

**Convicted Offender DNA Backlog Reduction Program
(In-House Analysis) Solicitation Fiscal Year 2005 (SL000709)**

May 27, 2005

The National Institute of Justice (NIJ), a component of the Office of Justice Programs (OJP), U.S. Department of Justice, announces that funding is now available to States (including the District of Columbia and the Commonwealth of Puerto Rico) through the Fiscal Year 2005 Convicted Offender DNA Backlog Reduction Program (In-House Analysis).¹

Funds are to be used by States to reduce their backlog of unanalyzed convicted offender DNA samples through in-house analysis.

The objective of this program is to accelerate the analysis of convicted offender samples collected by States in order to provide CODIS-compatible data for all 13 CODIS core STR loci for local, State, and national DNA databases so that law enforcement is provided with critical investigative information in a timely manner. All convicted offender DNA profiles obtained with funding from this announcement are to be included in the Combined DNA Index System (CODIS) and the National DNA Index System (NDIS).

Please read this announcement carefully for important information on eligibility, funding amounts, and application instructions.

The deadline for applications is June 28, 2005. Applications must be submitted online through the OJP Web-based Grants Management System (GMS). Begin the process early by registering at <http://www.ojp.usdoj.gov/fundopps.htm>.

¹ The U.S. Territories of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands also may be eligible for funding for existing laboratories. Please contact NIJ for more instructions.

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I. Funding for the Convicted Offender DNA Backlog Reduction Program (In-House Analysis)

In December 2004, President George W. Bush signed the Department of Justice Appropriations Act, 2005 (Public Law 108-447, Division B, Title 1). The act appropriated \$110 million for a DNA analysis and capacity enhancement program. Approximately \$6 million is being made available for States to perform in-house analysis of convicted offender samples.

II. Eligibility and Program Description

This announcement permits those States choosing to analyze convicted offender samples within their own laboratories to submit an application to the National Institute of Justice (NIJ). Applicants for these funds must be State governments.² All convicted offender samples analyzed under this program must be analyzed for all 13 CODIS core STR loci - **FGA, vWA, D3S1358, CSF1PO, TPOX, THO1, D18S51, D21S11, D8S1179, D7S820, D13S317, D5S818, and D16S539** using commercially available PCR kits accepted by the National DNA Index System (NDIS). The resulting DNA profiles must be entered into the State and national DNA databases.

Eligible applicants are States with an existing crime laboratory that conducts DNA analysis of convicted offender DNA samples that—

1. Is accredited by a nonprofit professional association actively involved in forensic science that is nationally recognized within the forensic science community such as the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or Forensic Quality Services (FQS), **or**

² For those States that utilize a laboratory operated by a unit of local government for analysis of the convicted offender samples, the application must be submitted by the local agency having oversight of the DNA database program.

Undergoes external audits (not less than once every 2 years) that demonstrate compliance with DNA Quality Assurance Standards issued by the Director of the Federal Bureau of Investigation (FBI), and

2. Possesses sufficient in-house DNA analysis capacity to analyze at least 50 percent of their annual receipt of convicted offender DNA samples, **or** a minimum of 5,000 convicted offender DNA samples per month.

Funds are to be used for the purchase of supplies and overtime for current laboratory personnel involved in the in-house DNA testing of convicted offender samples. (For additional information, see Section IV.)

Funding will be based upon the number of convicted offender samples projected to be analyzed with Federal funds and the amount awarded will not exceed \$30 per sample analyzed. The State's backlog of convicted offender samples eligible for funding is that number of samples anticipated to be collected as of September 30, 2005.

Applications must meet the specific requirements set forth in this announcement (including those concerning permissible uses of funds) and must satisfy all other applicable requirements, including those that apply generally to NIJ and OJP awards. All awards are subject to the availability of appropriated funds.

III. Expected Results and Outcomes

The result of receiving Convicted Offender DNA Backlog Reduction Program (In-House Analysis) funding should be a demonstrated reduction in the estimated number of convicted offender samples awaiting DNA analysis in the backlog as of September 30, 2005. All eligible DNA profiles obtained with funding from this solicitation are to be included in CODIS and NDIS.

