

## **Notice regarding the solicitation “FY 2018 National Criminal History Improvement Program (NCHIP)”**

March 12, 2018: Links directing to "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards" have been updated to the FY 2018 link throughout this funding opportunity document. New information has also been added for new registrants in the section entitled, “**Acquire or maintain registration with SAM.**”

The original solicitation document begins on the next page.

**U.S. Department of Justice**  
Office of Justice Programs  
*Bureau of Justice Statistics*



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications for the FY 2018 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, automated identification systems, and other state systems supporting national records systems and their use for name and fingerprint-based criminal history background checks. For the purpose of this solicitation, "state" includes the District of Columbia and U.S. territories.

## **FY 2018 National Criminal History Improvement Program (NCHIP)**

**Applications Due: May 14, 2018**

### **Eligibility**

Eligible applicants are limited to the agency designated by the governor in each state to administer the National Criminal History Improvement Program (NCHIP) program and federally recognized Indian tribal governments (as determined by the Secretary of the Interior).

All recipients and sub recipients (including any for-profit organization) must forgo any profit or management fee.

BJS welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as sub recipients (subgrantees).<sup>1</sup> The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project. Under this solicitation, only one application by any particular applicant entity will be considered. An entity may, however, be proposed as a subrecipient (subgrantee) in more than one application.

For additional eligibility information, see [Section C. Eligibility Information](#).

### **Deadline**

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 time p.m. eastern time on May 14, 2018.

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<sup>1</sup> For additional information on subawards, see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP encourages all applicants to read this [Important Notice: Applying for Grants in Grants.gov](#).

For additional information, see [How to Apply](#) in Section [D. Application and Submission Information](#).

## Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or at [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours per day, 7 days per week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must email the BJS contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under “Experiencing Unforeseen Grants.gov Technical Issues” in the [How To Apply](#) section

For assistance with any other requirements of this solicitation, contact Devon B. Adams, Chief, Criminal Justice Data Improvement Program, by telephone at 202-307-0765 or by email at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include “NCHIP18” in the subject line.

Grants.gov number assigned to this solicitation: BJS-2018-13842

Release date: March 12, 2018

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# FY 2018 National Criminal History Improvement Program (NCHIP) (CFDA #16.554)

## A. Program Description

### Overview

The Bureau of Justice Statistics (BJS) is publishing this notice to announce the continuation of the National Criminal History Improvement Program (NCHIP) in fiscal year (FY) 2018, identify the program priorities, and provide information on application requirements. This year, BJS is prioritizing the use of funds for two purposes: 1) to improve the reporting of dispositions and 2) to improve the reporting of persons prohibited from possessing firearms for reasons related to mental health to the National Instant Criminal Background Check System (NICS).

The NCHIP grant program aims to improve the nation's safety and security by enhancing the quality, completeness, and accessibility of criminal history record information and by ensuring 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, state courts and tribes to improve their criminal records systems and other related systems in an effort to support background checks, including NICS 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 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
- Using systematic evaluation and standardized performance measurement and statistics to assess progress made in improving national records holdings and background check systems.

The NCHIP 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 urges applicants to match or leverage the federal funds provided with other resources, to the maximum extent possible.

### Statutory Authority:

In the past, appropriations for the NCHIP have been made pursuant to the Crime Identification Technology Act of 1998 (34 U.S.C. § 40301), and the procedures for applying for NCHIP grants generally reflect these provisions.

## Program-Specific Information

### Goals, Objectives, and Deliverables

NCHIP was initiated in 1995, and encompasses evolving efforts to support state activities for the establishment of records systems and the collection and use of criminal history and related records. Pursuant to 34 U.S.C. §10132(c)(19), BJS is authorized to “provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of state and tribal criminal history and related records, support the development and enhancement of national systems of criminal history and related records, including the National Instant Criminal Background Check System [(NICS)], National Incident-Based Reporting System [(NIBRS)], and records of the National Crime Information Center [(NCIC)], facilitate state and tribal participation in national records and information systems, and support statistical research for critical analysis of the improvement and utilization of criminal history records.” NCHIP and the NICS Act Record Improvement Program (NARIP) are means by which BJS provides for such improvements.

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 NCHIP and its accomplishments are available at <https://www.bjs.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 identification and access to domestic violence records or protection orders
- improving record automation and fingerprint data
- increasing participation in the NICS
- creating, updating, and enhancing sex offender registries.

### Issues and Needs to be Addressed

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

- Many arrest records available through the III—excluding those for the 20 states participating in the National Fingerprint File (NFF)—are missing case outcome information in the FBI’s Criminal History File. Courts and prosecutors must contribute to the development of improvements to criminal records systems to help ensure the timely and accurate transmittal of disposition information, including nonprosecution outcomes, to criminal record repositories. The Global Justice Information Sharing Committee (Global) released new [arrest and disposition reporting standards](#) available on the Global Information Sharing Toolkit website. This service provides the ability to report arrests and dispositions and aims to assist with automating a policy response to reporting arrest and disposition information.
- Some entities are still not submitting **all available** qualifying records to the NICS Indices, particularly prohibiting mental health information.
- Many agencies are not flagging records in criminal history systems to easily identify misdemeanor convictions of domestic violence, which may cause unnecessary delays when NICS or state/local examiners hit on potential records when conducting firearm background checks.

- iSome entities are not yet submitting all qualifying records to the NCIC Protection Order File (POF), and the FBI reports continued problems with the appropriate flagging of protection orders regarding the prohibition for firearm purchases.

