test results to the requesting office or agency.

The following examples may be considered when developing applications. These examples are not meant to be inclusive, but rather may be used for guidance when assessing needs and determining the best approach for enhancing overall efficiency and productivity:

- Accreditation costs, including preparation (e.g., installation of required security systems) and fees associated with accreditation.
- Facilities construction, including short-term and long-term evidence storage facilities, amplification rooms, evidence examination and preparation rooms, drying rooms, walk-in freezers, ballistic test ranges, etc.
- Personnel, including overtime, fellowships, or visiting scientists.
- Automation or semi-automation of analytical tasks currently performed manually (e.g., robotics, auto-samplers to laboratory instrumentation, expert systems).
- Replacement of manual documentation and record keeping processes with automated or electronic systems (e.g., bar code labeling of evidence, Laboratory Information Management Systems).
- Outsourcing analytical or relevant administrative or quality assurance and quality control tasks (e.g., equipment calibration) where outsourcing can be shown to improve efficiency or economy.

- Purchasing instrumentation or computer equipment to increase concurrent analytical or data analyses.
- Upgraded analytical instrumentation, computer equipment, or software that will allow faster, more robust analyses or provide improved abilities to import data or interface with other systems.
- Purchasing additional frequently used items (e.g., pipettors, microscopes, hoods) so that analysts do not have to wait to perform essential parts of the testing process.
- Purchasing improved or upgraded test kits, reagents, or other supplies or support items that will allow increasingly comprehensive or discriminatory information to be obtained from evidentiary samples.
- Implementation of methods that will more thoroughly or efficiently screen evidentiary items to locate probative samples for subsequent laboratory analysis (e.g., alternate light source).
- Training and educating laboratory personnel to increase the number of fully trained analysts while minimizing use of existing personnel resources for training support.

IV. **Allocation, Restrictions and Limitations on Use of Funds**

A total of \$4,863,000.00 is available for the NFSIA program for fiscal year 2002. Award amounts are pre-determined according to the allocation criteria set forth in 42 U.S.C. § 37971 [section 2803(a)] for each fiscal year. Because funding distribution is based on fiscal year allocation, grant eligibility for all States will expire at the end of the 2002 fiscal year. Therefore, States that do not qualify, or that choose not to submit an application for the fiscal year 2002 NFSIA program by September 30, 2002, will not be eligible to receive funds under the fiscal year 2002 program. Allocation criteria set forth in 42 U.S.C. § 37971 [section 2803(a)] requires that:

1. Seventy-five percent (\$3,406,704.00) of the total amount made available to carry out the program shall be allocated to each State that meets the required elements of the program, so that each State receives an amount based on population statistics (Appendix 1).

Expenditures from the population allocation may include the following:

- **Laboratory and Computer Equipment:** NFSIA funds may be used for upgrading, replacing, and purchasing laboratory

equipment, instrumentation, and computer hardware or software for forensic analyses and data management.

- **Supplies:** NFSIA funds may be used for acquiring laboratory supplies needed to perform analyses and to conduct validation studies, and for other expenses directly attributable to conducting various types of forensic analyses.
- **Personnel:** NFSIA funds may be used for costs associated with personnel such as overtime, fellowships, visiting scientists, interns, or contracted staff.
- **Facilities:** NFSIA funds may be used for the construction or renovation of facilities that will improve the effectiveness or efficiency of forensic laboratory operation. For example, benches, cabinets, interior dividing walls, evidence storage rooms, or extraction rooms can be funded when it can be demonstrated that such construction will improve the efficiency of the laboratory.
- **Accreditation and Certification:** NFSIA funds may be used, in whole or in part, to prepare and apply for ASCLD-LAB or NAME accreditation by not later than 2 years after the date on which a grant is initially awarded. It is further expected that applicants to such certifying / accrediting organizations will remedy any deficiencies obstructing accreditation within one year of notification of the deficiencies.
- **Education and Training:** NFSIA funds may be used for appropriate internal and external training and continuing education/ training opportunities or applicable graduate-level course work. The training must be directly applicable to the job position and duties of the individual(s) receiving the training, which will be demonstrated as part of the application.

Not more than ten percent of the total amount of a grant awarded under this program may be used for administrative expenses.

If NFSIA funds are to be used to construct a new facility, a specific description of that facility must be submitted as an appendix to the application, including estimated costs and a certification that the amount of the grant used for the costs of the facility will not exceed the following limitations:

States receiving the minimum grant amount, \$29,178 (0.6% of the total amount made available for this fiscal year, \$4,863,000.00), shall not use more than 80% of the total amount of the population allocation for the cost of any new facility constructed as a part of

this program. States who receive grants that exceed \$29,178 shall not use more than 80% up to this amount, and not more than 40% of the amount of the grant in excess of this amount for the costs of any new facility construction. For example, if your State is eligible for \$100,000 under the population allocation and you wish to use a portion of the grant for facilities construction, the following calculation would be used:

$$\$29,178 \times .80 = \mathbf{\$23,342.40}$$

$$\$100,000 - \$29,178 = \$70,822$$

$$\$70,822 \times .40 = \mathbf{\$28,328.80}$$

$\$23,342.40 + \$28,328.80 = \mathbf{\$51,671.20}$ can be used for facility construction.