Award recipients will be expected to comply with the following requirements:

- States that receive funding to conduct in-house analysis of their convicted offender samples must begin analysis of backlogged convicted offender samples within sixty (60) days of receipt of notification of their award by NIJ. The first samples should be completed within thirty (30) days of beginning analysis.
- States will be required to complete the analysis of the number of samples identified for funding under this award by the end of the award period. Any variations must be approved by NIJ.

- States must be in compliance with the FBI Director's *Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories*. The State must analyze the convicted offender samples for all of the 13 CODIS core loci.
- The State agrees that all of the data generated using award funds will be expeditiously entered into the State and National DNA Index System.
- The State performing in-house convicted offender DNA analyses will provide an assurance that the in-house testing funded by this award will not adversely affect the lab's ability to process forensic case samples in a timely manner.
- States will provide information as to why the use of the NIJ Convicted Offender DNA Backlog Reduction Program (Outsourcing) should not be used to analyze the convicted offender samples.
- Award recipients will be required to submit to NIJ quarterly performance metrics reports documenting results and outcomes. These reports shall contain information detailing the reduction of the DNA backlog through the analysis of convicted offender samples. (Please see the "Reporting Requirements" in Section VII for details.)

IV. Use of Convicted Offender DNA Backlog Reduction Funds

A. Permissible Uses of Funds

Permissible uses of funds are listed below. Use of award funds for other purposes is not permitted. Expenditures from awards under this program may include the following:

1. **Supplies.** Funds may be used to acquire laboratory supplies and related items directly attributable to the analysis of convicted offender DNA samples, including the analysis of quality assurance samples.³
2. **Overtime.** Funds may be used for overtime of in-house laboratory staff directly engaged in handling and analyzing convicted offender DNA samples, including handling and analyzing quality assurance samples.⁴ Any payments for overtime must be in accordance with the applicable provisions of the OJP Financial Guide, available at <http://www.ojp.usdoj.gov/FinGuide>. Appropriate pro-rating is required.

³ The number of these quality assurance samples may not exceed 10 percent of the total convicted offender samples for which funding was awarded.

⁴ See footnote 3.

3. **Administrative Expenses.** Up to 3 percent of the Federal portion of the award under this program may be used for administrative expenses directly related to the performance of the project.

B. Uses of Funds That Are Not Permitted

Federal funds may be used only for the purposes specified above. They may not be used for:

1. **Construction.**
2. **Renovation.**
3. **Laboratory and Computer Equipment.** Funds may not be used to upgrade, replace, lease, or purchase laboratory equipment, instrumentation, or computer hardware or software.
4. **Personnel.** Other than overtime as discussed above, funds may not be used to pay salaries and/or benefits for staff.
5. **Administrative Expenses.** Administrative expenses that exceed 3 percent of the Federal portion of the award are not permitted.
6. **Travel.**
7. **Outsourcing.** Any expenses relating to contracting with private laboratories to perform analysis of convicted offender backlogged DNA samples.
8. **Accreditation.**
9. **Training.**

C. Supplanting Not Allowed

Convicted Offender DNA Backlog Reduction Program (In-House Analysis) funds may not be used to supplant State or local funds. Federal funds must be used to increase the amount of funding that would, in the absence of Federal funds, be made available from State sources for convicted offender DNA analyses.

V. Fiscal Year 2005 Application Process

A. Due Date for Applications

Complete proposals must be submitted through OJP's online Grants Management System (GMS) by 8:00 p.m. eastern time on **June 28**, 2005. Extensions to this deadline are not permitted unless specified by NIJ. **NIJ will not accept faxed or mailed proposals.** NIJ reserves the right to reject incomplete applications, those not responsive to the scope of this announcement, or those not complying with format requirements.

Eligible applicants who do not submit an application for the Convicted Offender DNA Backlog Reduction Program (In-House Analysis) by the deadline **will not** receive funds from the Fiscal Year 2005 program.