This year's NCHIP solicitation continues to focus on assisting states and tribes to find ways to make more records available to NICS, including records in the NCIC, criminal history record information available through the III, and records in the NICS Indices. Therefore, an expected outcome of funded activities is that they result in more records (including improved quality, completeness and timeliness) being available in these systems.

Additionally, applicants are strongly encouraged to develop or update long-range record improvement plans to assess data quality and completeness and identify gaps in record reporting and availability, with the goal of developing strategies to significantly reduce or eliminate these gaps. Such plans should include ongoing research, analysis, data quality auditing, or similar work that may result in quantifiable improvement goals and facilitate performance monitoring. Applicants may wish to contact the NCHIPTA provider, SEARCH Group, Inc., to take advantage of a criminal history analytics tool to assist in evaluating the accuracy and completeness of data within their state repositories.

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 or leverage the NCHIP award with other resources.

### **FY 2018 Priority Areas - Improving Dispositions and Mental Health Submissions Accessible to NICS**

**In FY 2018, applicants must focus efforts to improve: 1) availability of dispositions (specifically for felony crimes, and for misdemeanor crimes of domestic violence) through the national system; 2) reporting records of persons prohibited from possessing firearms for mental health reasons to the NICS. Therefore, recipients of funds must agree to use a portion of awarded funds to make such records accessible to NICS unless the state certifies in the application that it—**

- 1) already makes available all dispositions to the national systems and records demonstrating a person is prohibited from possessing firearms for mental health reasons to NICS; or**
- 2) will focus funds on another area that the state demonstrates is a greater information sharing gap.**

### **Priority Areas for Grant Funding**

#### **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. Implementing or upgrading state, local or tribal court record systems that facilitate immediate identification of disposition records, provided the records are accessible for criminal history record inquiries at the state and national level

- b. Implementing improved criminal history information 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. Capturing complete data from prosecutors and courts on domestic violence misdemeanor convictions
- d. Ensuring that criminal history record information is shared with investigative service providers (ISPs) for national security and other purposes pursuant to Title 5 U.S.C. Sec. 9101
- e. Ensuring that records of all criminal events, starting with an arrest or indictment, are included in background check files, through data analysis focused on the completeness of criminal history records
- f. Establishing automated interfaces between the record repository and prosecutors, courts, and corrections agencies (i.e., detention, prison, jail, and community supervision), including the development of relevant information exchange package documentation based on the National Information Exchange Model (NIEM)
- g. Capturing data on persons convicted of abuse of children, elderly persons, and disabled persons, or stalking and domestic violence offenses (including protection orders and related violations)
- h. Submitting disposition information to the FBI via the III Message Key (MKE), Machine Readable Data (MRD) process, or other methods of transmission accepted by the FBI
- i. Reducing any backlog of missing court dispositions, provided the dispositions are made available for criminal history inquiries at the state and national level
- j. 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 related electronic interchange capabilities
- k. Converting manual or other nonautomated records to electronic records
- l. Establishing more effective accuracy and information quality controls, including data analysis capabilities
- m. 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)
- n. 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 during the initial 12-month period)**
- o. 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 Next Generation Identification (NGI) standards **(the ongoing and/or maintenance costs associated with any such equipment are allowable only during the initial 12-month period)**

- p. 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, at the national level and provided that any systems funded are compatible with FBI standards for national data systems, such as NIBRS, NCIC, NICS, and NGI. However, NCHIP funds may not be used to support studies, analysis, design, or development of integrated systems strategies. Funds should not be used to primarily improve law enforcement investigative capabilities associated with NGI participation (e.g. latent workstation, palm prints, facial recognition, DNA capture).

## **2. Improving access to information concerning persons prohibited from possessing or receiving a firearm for mental health reasons and transmitting relevant records to the NICS.**

Activities to improve reporting of additional categories of persons prohibited from possessing a firearm under federal law, not already described above, are allowable (but not prioritized).

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 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 systems, thus serving to upgrade the permanent quality of the records 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
- e. establishing electronic interfaces or information exchanges between criminal history records, sex offender registry, and civil POFs 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 interfaces between the criminal history record system, the state sex offender registry, and related POFs, including files of civil protection orders.

## **Additional Area for Grant Funding**

### **Full participation in the III and 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 NFF
- b. automating criminal record databases
- c. synchronizing records between the state and the FBI
- d. developing software and hardware necessary to enable electronic access to state records on an intrastate or interstate basis.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed in [Section D. Application and Submission Information](#), under “Program Narrative.”

#### **Information Regarding Potential Evaluation of Programs and Activities**

The Department of Justice has prioritized the use of evidence-based programming and deems it critical to continue to build and expand the evidence informing criminal and juvenile justice programs to reach the highest level of rigor possible. Therefore, applicants should note that the Office of Justice Programs may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and sub-recipients will be expected to cooperate with program-related assessments or evaluation efforts, including through the collection and provision of information or data requested by OJP (or its designee) for the assessment or evaluation of any activities and/or outcomes of those activities funded under this solicitation. The information or data requested may be in addition to any other financial or performance data already required under this program.

## **B. Federal Award Information**

FY 2018 NCHIP awards will be new awards rather than supplemental awards, and will be made for a performance period from 12 to 24 months. Because the program builds on long-term NCHIP activity, grantees will have the flexibility to begin funded activities immediately upon receipt of the award or as late as January 1, 2019. All activities must be scheduled to be completed no later than December 31, 2020. FY 2018 projects may overlap with FY 2017 projects or may run consecutively.