2. Twenty-five percent (\$1,215,750.00) of the total amount made available to carry out the program will be allocated pursuant to the Attorney General's discretion to States with above average rates for part 1 violent crimes, based on the average number of part 1 violent crimes reported by such States to the FBI for the 3 most recent calendar years for which such data is available. States eligible to receive discretionary funding are listed in Appendix 2. This year, the National Institute of Justice will allocate discretionary funding to eligible States for education and training purposes (see the bullet "Education and Training" above).

V. **Fiscal Year 2002 Application Process**

Those interested in submitting applications in response to this announcement must complete the required application forms and submit related required documents. (See below for how to obtain application forms and guides for completing proposals.) Applicants must include the following information/forms to qualify for consideration:

- Standard Form (SF) 424--application for Federal assistance
- Geographic Areas Affected Worksheet
- Assurances
- Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (one form)
- Disclosure of Lobbying Activities
- Budget Detail Worksheet
- Budget Narrative
- Negotiated indirect rate agreement (if appropriate)
- Names and affiliations of all key persons from applicant and subcontractor(s), advisors, consultants, and advisory board members. Include name of principal investigator, title, organizational affiliation (if any), department (if institution of higher education), address, phone, and fax, and e-mail address

- Proposal abstract
- Table of contents
- Program narrative or technical proposal
- Privacy certificate
- Form 310 (Protection of Human Subjects Assurance Identification/Certification/Declaration)
- Environmental Assessment (if required)
- Statutory Assurances (Appendix 3)
- References
- Letters of cooperation from organizations collaborating in the research project
- Résumés of key individuals
- Appendixes, if any (e.g., state plan, facility construction detail sheet, list of previous NIJ awards, their status, and products [in NIJ or other publications])
- Proposal Abstract -The proposal abstract, when read separately from the rest of the application, is meant to serve as a succinct and accurate description of the proposed expenditure. Use the following two headers: *Project Goals and Objectives, Project Design and Methodology*
- Budget Narrative - See "How much detail should be included in the budget narrative?" in the Guidelines for Submitting Proposals for National Institute of Justice-Sponsored Research (available at www.ojp.usdoj.gov/nij/funding_app.htm).
- Program Narrative - The program narrative addresses the project objectives, the expected results, and the implementation approach. The program narrative must specifically describe how expenditures of grant funds will augment the implementation or utility of the consolidated State forensic science plan. The program narrative should also demonstrate, specifically and comprehensively, how requested funds will improve laboratory efficiency and productivity *over current operations*. The program narrative must not exceed 30 (double-spaced pages), no matter the amount of funding.

Confidentiality of information and human subjects protection. NIJ has adopted new policies and procedures regarding the confidentiality of information and human subjects protection. Please see the *Guidelines for Submitting Proposals for National Institute of Justice-Sponsored Research* for details on the new requirements.

Record Maintenance and Access. Each State or local unit of government within the State that receives funding under this program will maintain records relating to the receipt and use of the total grant amount. The Attorney General and the Comptroller General of the United States (or designee thereof) will have access to these records for audit and examination purposes.

Reporting Requirement. Each State that receives a grant shall submit a report within 180 days of the end of the award period which will include a summary and assessment of the program carried out with the grant, the average number of days between submission of a sample to a forensic science laboratory and the delivery of test results to requesting office or agency.

Due date. Completed proposals **must be received** at the National Institute of Justice by the close of business on September 30, 2002. Extensions of this deadline will not be permitted.

Award period. In general, NIJ limits its grants to a maximum period of 12 months.

Number of awards. NIJ anticipates supporting every State who submits an application which meets the required elements of the program and guidelines for limitations and restrictions for use of funds.

Award amount. Awards totaling approximately \$4.8M will be made available for this NIJ program.

Applying. Two packets need to be obtained: (1) application forms (including a sample budget worksheet) and (2) guidelines for submitting proposals (including requirements for proposal writers and requirements for grant recipients). To receive them, applicants can:

- Access the Justice Information Center on the Web:
<http://www.ncjrs.org/fedgrant.html#nij> or the NIJ Web site:
<http://www.ojp.usdoj.gov/nij/funding.htm>

These Web sites offer the NIJ application forms and guidelines as electronic files that may be downloaded to a personal computer.

- Request hard copies of the forms and guidelines by mail from the National Criminal Justice Reference Service at 800-851-3420 or from the Department of Justice Response Center at 800-421-6770 (in the Washington, D.C., area, at 202-307-1480).
- Request copies by fax. Call 800-851-3420 and select option 1, then option 1 again for NIJ. Code is 1023.

Guidance and information. Applicants who wish to receive additional guidance and information may contact the U.S. Department of Justice Response Center at 800-421-6770. Center staff can provide assistance or refer applicants to an appropriate NIJ professional. Applicants may, for example, wish to discuss their prospective proposals with the NIJ professional staff.

Send completed forms to:

Application for National Forensic Sciences Improvement Act for FY 2002
National Institute of Justice
810 Seventh Street NW
Washington, DC 20531
[overnight courier ZIP code 20001]