B. How to Apply

All applications for Convicted Offender DNA Backlog Reduction Program (In-House Analysis) funding **MUST** be submitted through OJP's Web-based Grants Management System (GMS). NIJ will not accept faxed or mailed proposals. GMS is intended to expedite and streamline the receipt, review, and processing of applications. Applicants may call the toll-free GMS Helpline at 1-888-549-9901 to receive technical assistance with the online application process. The GMS Helpline is open Monday through Friday, 7:00 a.m. to 8:00 p.m. eastern time. Begin the application process early by registering with GMS at <http://www.ojp.usdoj.gov/fundopps.htm>.

Applicants must possess a Dun and Bradstreet Data Universal Numbering System (DUNS) number in order to apply for funding using GMS. Please call 1-800-333-0505 to obtain a DUNS number if your agency does not already have one. Please note: A DUNS number may be requested online at <https://eupdate.dnb.com/requestoptions.html>, but the online process can take up to 30 days.

VI. Required Forms and Documents

Prospective applicants must complete the required application forms and related documents. Please use the following Checklist as a guide. You will complete some of the forms (Standard Form 424; Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements) as part of the development of your user profile during the GMS online application process; others must be attached to your application file on GMS. (GMS accepts only PDF, Word, and text document formats.) To ensure that your application is complete, please refer to *NIJ Guidelines for Submitting Applications* at <http://www.ncjrs.org/pdffiles1/nij/202948.pdf>.

Checklist

Forms	Location	Additional Information
DUNS number	800-705-5711 or http://www.dunandbradstreet.com	Obtaining a DUNS number is a free, onetime activity.
Application for Federal Assistance—Standard Form 424	GMS	<p>Completing the user profile and summary Form 424 budget detail on GMS will complete your SF 424. Below are answers to specific items:</p> <ul style="list-style-type: none"> • Item 8: Type of Application – “New” • Item 9: Name of Federal Agency – “National Institute of Justice” • Item 10: Catalog of Federal Domestic Assistance (CFDA) – For this Program, the number is “16.560” • Item 11: Descriptive Title of Applicant’s Project – “Convicted Offender DNA Backlog Reduction Program (In-House Analysis) FY 2005 – <i>YOUR AGENCY NAME</i>” • Item 13: Proposed Project Dates – For this program, the proposed project dates should be “October 1, 2005–September 30, 2006” • Item 16: Is Application Subject To Review By State Executive Order 12372 Process? – A listing of States that have participated in this process can be found at http://www.whitehouse.gov/omb/grants/spoc.html
Assurances	GMS	You will provide an electronic signature online by accepting the terms outlined in the “Assurances.”
Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (one form)	GMS	You will provide an electronic signature online by accepting the terms outlined in the “Certifications.”

<p>Survey on Ensuring Equal Opportunity for Applicants (completing the form is voluntary)</p>	<p>GMS</p>	<p>This form helps DOJ ensure that all qualified applicants, small or large, secular or faith based, are provided equal opportunity to compete for Federal funding.</p>
<p>Abstract</p>	<p>You provide (Required)</p>	<p>The proposal abstract should serve as a succinct and accurate description of the proposed work. Applicants should describe concisely project goals and objectives, project plans, and methods for achieving the goals. Once an award has been awarded, the abstract is computerized and serves as a summary available to all interested parties for the duration of the award.</p>
<p>Main Body of Program Narrative</p>	<p>You provide (Required)</p>	<p>The program narrative must address the project objectives, the expected results, and the implementation approach. The program narrative also must specifically state the anticipated backlog of convicted offender samples as of September 30, 2005 and it must describe how expenditures of award funds will reduce the number of convicted offender DNA samples currently awaiting DNA analysis. The narrative should also include a cost/sample breakdown, number of samples projected to be analyzed, etc. Additionally, this section should include an assurance that the in-house testing funded by this award will not adversely affect the lab's ability to process forensic case samples in a timely manner. This section should also provide information as to why the use of the NIJ Convicted Offender DNA Backlog Reduction Program (Outsourcing) should not be used to analyze the convicted offender samples.</p> <p>The program narrative section of your proposal must not exceed 10 double-spaced pages, no matter the amount of funding. (Tables, charts, figures, appendices, and government forms do not count toward the page limit.)</p>