BJS is unable to estimate the number of awards to be made or the maximum amount awarded per state. The number and amount of awards is dependent on the extent to which the projects proposed address the program priority areas, the demonstrated level of need, the number of

fundable applications, and the amount of available funding. In FY 2017, BJS made 41 awards totaling approximately \$32 million.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

### **Type of Award**

BJS expects to make any award under this solicitation in the form of a cooperative agreement, which is a type of award that provides for Office of Justice Programs (OJP) to have substantial involvement in carrying out award activities. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of what may constitute substantial federal involvement.

### **Financial Management and System of Internal Controls**

Award recipients and sub recipients (including recipients or sub recipients that are pass-through entities<sup>2</sup>) must, as described in the Part 200 Uniform Requirements<sup>3</sup> as set out at 2 C.F.R. 200.303,—

- (a) establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) evaluate and monitor [the recipient’s (and any subrecipient’s)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand the applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available at <https://ojpfgm.webfirst.com/>. (This training is required for all OJP award recipients.)

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<sup>2</sup> For purposes of this solicitation, the phrase “pass-through entity” includes any recipient or subrecipient that provides a subaward (“subgrant”) to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards is listed under [What an Application Should Include](#), Section 4c of this solicitation.

<sup>3</sup> The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

Also, applicants should be aware that OJP collects information from applicants on their financial management and systems of internal controls (among other information), which is used to make award decisions. Under [Section D. Application and Submission Information](#), applicants may access and review a questionnaire—the [OJP Financial Management and System of Internal Controls Questionnaire](#)—that OJP requires **all** applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

## Budget Information

### Cost Sharing or Matching Requirement (cash or in-kind)

Federal funds awarded under this solicitation may not cover more than 90% of the total costs of the project. An applicant must identify the source of the 10% non-federal portion<sup>4</sup> of the total project costs and how it will use match funds. If a successful applicant's proposed match exceeds the required match amount and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit. (Matching funds may be used only for purposes that would be allowable for the federal funds.) Recipients may satisfy this match requirement with either cash or in-kind services. See the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/doj/PostawardRequirements/chapter3.3b.htm> for examples of "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, calculate match as follows:

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

For additional information on cost sharing and matching, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/doj/PostawardRequirements/chapter3.3b.htm>.

### Pre-agreement Costs (also known as Pre-award Costs)

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the POC listed on page 2 of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the

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<sup>4</sup> Indian tribes and tribal organizations that otherwise are eligible for an award may be able to apply certain types of funds received from the federal government (e.g., certain funds received under an Indian "self-determination contract") to satisfy all or part of a required "nonfederal" match.

recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm> for more 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, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the 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.<sup>5</sup> The 2018 salary table for SES employees is available at the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/exec/html/ES.aspx>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Director of BJS may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address, in the context of the work the individual would do under the award, the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

### **Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs**

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at

<https://www.ojp.gov/financialguide/doj/PostawardRequirements/chapter3.10a.htm>. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

### **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

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<sup>5</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

or benefits for individuals with limited English proficiency may be allowable. 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 under [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#) in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

## C. Eligibility Information

The NCHIP application must be submitted by the agency designated by the governor to administer the NCHIP 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 the BJS program manager for further information. Also, as required by Crime Identification Technology Act of 1998 (CITA) under 34 USC 40301(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 (34 U.S.C. 40901).
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. 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
  - 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.
4. Assures that the individuals who developed the grant application took into consideration the needs of all government branches and **specifically sought the advice of the top official of the highest court of the jurisdiction, with respect to the application.**

(See “Additional Attachments” on page 25.)

For information on cost sharing or matching requirements, see [Section B. Federal Award Information](#).

## D. Application and Submission Information

### What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJS has designated to be critical, will neither proceed to peer review nor receive further consideration. For this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative.

**NOTE:** OJP has combined the Budget Detail Worksheet and Budget Narrative in a single document collectively referred to as the Budget Detail Worksheet. See “Budget Information and Associated Documentation” below for more information about the Budget Detail Worksheet and where it can be accessed.

*OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.*

Please review the “Note on File Names and File Types” under [How to Apply](#) to be sure applications are submitted in permitted formats.

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

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and the OJP Grants Management System (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).

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. On the SF-424, current OJP award recipients, when completing the field for “Legal Name” (box 8a), should use the same legal name that appears on the prior year award document (which is also the legal name stored in OJP’s financial system.) Also, these recipients should enter the Employer Identification Number (EIN) in box 8c exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should

submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter its official legal name in box 8a, its address in box 8d, its EIN in box 8b, and its Data Universal Numbering System (DUNS) number in box 8c of the SF-424. A new applicant entity should attach official legal documents to its application (e.g., articles of incorporation, 501(c)(3) status documentation, organizational letterhead, etc.) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the [How to Apply](#) section for more information on SAM and DUNS numbers.

**Intergovernmental Review:** This solicitation ("funding opportunity") is subject to [Executive Order 12372](#). An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: [https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental\\_-Review-\\_SPOC\\_01\\_2018\\_OFFM.pdf](https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental_-Review-_SPOC_01_2018_OFFM.pdf). If the State appears on the SPOC list, the applicant must contact the State SPOC to find out about, and comply with, the State's process under E.O. 12372. In completing the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19 once the applicant has complied with its State E.O. 12372 process. (An applicant whose State does not appear on the SPOC list should answer question 19 by selecting the response that the: "Program is subject to E.O. 12372 but has not been selected by the State for review.")

## 2. Project Abstract

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or fewer. Project abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with "Project Abstract" as part of its file name.
- Single-spaced, using a standard 12-point font (such as Times New Roman) with 1-inch margins.

