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

OMB No. 1121-0329

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Statistics (BJS) is pleased to announce that it is seeking applications for funding to administer state/tribal activities under the 2011 National Criminal History Improvement Program (NCHIP). This program furthers the Department's mission to enhance the crime fighting and criminal justice capabilities of state and tribal governments by improving the accuracy, utility, and interstate accessibility of criminal history records and enhancing records of protective orders involving domestic violence and stalking, sex offender records, automated identification systems and other state systems supporting national records systems and their use for criminal history background checks.

FY 2011 National Criminal History Improvement Program (NCHIP) Solicitation

Eligibility

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

Deadline

Registration with Grants.gov is required prior to application submission. (See "How to Apply," page 13.) All applications are due by 11:59 p.m. eastern time on Thursday, March 17, 2011. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting the application, contact Grants.gov Customer Support Hotline at 800-518-4726 or via e-mail to support@grants.gov.

Note: The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any other requirement of this solicitation, contact Devon B. Adams, Chief, Criminal Justice Data Improvement Program, at 202-307-0765 or by e-mail to askBJS@usdoj.gov. Include "2011NCHIP" in the subject line.

Grants.gov number assigned to announcement: **2011-BJS-2896**

CONTENTS

Overview……..3

Deadlines: Registration and Application…….4

Eligibility……...4

Project Specific Information…….....5

Performance Measures…….…....11

Notice of New Post-Award Reporting Requirements……..……13

How to Apply……..……...13

What an Application Should Include: …….....15

Information to Complete the Application for Federal Assistance, Standard Form (SF) 424
Program Narrative
Plan for Collecting the Data Required for this Solicitation's Performance Measures
Budget Detail Worksheet and Budget Narrative
Indirect Cost Rate Agreement (if applicable)
Tribal Authorizing Resolution (if applicable)
Additional Attachments
Other Standard Forms

Selection Criteria……..……19

Review Process ……..…. .20

Additional Requirements…….....21

Application Checklist …….. …..23

OMB No. 1121-0329
Approval Expires 02/28/2013

FY 2011 National Criminal History Improvement Program (NCHIP) Solicitation
CFDA Number 16.554

Overview

BJS is publishing this notice to announce the continuation of the National Criminal History Improvement Program (NCHIP) in Fiscal Year 2011, identify the program priorities, and provide information on application requirements.

Program goals

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

- providing direct financial and technical assistance to states and tribes to improve their criminal records systems and other related systems in an effort to support background checks;

- ensuring the infrastructure is developed to connect criminal history records systems to the state record repository or appropriate federal agency record system and accessible through the Federal Bureau of Investigation (FBI) records systems;

- providing the training and technical assistance needed to ensure that records systems are developed and managed to conform to FBI standards, as well as the most appropriate technologies while ensuring that contributing agencies adhere to the highest standards of practice with respect to privacy and confidentiality; and

- assessing and measuring through systematic evaluation and standardized performance measurement and statistics, progress made implementing improvements in national records holdings and background check systems.

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

Authorizing legislation

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

OMB No. 1121-0329
Approval Expires 02/28/2013

- The Crime Identification Technology Act of 1998 (CITA), Pub. L. No. 105-251, 112 Stat.1871 (1998), codified at 42 USC Section 14601 et seq.;

- The Brady Handgun Violence Prevention Act (Brady Act), Pub. L. No. 103-159, 107 Stat.1536 (1993), codified as amended at 18 U.S.C. Section 921 et seq.;

- The National Child Protection Act of 1993 (NCPA), Pub. L. No. 103-209, 107 Stat. 2490 (1993), codified as amended at 42 U.S.C. Sections 3759, 5101 note, 5119, 5119a, 5119b, 5119c;

- those provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (Omnibus Act), Pub. L. No. 90 351, 82 Stat. 197 (1968), codified as amended at 42 U.S.C. Section 3711 et seq., as amended; and the Violent Crime Control and Law Enforcement Act of 1994 (Violent Crime Control Act), Pub. L. No.103 322, 108 Stat. 1796 (1994), codified as amended at 42 U.S.C. Section 13701 et seq., which pertain to the establishment, maintenance, analysis, or use of criminal history records and criminal record systems;