List of Key Personnel (including names, organizational affiliations, and <i>complete</i> contact information)	You provide (Required)	Include the roles and responsibilities, contact information, point-of-contact personnel for the award, point-of-contact personnel for the progress reports, and point-of-contact personnel for financial reports, etc.
Budget Detail Worksheet	You provide (Required)	The budget detail worksheet should be presented clearly. Major budget categories such as Personnel, Supplies, and Other (administrative costs) should be identified separately. See the following forms and examples for assistance: <ul style="list-style-type: none"> • An Adobe PDF form* is available at http://www.ojp.usdoj.gov/forms.htm. • A sample in Adobe PDF is available at http://www.ncjrs.org/pdffiles/budgetws.pdf. • A worksheet version with example data is available at http://www.ojp.usdoj.gov/nij/sample_bdws.xls.
Budget Narrative	You provide (Required)	The budget narrative must provide a complete budget narrative for the project, including the purpose of each item or service.
Certifications from the appropriate official (or officials) of the applicant agency	You provide (Required)	Submit a signed memorandum from an appropriate official of the applicant agency (such as the director of the applicant’s laboratory or laboratories) that— <p>(1) certifies that the applicant has implemented, or will implement, no later than 60 days after receipt of notification of their award by NIJ, a comprehensive plan for expeditious analysis of convicted offender DNA samples in an accredited government-owned laboratory, or a government-owned laboratory meeting Federal DNA Quality Assurance Standards.</p> <p>(2) certifies that each DNA analysis conducted under the applicant’s plan will be maintained pursuant to all applicable Federal privacy requirements, including those described in 42 U.S.C. § 14132(b)(3).</p> <p>(3) certifies that all convicted offender DNA profiles obtained with funding under this program will be submitted for inclusion in</p>

		<p>CODIS and NDIS.</p> <p>(4) certifies the number of convicted offender DNA samples currently awaiting DNA analysis that can be analyzed within 12 months using the Federal funding requested in this fiscal year 2005 application. This number should reflect the number of samples that can be analyzed above and beyond those that can be analyzed using other sources of funding, including existing Federal funding (e.g., Outsourcing Program). (The 12-month period runs from October 1, 2005–September 30, 2006.)</p> <p>(5) certifies that the applicant’s laboratory complies with the FBI DNA Quality Assurance Standards for Convicted Offender DNA Databasing Laboratories, and is either:</p> <p>(a) accredited by a nonprofit professional association actively involved in forensic science that is nationally recognized within the forensic science community, or</p> <p>(b) undergoes external audits, not less than once every 2 years, which demonstrate compliance with DNA Quality Assurance Standards issued by the Director of the Federal Bureau of Investigation.</p>
<p>* For forms available in Adobe Portable Document Format (PDF), Adobe Reader 7.0 is required to locally save forms you’ve filled in with your data.</p>		

VII. Additional Requirements and Information

Record Maintenance and Access. Each State that receives funding under this program must maintain adequate records relating to the receipt and use of the award 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.

Report Requirements. Each State that receives funding under this program must submit quarterly performance metrics reports, quarterly financial status reports, and semiannual progress reports. Each award recipient also must submit a final report within 120 days of the end of the award period. The report must include a summary and assessment of the program carried out with the Fiscal Year 2005 award, and shall cite the number of additional convicted offender DNA samples that were analyzed, the reduction in the convicted offender DNA sample backlog as a result of the Fiscal Year 2005 award, and the number of CODIS hits generated from these samples.

These requirements supplement the general OJP award administration and reporting requirements. For details, see the OJP Office of the Comptroller’s “Post Award instructions” at <http://www.ojp.usdoj.gov/oc/docs/PostAwardInstructions.pdf> and the OJP Financial Guide at <http://www.ojp.usdoj.gov/FinGuide>.