## 3. Program Narrative

The following sections should be included as part of the program narrative:<sup>6</sup>

### a. Description of the Issue—Background and Identification of Needs

Accomplishments and progress on record improvement goals. Applicants must provide a 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; 2000–2009; 2010–present).

**Specifically address accomplishments relating to participation in each of the national databases and initiatives (i.e., III, NICS, NCIC Protection Order File,**

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<sup>6</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).



**mental health records, and Livescan/AFIS capability).** Where relevant, reference should be made to surveys and data quality audits. This section should also include 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. Describe the status of the applicant's participation in each of the following subject areas in your application and include the current number of records in each system, where applicable.

- **Dispositions available to III (including felonies and domestic violence misdemeanor convictions).** All applicants should discuss the percentage of state records with final dispositions or 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 timeframe and must identify any problems that are delaying instant responses to NICS inquiries and identify proposed solutions to these problems.
- **NICS Indices and mental health record availability.** All applications should discuss the extent to which the applicant provides information to the FBI's NICS Indices. Applicants that do not submit information to this file should describe the prohibiting factors and any plans to overcome them. [Note: HIPAA is not considered to be a prohibiting factor.] 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, 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, describe factors that limit or prohibit exchange of mental health records. States that are not currently eligible for funding under the NICS Act Record Improvement Program (NARIP) should discuss plans, if any, to establish a relief from disabilities program and progress toward NARIP eligibility. If a state has no immediate plans to pursue development of a relief program, include a statement outlining the reasons for not pursuing one.
- **Protection Order File.** All applicants should indicate whether they submit information for inclusion in the FBI's NCIC POF. Applicants that submit protection orders should indicate the number of active protection orders provided to the FBI. Applicants that do not submit all active protection orders to NCIC should describe the prohibiting factors and any plans to overcome them.
- **Warrants/wanted person records.** All applicants should indicate whether they submit records for inclusion in the FBI's NCIC Wanted Persons file. Applicants that submit such records should indicate the number provided to the FBI for the last full calendar year. Applicants that do not submit such records (or do not submit all qualifying records that are maintained at the state or local level) should describe the prohibiting factors and any plans to overcome them.

**b. Project Design and Implementation—Description of Tasks to be Funded Under NCHIP**

- Describe the activities to be conducted with NCHIP funds over the project period and specifically address how activities relate to each of the NCHIP priority areas identified under “Priority areas for grant funding” on page 6. Dollar amounts should be included for each funded task. Applications should also provide quantitative measures to assess or describe the impact each project will have on the quality, completeness, and availability of records at the national level.
- **Letter from the 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.**

**c. Capabilities and Competencies—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 Additional Attachments (see page 25) or sent directly to BJS prior to fund drawdown.

There is no requirement that the POC 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 that 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, and the NICS Indices.

Tribal applicants should provide documentation that activities proposed for funding will be coordinated with a tribal consortia, the 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, NGI, and other applicable statewide or regional criminal justice information sharing standards or plans, including state anti-terrorism.

**d. Plan for Collecting the Data Required for this Solicitation’s Performance Measures**

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award (see [General Information about Post-Federal Award Reporting Requirements](#) in [Section F. Federal Award Administration Information](#)). The performance data directly relate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in [Section A. Program Description](#).

Applicants should visit OJP’s performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) to view the specific reporting requirements for this grant program.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

Award recipients will be required to provide the relevant data addressing the performance measures below as part of their semi annual progress reports. All performance measures should be fully addressed in these semi annual reports.

Objective	Performance Measure(s)	Data Recipient Provides
Improve criminal history record systems in the states and territories to support background checks for the purposes of identifying ineligible firearm purchases and persons ineligible to hold positions involving children, the elderly, or the disabled.	Percentage of recent state or tribal records that are automated.  Percentage of records accessible through the Interstate Identification Index (III).	Number of criminal history records, manual and automated, in the state’s or tribe’s criminal history file.  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.  Number of records available through the III system <b>(including arrests linked to case outcomes)</b> .  Number of arrests reported to the repository by mail, fax, electronic,

Objective	Performance Measure(s)	Data Recipient Provides
	Percentage of applications for firearm transfers rejected primarily for the presence of a prior felony conviction.	<p>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 applications for firearm transfers.</p> <p>Number of applications for firearm transfers rejected for the presence of a prior felony conviction or other ineligibility factors.</p>
Ensure that the infrastructure is developed to connect each state's and tribe's records systems to national records and to connect each state's background check databases to one another.	<p>Number of states and tribes participating in the FBI's Next Generation Identification (NGI) fingerprint capture.</p> <p>Number of states and tribes participating in the FBI's Protection Order File (POF).</p>	<p>Number of 10-print records submitted to the FBI's NGI.</p> <p>Number of records submitted to the FBI's POF.</p>

**Note on Project Evaluations**

An applicant that proposes to use award funds 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.” Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 (“Protection of Human Subjects”).

“Research,” for purposes of human subjects protection 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 for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the [Requirements related to Research](#) webpage of the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#), available through the OJP Funding Resource Center. Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that webpage.

#### 4. Budget and Associated Documentation

The Budget Detail Worksheet and the Budget Narrative are now combined in a single document collectively referred to as the Budget Detail Worksheet. The Budget Detail Worksheet is a user-friendly, fillable, Microsoft Excel-based document designed to calculate totals. Additionally, the Excel workbook contains worksheets for multiple budget years that can be completed as necessary. **All applicants should use the Excel version when completing the proposed budget in an application, except in cases where the applicant does not have access to Microsoft Excel or experiences technical difficulties.** If an applicant does not have access to Microsoft Excel or experiences technical difficulties with the Excel version, then the applicant should use the 508-compliant accessible Adobe Portable Document Format (PDF) version.