- relevant requirements of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, Pub. L. No. 103-322, 108 Stat. 2038, Megan's Law, Pub.L. No. 104-145, 110 Stat. 1345, and the Pam Lychner Sexual Offender Tracking and Identification Act of 1996, Pub. L. No. 104-236, 110 Stat. 3093; and Title 1 of the Adam Walsh Child Protection and Safety Act of 2006, Pub L. 109-248;

- The Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464 (2000) and related laws pertaining to the identification, collection, analysis and interstate exchange of records relating to domestic violence and stalking (including protection orders);

- The Violence Against Women Act of 1994, codified as amended at 42 U.S.C. Section 14031 et seq; and

- The Violence Against Women and Department of Justice Reauthorization Act of 2005, Pub. L. No. 109-162, 119 Stat 2960 (2006); and

- relevant requirements of the Tribal Law and Order Act, Pub. L. No. 111-211, 124 Stat 2299, Section 251(b)(1) (2010).

Deadlines: Registration and Application

Registration is required prior to submission. OJP strongly encourages registering with Grants.gov several weeks before the deadline for application submission. The deadline for applying for funding under this announcement is 11:59 p.m. eastern time on Thursday, March 17, 2011. Please see the “How to Apply” section on page 13 for more details.

Eligibility

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

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

1. has the capability to contribute pertinent information to the National Instant Criminal Background Check System (NICS) established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. 922 note).

2. is or will be following a comprehensive strategy for information sharing systems to improve the functioning of the criminal justice system with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole. Further, the strategy must be developed in consultation with appropriate federal, state, or local officials with emphasis on the recommendation of officials whose duty it is to oversee, plan, and implement integrated information technology systems, and contain—

    a. a definition and analysis of "integration" in the jurisdictions developing integrated information sharing systems;

    b. an assessment of the criminal justice resources being devoted to information technology;

    c. resource needs;

    d. federal, state, regional, local, tribal information technology coordination requirements; and

    e. priorities for planning and implementation of information technology systems.

3. coordinates the programs funded by NCHIP with other federally funded information technology programs, including directly funded local programs; and,

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

(See "Additional Attachments" on page 19)

Project Specific Information

The NCHIP program was initiated in 1995 and has encompassed evolving efforts to support state activities for the establishment of records systems and the collection and use of criminal history and related records. Since 1995 direct awards under the basic NCHIP (including awards to "priority" states and awards under the Advanced State Award Program (ASAP) have totaled over $545 million. In addition, $6 million was transferred to the FBI for implementation of the National Instant Criminal Background Check System (NICS) and over $20 million was awarded to provide direct technical assistance to states, to evaluate the program, and to collect statistics and research data on presale firearm checks.

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

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

To date, all states, the District of Columbia, and five U.S. territories have received funds under NCHIP. Beginning in FY 2011, federally recognized tribes are also eligible to apply for funds under NCHIP. Further information about the history of the NCHIP program and its accomplishments are available at http://bjs.ojp.usdoj.gov/index.cfm?ty=tp&tid=47. NCHIP has provided support to states in the following areas:

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

Issues and needs to be addressed

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

- Many arrest records available through III – excluding those for the 14 states participating in the National Fingerprint File (NFF) – are missing case outcome information in the FBI's Criminal History File. Missing case disposition information also continues to plague many record systems. It remains vitally important that the courts and prosecutors be major players in the development of improvements to criminal records systems. The involvement of these officials is key to helping ensure the timely and accurate transmittal of disposition information, including non-prosecution outcomes, to criminal record repositories.

- Many entities are not submitting all available qualifying records to the NICS Index.

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

This program announcement is intended to target FY 2011 NCHIP resources on these specific needs as identified in the following priorities.