Performance Measures. To ensure compliance with the Government Performance and Results Act (Public Law 103-62), this announcement notifies applicants that program performance under this project is to be measured by the following performance measures. Award recipients will be required to collect and report data relevant to these measures on a quarterly basis to OJP.

Program Objective	Performance Measures	Data To Be Provided by Awardee
To reduce the backlog of convicted offender DNA samples	Percent reduction in the convicted offender DNA sample backlog.	The number of convicted offender DNA samples at the beginning of the award period.
		The number of convicted offender samples analyzed using Convicted Offender DNA Backlog Reduction (In-House Analysis) Program funds.
		The number of Convicted Offender DNA profiles developed using Convicted Offender DNA Backlog Reduction (In-House Analysis) Program funds entered into CODIS.
		The number of CODIS Hits (LDIS, SDIS, NDIS, forensic hits, offender hits and investigations aided) resulting from profiles developed from Convicted Offender funds.

Award Period. All awards will start on the same date of October 1, 2005. In general, NIJ will limit its awards under this program to a maximum period of 12 months after start of the award (from October 1, 2005 to September 30, 2006).

Note. NIJ may, at its option, elect to extend an award for an additional 6 months (from October 1, 2006 to March 30, 2007) if the award recipient provides, prior to September 30, 2006, documentation that its DNA analysis laboratory is accredited by a nonprofit professional association actively involved in forensic science and nationally recognized within the forensic science community such as the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or the Forensic Quality Services (FQS).

Financial Audits. Applicant agencies that expend \$500,000 or more in Federal funds (from all sources including pass-through awards) during a fiscal year will be required to submit organizationwide audit reports. Audits must be performed in accordance with Office of Management and Budget Circular A-133. For more information, see chapter 19 of the OJP Financial Guide at <http://www.ojp.usdoj.gov/FinGuide>.

National Environmental Policy Act. All awards are subject to the National Environmental Policy Act (NEPA) (Public Law 91-190, codified at 42 U.S.C. § 4321 *et seq.*). To ensure NEPA compliance, NIJ may require award recipients to submit additional information. An environmental assessment may be required.

Confidentiality of Information and Human Subjects Protection. Award funds may not be used for research or statistical projects or activities as defined by 28 C.F.R. Part 22, or for research as defined by 28 C.F.R. Part 46.

Funds May Not Be Used To Lobby. Award recipients may not use any Federal funds, either directly or indirectly, in support of the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval of OJP. For more information, see *NIJ Guidelines for Submitting Applications* at <http://www.ojp.usdoj.gov/nij/funding.htm> and the OJP Financial Guide.

Rights in Intellectual Property. The U.S. Department of Justice reserves certain rights with respect to data, patentable inventions, works subject to copyright, and other intellectual property associated with an award of Federal funds. See C.F.R. § 70.36 and 37 C.F.R. Part 401.

Equal Opportunity for All Applicants. It is OJP's policy that faith-based and community organizations that statutorily qualify as eligible applicants under OJP programs are invited and encouraged to apply for awards. Faith-based and community organizations will be considered for an award on the same basis as any other eligible applicants and, if they receive an award, will be

treated on an equal basis with non-faith-based and community organization awardees in the administration of such awards. No eligible applicant or awardee will be discriminated against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Services to Limited English Proficient (LEP) Persons. Recipients of OJP financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964 (“Title VI”) and the Omnibus Crime Control and Safe Streets Act of 1968 (“Safe Streets Act”), as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Awardees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs or activities. For example, researchers are encouraged to consider the need for language services for LEP persons who are the subjects of, or otherwise involved in, NIJ-funded research efforts. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs.

Guidance and Information. Applicants who want additional guidance and information may contact NIJ at 202–514–9240. NIJ staff can provide assistance or refer applicants to an appropriate NIJ professional. Applicants who have questions about GMS or need technical assistance with applying online can contact the GMS Hotline at 1–888–549–9901, Monday–Friday, 7:00 a.m. to 8:00 p.m. eastern time (except Federal holidays).