Both versions of the Budget Detail Worksheet can be accessed at <https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm>.

##### a. Budget Detail Worksheet

The Budget Detail Worksheet should provide the detailed computation for each budget line item, listing the total cost of each and showing how it was calculated by the applicant. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee paid with grant funds. The Budget Detail Worksheet should present a complete itemization of all proposed costs.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

##### b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its Budget Narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a Budget Narrative should detail why planned in-person meetings are necessary or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The Budget Narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs and how those costs are necessary 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 describe costs by year.

**c . Information on Proposed Subawards (if any) and Proposed Procurement Contracts (if any)**

Applicants for OJP awards typically may propose to make *subawards*. Applicants also may propose to enter into procurement *contracts* under the award.

Whether an action—for federal grants administrative purposes—is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply—many of which are set by federal statutes and DOJ regulations and others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The rules determine much of what the written subaward agreement itself must require or provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <https://ojp.gov/training/training.htm>:

- [Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients](#)
- [Checklist to Determine Subrecipient or Contractor Classification](#)
- [Sole Source Justification Fact Sheet and Sole Source Review Checklist](#).

In general, the central question is the relationship between what the third party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a *subaward* for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, contract, or procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a *subaward* or is instead a procurement *contract* under an award. The substance of the relationship should be given

greater consideration than the form of agreement between the recipient and the outside entity.

## **1. Information on proposed subawards**

A recipient of an OJP award may not make subawards (“subgrants”) unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently-detailed description and justification of the proposed subaward in the Program Narrative, Budget Detail Worksheet, and Budget Narrative as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and Budget Narrative.

## **2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)**

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and Budget Narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. All noncompetitive (sole source) procurement contracts must meet the OJP requirements outlined at <https://ojp.gov/training/subawards-procurement.htm>. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non competitive approach for the procurement. An applicant that (at the time of its application) intends – without competition – to enter into a procurement contract that would exceed \$150,000 should

include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition.

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2 C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source Grant Adjustment Notice (GAN). Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

**a. Pre-Agreement Costs**

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

**5. Indirect Cost Rate Agreement (if applicable)**

Indirect costs may be charged to an award only if—

- (a) the recipient has a current (unexpired), federally approved indirect cost rate; or
- (b) the recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (unexpired) federally approved indirect cost rate must attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the Office of the Chief Financial Officer (OCFO) Customer Service Center at 1-800-458-0786 or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <https://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the de minimis rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both- (1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The “de minimis” rate may no longer be used once an approved federally negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the “de minimis” rate.) For additional eligibility requirements, please see Part 200 Uniform Requirements, as set out at [https://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200\\_1414&rqn=div8](https://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200_1414&rqn=div8).



## **6. Tribal Authorizing Resolution (if applicable)**

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

## **7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. The Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process.

The Questionnaire should only be completed by financial staff most familiar with the applicant's systems, policies, and procedures in order to ensure that the correct responses are recorded and submitted to OJP. The responses on the Questionnaire directly impact the pre-award risk assessment and should accurately reflect the applicant's financial management and internal control system at the time of the application. The pre-award risk assessment is only one of multiple factors and criteria used in determining funding. However, a pre-award risk assessment that indicates that an applicant poses a higher risk to OJP may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, withholding of award funds, or other additional award requirements.

Among other things, the form requires each applicant to disclose whether it currently is designated high risk by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk
- The date the applicant was designated high risk
- The high-risk POC at that federal awarding agency (name, phone number, and email address)
- The reasons for the high-risk status, as set out by the federal awarding agency.

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered high risk by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

## **8. Disclosure of Lobbying Activities**

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL) posted at <https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>. An applicant that does not expend any funds for lobbying activities is to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

## **9. Additional Attachments**

The following documents should be submitted either as a single file attachment or as separate attachments:

- a. Letter of support or commitment from the courts (required if no funds are going to the courts for disposition-related or mental health record capture projects)
- b. Letter to the state Information Technology POC describing the current application request, as referenced above
- c. Complete project timeline outlining each activity, completion time, and responsible party
- d. **Applicant Disclosure of Pending Applications**  
Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to state agencies that will subaward (subgrant) federal funds).

OJP seeks this information to help avoid inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- POC information at the applicable federal or state funding agency.

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for POC at Federal or State Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health and Human Services/Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant’s Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application.”

**e. Disclosure of Process Related to Executive Compensation**

An applicant that is a nonprofit organization may be required to make certain disclosures relating to the processes it uses to determine the compensation of its officers, directors, trustees, and key employees.

Under certain circumstances, a nonprofit organization that provides unreasonably high compensation to certain persons may subject both the organization’s managers and those who receive the compensation to additional federal taxes. A rebuttable presumption of the reasonableness of a nonprofit organization’s compensation arrangements, however, may be available if the nonprofit organization satisfied certain rules set out in Internal Revenue Service (IRS) regulations with regard to its compensation decisions.

Each applicant nonprofit organization must state at the time of its application (question 9c in the “OJP Financial Management and System of Internal Controls Questionnaire” located at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> and mentioned earlier) whether or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or

invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

A nonprofit organization that states in the questionnaire that it believes (or asserts) that it has satisfied the requirements of 26 C.F.R. 53.4958-6 must then disclose, in an attachment to its application (to be titled "Disclosure of Process Related to Executive Compensation"), the process used by the applicant nonprofit organization to determine the compensation of its officers, directors, trustees, and key employees (together, "covered persons").