Four priority areas for grant funding

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

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

Allowable costs may include activities such as—

a. automating the interface between the record repository and prosecutors, courts, and corrections, including the development of relevant information exchange package documentation based on the National Information Exchange Model (NIEM);

b. implementing improved criminal history record capture procedures, including complete arrest reporting and researching missing dispositions, provided that the captured data are subsequently included in relevant state and federal files;

c. ensuring that records of all criminal events that start with an arrest or indictment are included in background check files;

d. capturing data on domestic violence misdemeanor convictions;

e. capturing data on persons convicted of abuse of children, the elderly, and the disabled and/or stalking and domestic violence offenses (including protection orders and violations thereof);

f. implementing or upgrading record systems that facilitate immediate identification of disposition records, provided the records are accessible for criminal history inquiries;

g. reducing any backlog of missing court dispositions;

h. implementing the standardized RAP sheet format, which relies on NIEM, and assisting states in converting criminal history records to the standard interstate RAP sheet format or developing electronic interchange capabilities related thereto;

i. converting manual or other non-automated records to electronic records;

j. submitting disposition information to the FBI via the Interstate Identification Index (III) Message Key (MKE), Machine Readable Data (MRD) process, or other methods of transmission accepted by the FBI;

k. establishing more effective accuracy and information quality controls;

l. converting juvenile records to the adult system (federal regulations allow the FBI to accept juvenile records if submitted by the state or local arresting agency);

m. upgrading equipment where directly related to improving availability of data and where appropriate, given the level of data completeness and participation in national records systems (***the ongoing and/or maintenance costs associated with any such equipment are allowable only for the first 12-month period***);

n. purchasing livescan equipment for local agencies where the funds can be justified on the basis of geographic, population, traffic, or other related factors, and only where the jurisdiction has established an Automated Fingerprint Identification System (AFIS) and either has implemented or is implementing procedures to ensure that the AFIS is compatible with FBI standards (***the ongoing and/or maintenance costs associated with any such equipment are allowable only for the first 12-month period***); and

o. ensuring compatibility with federal record systems, such as III, and implementing integrated system strategies that which interface all components of the criminal justice system, including law enforcement, prosecutors, courts, and corrections, to the extent that such expenditures improve the availability of criminal record data, including protection orders, and provided that any systems funded are compatible with FBI standards for national data systems, such as National Incident-Based Reporting System (NIBRS), National Crime Information Center (NCIC), NICS, Integrated Automated Fingerprint Identification System (IAFIS), the NCIC Protection Order File, and the NCIC National Convicted Sexual Offender Registry. However, funds may not be used to support studies, analysis, design, or development of integrated systems strategies.

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

Allowable costs may include activities such as—

a. identifying and developing access to data on persons prohibited from firearm purchases under the Gun Control Act (18 U.S.C. Section 922), as amended by the Brady Act;

b. participating in the FBI's Identification for Firearms Sales (IFFS) program, which is a system for flagging Interstate Identification Index (III) records for the immediate and accurate identification of convicted felons;

c. enabling the state to serve as a Point of Contact (POC) under the NICS system (including costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures). However, funds may not be used to cover ongoing costs of presale firearm background checks, but may be used to pay costs associated with capturing dispositions in response to a specific NICS inquiry provided that the captured data are entered into the automated state and FBI system, thus serving to upgrade the permanent quality of the record systems;

d. programming or operational changes in records management necessary to comply with the requirements for NICS record-keeping and the reporting of transaction statuses; and

e. establishing interfaces and/or information exchanges between criminal history records, sex offender registry, and civil protection order files to ensure that, consistent with state law, a complete data review is possible in connection with background checks for child care or other authorized purposes. Funds may be used to develop software to establish protocols to permit interface between the criminal history record system, the state sex offender registry, and related protection order files including files of civil protection orders.

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

Allowable costs may include activities such as—

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

b. automating criminal record databases;

c. synchronizing records between the state and the FBI; and

d. developing software and hardware necessary to enable electronic access to state records on an intrastate or interstate basis.

4. Supplemental funds for domestic violence and stalking records (additional funding is available under this priority)

NCHIP includes funds separately appropriated under the Violence Against Women and Department of Justice Reauthorization Act of 2005 for grants to improve domestic violence and stalking records.

Allowable costs may include activities to—

a. support state and tribal efforts to transmit qualifying records to the NCIC Protection Order File, including assisting states and tribes to develop and enhance state and tribal registries that feed into the national database. Allowable expenditures may include costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures. **Note: Costs of regular operating expenditures are not covered under the program.** Funds may not be used to purchase equipment for use by individual law enforcement officers; and

b. State and Tribal registry files supported with NCHIP funds must be compatible with the FBI file. Funds are only allowable to support development of local registries where data in such files are or will become directly accessible throughout the state and available to the FBI's national system. Funds may be used to purchase equipment and develop software to permit the disclosure of registry data in connection with background checks or other purposes as authorized by state or federal legislation. Funds may not be used to purchase equipment for use by individual law enforcement officers; and

c. assist states/tribes in identifying and submitting records of convictions of felony and misdemeanor crimes of domestic violence.