At a minimum, the disclosure must describe in pertinent detail: (1) the composition of the body that reviews and approves compensation arrangements for covered persons; (2) methods and practices used by the applicant nonprofit organization to ensure that no individual with a conflict of interest participates as a member of the body that reviews and approves a compensation arrangement for a covered person; (3) appropriate data as to comparability of compensation that is obtained in advance and relied on by the body that reviews and approves compensation arrangements for covered persons; and (4) written or electronic records that the applicant organization maintains as concurrent documentation of the decisions with respect to compensation of covered persons made by the body that reviews and approves such compensation arrangements, including records of deliberations and of the basis for decisions.

For purposes of the required disclosure, the following terms and phrases have the meanings set out by the IRS for use in connection with 26 C.F.R. 53.4958-6: officers, directors, trustees, key employees, compensation, conflict of interest, and appropriate data as to comparability, adequate documentation, and concurrent documentation.

Applicant nonprofit organizations should note that following receipt of an appropriate request, OJP may be authorized or required by law to make information submitted to satisfy this requirement available for public inspection. Also, a recipient may be required to make a prompt supplemental disclosure after the award in certain circumstances (e.g., changes in the way the organization determines compensation).

### **How to Apply**

Applicants must register in and submit applications through [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <https://www.grants.gov/web/grants/support.html>. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours per day, 7 days per week, except on federal holidays.

**Important Grants.gov update.** Grants.gov has updated its application tool. The legacy PDF application package has been phased out and was retired on December 31, 2017. Grants.gov Workspace is now the standard application method for applying for grants. OJP applicants should familiarize themselves with the Workspace option now. For complete information and instructions on using Workspace (and other changes), go to the Workspace Overview page at <https://www.grants.gov/web/grants/applicants/workspace-overview.html>.

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration

and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation at <https://www.grants.gov/web/grants/manage-subscriptions.html>. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

**Browser Information:** Grants.gov was built to be compatible with Internet Explorer. For technical assistance with Google Chrome or another browser, contact Grants.gov Customer Support.

**Note on Attachments:** Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Attachments are also labeled to describe the file being attached (e.g., Project Narrative, Budget Narrative, Other). Please ensure that all required documents are attached in the correct Grants.gov category and are labeled correctly. Do not embed “mandatory” attachments within another file.

**Note on File Names and File Types:** Grants.gov only permits the use of certain specific characters in the file names of attachments. Valid file names may include only the characters shown in the table below. Grants.gov rejects any application that includes an attachment(s) with a file name that contains any characters not shown in the table below. Grants.gov forwards successfully submitted applications to the OJP Grants Management System (GMS).

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ( )	Curly braces { }	Square brackets [ ]
Lower case (a – z)	Ampersand (&)*	Tilde (~)	Exclamation point (!)
Underscore ( _ )	Comma ( , )	Semicolon ( ; )	Apostrophe ( ‘ )
Hyphen ( - )	At sign ( @ )	Number sign ( # )	Dollar sign ( \$ )
Space	Percent sign ( % )	Plus sign ( + )	Equal sign ( = )
Period ( . )			

**\*When using the ampersand (&) in XML, applicants must use the “&amp;” format.**

**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.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

**Unique Entity Identifier (DUNS Number) and System for Award Management (SAM)**

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. SAM is the repository for certain standard information about federal financial

assistance applicants, recipients, and sub recipients. A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. More detailed information about SAM and the DUNS number is in the numbered sections below.

If an applicant entity has not fully complied with the applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

### **Applying as an Individual**

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Enter the FON at <https://apply07.grants.gov/apply/IndCPRegister> to complete the registration form, and create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps below except 1, 2, and 4.)

### **Registration and Submission Steps**

- 1. Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a unique entity identifier in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

This unique entity identifier is used for tracking purposes and to validate address and POC information for applicants, recipients, and sub recipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number, or apply online at <https://www.dnb.com/>. A DUNS number is usually received within 1-2 business days.

- 2. Acquire or maintain registration with SAM.** Any applicant for an OJP award creating a **new** entity registration in SAM.gov must provide an original, signed notarized letter stating that the applicant is the authorized Entity Administrator before the registration will be activated. To learn more about this process change, read the FAQs at <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/sam-update>. Information about the notarized letter is posted at [https://www.fsd.gov/fsd.gov/answer.do?sysparm\\_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm\\_search=kb0013183](https://www.fsd.gov/fsd.gov/answer.do?sysparm_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm_search=kb0013183).

All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. Applicants will need the authorizing official of the organization and an Employer Identification Number (EIN). An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete (2 more weeks to acquire an EIN).

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

Information about SAM registration procedures can be accessed at [www.SAM.gov](http://www.SAM.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. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Individuals registering with Grants.gov should go to [www.grants.gov/web/grants/applicants/individual-registration.html](http://www.grants.gov/web/grants/applicants/individual-registration.html).
4. **Acquire confirmation for the AOR from the E-Business POC (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
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 16.554, titled "National Criminal History Improvement Program" and the funding opportunity number is BJS-2018-13842.
6. **Access Funding Opportunity and Application Package from Grants.gov.** Select "Apply for Grants" under the "Applicants" column. Enter your email address to be notified of any changes to the opportunity package before the closing date. Click the Workspace icon to use Grants.gov Workspace.
7. **Submit a valid 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 two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on May 14, 2018.

Go to <https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html> for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

### **Note: Application Versions**

If an applicant submits multiple versions of the same application, OJP will review only the most recent system-validated version submitted.

### **Experiencing Unforeseen Grants.gov Technical Issues**

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov Customer Support Hotline at <https://www.grants.gov/web/grants/support.html> or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> to report the technical issue and receive a tracking number. The applicant must email the BJS contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

**Note: OJP does not automatically approve requests to submit a late application.** After OJP reviews the applicant's request, and contacts the Grants.gov or SAM Help Desks to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility.

**Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.**

## **E. Application Review Information**

### **Review Criteria**

All applications must be responsive to this solicitation. Applicants are strongly encouraged to review the evaluation criteria BJS will use to make funding decisions before deciding whether to submit an application for this 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 2018 NCHIP grants, completeness of the application in terms of all required information will be a key consideration for BJS.**

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria.



## 1. Statement of the Problem, as Described in the Program Narrative (20%)

- The extent to which the—
  - application proposes to directly address one or more of the priorities as identified in the solicitation
  - applications should specifically address the FY 2018 Priority Areas – Improving Dispositions and Mental Health Submissions Accessible to NICS.
  - 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, particularly with regard to the NICS.

## 2. Project/Program Design and Implementation (25%)

- The extent to which the—
  - proposed activities will result in more records being available to systems queried by the NICS, including through federal and state and criminal history records, NCIC, and the NICS Indices
  - application recognizes the role of the courts in ensuring complete records
  - proposal appears reasonable in light of the applicant's current level of system development and statutory framework
  - application demonstrates the technical feasibility of the proposed task(s) and details the specific implementation plan to achieve the intended deliverables.

## 3. Capabilities and 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 helping BJS assess criminal history information systems and operations as demonstrated by participation in BJS sponsored evaluation activities, surveys, and data quality studies.
- The applicant's commitment to the national record system as evidence by membership in III and participation in the FBI's NFF, and the current status of development in its criminal records.

## 4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (5%)

- Expressed commitment of the applicant to supply key performance measures for the award period. Performance measures include the number of—
  - criminal history records, manual and automated, in the state's or tribe's criminal history file
  - 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

- records available through the III (including arrests and case outcomes)
- arrests reported to the repository by mail, fax, electronic, and other means of submission; of these, the number communicated by automated interface
- court dispositions reported to the repository by mail, fax, electronic, and other means of submission
- applications for firearm transfers (if applicable)
- applications for firearm transfers rejected for the presence of a prior felony conviction or other ineligibility factors (if applicable)
- records submitted to the FBI's NGI (formerly IAFIS)
- records submitted to the FBI's POF.
- The sufficiency of the plan presented for collecting and reporting these performance measures.

## **5. Budget: Complete, Cost Effective, and Allowable (10%)**

Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.<sup>7</sup>

- 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 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 (15%)**

- 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 making awards. BJS reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether an application meets basic minimum requirements and should proceed to further consideration, OJP screens applications for compliance with those requirements. Although specific requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP programs:

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items designated as “critical elements.”

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<sup>7</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstance prevailing at the time the decision was made to incur the cost.

- The applicant must not be identified in SAM as excluded from receiving federal awards.

For a list of the critical elements for this solicitation, see [What an Application Should Include](#) under [Section D. Application and Submission Information](#).

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJS may use internal peer reviewers, external peer reviewers, or a combination to assess applications on technical merit using the solicitation's review criteria. 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. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for OJP include geographic diversity, strategic priorities, available funding, and the extent to which the Budget Detail Worksheet and Budget Narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; FAPIIS).

**Important note on FAPIIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as—

1. Applicant financial stability and fiscal integrity
2. Quality of the management systems of the applicant, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies
4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Director of BJS, who may take into account peer review ratings and other factors as indicated in this section.

## **F. Federal Award Administration Information**

### **Federal Award Notices**

Award notifications will be made by September 30, 2018. OJP sends award notifications by email through GMS to the individuals listed in the application as the POC and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial POC; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning and submission of the fully executed award document to OJP.

### **Administrative, National Policy, and Other Legal Requirements**

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions and applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](https://ojp.gov/funding/index.htm), available in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds (An applicant is not required to submit these documents as part of an application.):

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Certified Standard Assurances](#)

The webpages accessible through the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](https://ojp.gov/funding/index.htm) are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the

award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

As stated above, BJS expects that it will make any award under this solicitation in the form of a cooperative agreement. Cooperative agreements include a condition in the award document that sets out the nature of the “substantial federal involvement” in carrying out the award and program. Generally stated, under OJP cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient. OJP, however, may have substantial involvement in matters such as substantive coordination of technical efforts and site selection, as well as review and approval of project work plans, research designs, data collection instruments, and major project-generated materials. In addition, OJP often indicates in the award terms and conditions that it may redirect the project if necessary.

In addition to an award condition that sets out the nature of the anticipated “substantial federal involvement” in the award, cooperative agreements awarded by OJP include an award condition that requires specific reporting in connection with conferences, meetings, retreats, seminars, symposia, training activities, or similar events funded under the award.

#### **Cooperative Agreement under NCHIP and NARIP**

This NCHIP/NARIP related project is to be funded as a cooperative agreement. The basis for using a cooperative agreement is the substantial involvement of BJS in providing information, guidance, and direction relative to criminal history records improvements within the states. BJS will exercise general approval over the entire project. In addition, the substantial involvement of BJS will include, but not be limited to—

- a. Determining the types of criminal history record information that will be useful to federal, state, and local agencies
- b. Identifying federal information reporting standards and guidelines and making them available to the recipient or providing access to them
- c. Providing technical assistance to the recipient to enhance state criminal history records, identify convicted felons, and improve the quality and timeliness of criminal history information
- d. Informing the recipient of the status of federal program requirements, specifications, and funding levels
- e. Requesting and obtaining statistical data as needed to monitor and assess performance with respect to criminal records improvement goals.

#### **Comprehensive Strategy for Information Sharing**

Recipient 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 state and 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 states and localities developing integrated information sharing systems; (b) an assessment of the criminal justice resources being devoted to information technology; (c) state and local resource needs; (d) federal, state, regional, and local information technology coordination requirements; and (e) statewide priorities for planning and implementation of information technology systems.

### **FBI Systems Compatibility**

Recipient agrees that criminal justice information systems designed, implemented, or upgraded with NCHIP or NARIP funds will be compatible, where applicable, with the National Incident-Based Reporting System (NIBRS), National Crime Information Center system (NCIC), the National Criminal Instant Background Check System (NICS), Next Generation Identification (NGI), and applicable national, statewide, or regional criminal justice information sharing standards and plans.

### **AFIS Compatibility**

Recipient agrees that Automated Fingerprint Identification System (AFIS) equipment purchased under this award will conform to the American National Standards Institute (ANSI) Standard, "Data Format for the Interchange of Fingerprint, Facial & Other Biometric Information" (ANSI/NIST-ITL 1-2007 PART 1) and other reporting standards of the FBI.

### **State and Local Coordination**

Recipient agrees that activities funded under this award will be closely coordinated with related activities supported with OJP, state, local, or tribal funds.

#### *Coordination Involving Federal Employment Check and Firearm-Related Background Checks*

Recipient agrees that activities supported under this award will be coordinated with federal, state, and local activities relating to sharing criminal history record information to investigative services providers pursuant to Title 5 U.S.C. Sec. 9101 and related to presale firearm checks, as appropriate.

### **General Information about Post-Federal Award Reporting Requirements**

In addition to the deliverables described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP webpage at <https://ojp.gov/funding/FAPIIS.htm>.

Data on performance measures. In addition to required reports, each award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success and to assist DOJ 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), OJP will require any award recipient, post-award, to provide performance data as part of regular progress reporting. Successful applicants will be required to access OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) to view the specific reporting requirements for this grant program.

## G. Federal Awarding Agency Contact(s)

For OJP contact(s), see the title page. For contact information for Grants.gov, see the title page.

## H. Other Information

### **Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)**

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law enforcement-sensitive information.

### **Provide Feedback to OJP**

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

**IMPORTANT:** This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. Any prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to [ojpeerreview@l-secb.com](mailto:ojpeerreview@l-secb.com). (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

## Application Checklist

### FY 2018 National Criminal History Improvement Program (NCHIP)

This application checklist has been created as an aid in developing an application.

#### What an Applicant Should Do:

##### *Prior to Registering in Grants.gov:*

\_\_\_\_\_ Acquire a DUNS Number (see page 29)

\_\_\_\_\_ Acquire or Renew Registration with SAM (see page 29)

##### *To Register with Grants.gov:*

\_\_\_\_\_ Acquire AOR and Grants.gov Username/Password (see page 30)

\_\_\_\_\_ Acquire AOR Confirmation from the E-Biz POC (see page 30)

##### *To Find Funding Opportunity:*

\_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 30)

\_\_\_\_\_ Access Funding Opportunity and Application Package (see page 30)

\_\_\_\_\_ Sign Up for Grants.gov Email [Notifications](#) (optional) (see page 28)

\_\_\_\_\_ Read [Important Notice: Applying for Grants in Grants.gov](#)

\_\_\_\_\_ Read OJP Policy and Guidance on Conference Approval, Planning, and Reporting  
Available at [ojp.gov/financialguide/doj/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/doj/PostawardRequirements/chapter3.10a.htm)

(see page 12)

##### *After Application Submission, Receive Grants.gov Email Notifications that:*

\_\_\_\_\_ (1) Application Has Been Received

\_\_\_\_\_ (2) Application Has Either Been Successfully Validated or Rejected with Errors  
(see page 30)

##### *If No Grants.gov Receipt, and Validation or Error Notifications are Received:*

\_\_\_\_\_ Contact BJS Regarding Technical Difficulties (see page 31)

#### Overview of Post-Award Legal Requirements:

\_\_\_\_\_ Review the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#) in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>

#### Eligibility Requirement:

\_\_\_\_\_ Agency Designated by the Governor to Administer NCHIP or Federally Recognized Indian Tribal Government

#### What an Application Should Include:

\_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 14)

\_\_\_\_\_ Intergovernmental Review (see page 15)

\_\_\_\_\_ Project Abstract (see page 15)

\_\_\_\_\_ Program Narrative (see page 15)

\_\_\_\_\_ Budget Detail Worksheet (see page 20)

\_\_\_\_\_ Budget Narrative (see page 20)

\_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 23)



- \_\_\_\_\_ Tribal Authorizing Resolution (if applicable) (see page 24)
- \_\_\_\_\_ Financial Management and System of Internal Controls Questionnaire (see page 24)
- \_\_\_\_\_ [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see page 25)
- \_\_\_\_\_ Additional Attachments
  - \_\_\_\_\_ Letter of support or commitment from the court
  - \_\_\_\_\_ Letter to state IT POC
  - \_\_\_\_\_ Project period timeline
  - \_\_\_\_\_ Applicant Disclosure of Pending Applications (see page 25)
  - \_\_\_\_\_ Disclosure of Process Related to Executive Compensation (see page 26)
- \_\_\_\_\_ Request and Justification for Employee Compensation; Waiver (if applicable) (see page 12)