Grants may be supplemented for a state, territory, or tribe that certifies that it has or intends to establish a program that enters into the NCIC:

- warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence;
- arrests or convictions of persons violating protection orders or charged with domestic violence; and
- protection orders for the protection of persons from stalking or domestic violence.

"Protection order" includes (i) any injunction, restraining order, or any other order issued by a civil or criminal court for the purposes of preventing violent or threatening acts or harassment against, sexual violence or contact or communication with, or physical proximity to, another person, including any temporary or final orders issued by civil or criminal courts whether obtained by filing an independent action or as a *pendente lite* order in another proceeding so long as any civil order was issued in response to a complaint, petition, or motion filed by or on behalf of a person seeking protection; and (ii) any support, child custody or visitation provisions, orders, remedies, or relief issued as part of a protection order, restraining order, or stay away injunction pursuant to state, tribal, territorial, or local law authorizing the issuance of protection orders, restraining orders, or injunctions for the protection of victims of domestic violence, dating violence, sexual assault, or stalking.

Amount and Length of Awards

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

FY 2011 NCHIP awards will be "new" awards as opposed to supplemental awards, and will be made for up to 12 months. Since the program builds on long-term NCHIP activity, grantees will have the flexibility to begin funded activities immediately upon award or as late as October 1, 2011. All activities must be scheduled to be completed by September 30, 2012. FY 2011 projects may overlap with FY 2010 projects or may run consecutively.

Budget Information

Limitation on Use of Award Funds for Employee Compensation; Waiver: With respect to any award of more than $250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The 2011 salary table for SES employees is available at www.opm.gov/oca/11tables/indexSES.asp) Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

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

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

Match Requirement (cash or in-kind)

Federal funds awarded under this program may not cover more than 90% of the total costs of the project being funded. The applicant must identify the source of the 10% non-federal portion of the total project costs and how match funds will be used. (Match is restricted to the same uses of funds as allowed for the federal funds.) Applicants may satisfy this match requirement with either cash or in-kind services. The formula for calculating the match is:

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

Required Recipient's Share Percentage x Adjusted Project Cost = Required Match

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

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

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

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. Additionally, applicants should discuss their data collection methods in the application. Please refer to the selection criteria in this solicitation, which outline applicant responsibilities for collecting and reporting data. Performance measures for this solicitation are as follows:

Program Objectives	Performance Measures	Data to be Provided by Grantees
Improve criminal history record systems in the states and territories to support background checks for	Percentage of recent state/tribal records which are automated.	Number of criminal history records, manual and automated, in the state's/tribe's criminal history file. Number of fully automated records (records for which the

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

Submission of performance measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Please refer to the section "What an Application Should Include" (page 15) for additional information.

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

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation,

designed to develop or contribute to generalizable knowledge." 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP "Other Requirements for OJP Applications" Web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the "Confidentiality" section on that Web page.

Notice of New Post-Award Reporting Requirements

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

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

How to Apply

Applications will be submitted through Grants.gov. Grants.gov is a "one-stop storefront" that provides a unified process for all customers of federal awards to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at www.Grants.gov. If the applicant experiences technical difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **800-518-4726**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** A DUNS number is required for Grants.gov registration**.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at www.dnb.com. Individuals are exempt from this requirement.

2. **Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have

   previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password**. Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS Number must be used to complete this step. For more information about the registration process, go to www.grants.gov/applicants/get_registered.jsp.

4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Please note that there can be more than one AOR for the organization.

5. **Search for the funding opportunity on Grants.gov.** Please use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is CFDA 16.554, titled "National Criminal History Improvement Program "(NCHIP) and the funding opportunity number is 2011-BJS-2896.

6. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation. **Important:** Applicants are urged to submit applications **at least 72 hours prior** to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

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

Experiencing Unforeseen Grants.gov Technical Issues

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must contact BJS staff **within 24 hours after the deadline** and request approval to submit its application. At that time, BJS staff will instruct the applicant to submit specific information detailing the technical difficulties. The applicant must e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) received. After the program office reviews all of the

information submitted, and contacts the Grants.gov Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

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

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

What an Application Should Include

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

Moreover, applicants should anticipate that some application elements are so critical that applications unresponsive to the scope of the solicitation or that do not include a program narrative, budget detail worksheet including a budget narrative, key staff information, privacy certificate, and human subject's protection certificate of compliance and will neither proceed to peer review nor receive further consideration.

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

Applicants must submit the following:

Application for Federal Assistance (SF 424). The SF 424 is a standard form used by most federal agencies. It contains 18 items that are to be completed online in the Overview, Application Information, and Project Information sections of the OJP GMS.

Program Narrative (Attachment #1)

The program narrative should include the following four sections:

Section 1: Background and identification of needs

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

National Sex Offender Registry, IAFIS, mental health records, and livescan/AFIS capability). Where relevant, reference should be made to surveys and data quality audits.

Progress on record improvement goals. This section should include a short update of current efforts relating to improvement of criminal history records, protection order data, or sex offender registries (including efforts supported under OJP and other federal or state funded programs) and should discuss any evaluative efforts undertaken to identify the key areas of weakness in the state's criminal record system since submission of previous NCHIP applications. Tribal applicants should discuss progress related to record automation and improvement funded by other federal sources that are applicable to the above areas.

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

- Mental health records availability. All applicants should indicate whether their mental health records are checked, either by the state POC or the FBI, during a NICS check. Where mental health records are accessible, please include the number of records currently available and any plans to improve availability. If mental health records are not currently accessible at the time of a background check, please describe factors which limit or prohibit exchange of mental health records.

- Protection order files. All applicants should indicate whether they submit information for inclusion in the FBI's NCIC Protection Order file. Applicants that submit protection orders should indicate the number of active protection orders provided to the FBI. Applicants that do not submit protection orders should describe the prohibiting factors and any plans to overcome them.

- Sex offender registry. All applicants should discuss the extent to which the applicant provides information to the FBI's NCIC Convicted Sexual Offender Registry file, including the current number of records available through NCIC.

- NICS Index. All applications should discuss the extent to which the applicant provides information to the FBI's NICS Index. Applicants that do not submit information to this file should describe the prohibiting factors and any plans to overcome them.

- NICS inquiries. The application must also discuss the extent to which dispositions requested in connection with a NICS inquiry have not been provided within the required time frame and must identify any problems that are delaying instant responses to NICS inquiries and identify proposed solutions to these problems. Particular attention should be directed at needs of courts in connection with capture of disposition data.

Section 2: Description of tasks to be funded under NCHIP

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

- Courts. In recognition of the importance of court reporting to the development of complete and accurate criminal records, all applications should describe tasks and indicate the level of funds that will be made directly available to the courts. **Where no funds are provided for court-directed disposition reporting activities, a certification by the appropriate state or tribal court official declining participation must be included with this section.**

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

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

Section 3: Coordination

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

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

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

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

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

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

Budget Detail Worksheet and Budget Narrative (Attachment #2)

1. **Budget Detail Worksheet and Budget Narrative**

   a. **Budget Detail Worksheet**
   A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/forms/budget_detail.pdf. If the budget is submitted in a

different format, the budget categories listed in the sample budget worksheet should be included.

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

b. Budget Narrative

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

2. **Match.** There is a 10% cash or in-kind match requirement in connection with the FY 2011 NCHIP program. The narrative should include a description of cash contributions, in-kind services, or activities (with accompanying fiscal implications) that will serve as the match for activities funded under NCHIP. BJS will consider all documented efforts underway in the jurisdiction which are designed to contribute to, or meet, NCHIP program goals to be allowable in support of the 10% match requirement. BJS will work with applicants to ensure that they properly identify and quantify all records improvement activities being undertaken within the jurisdiction so as to include, where appropriate, these improvement efforts within the match definition.

3. **Indirect Cost Rate Agreement** (if applicable)
Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at www.ojp.usdoj.gov/financialguide/part3/part3chap17.htm.

4. **Tribal Authorizing Resolution (if applicable)**
If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions.

5. Additional Attachments

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

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

6. Other Standard Forms

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

a. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (required to be submitted in GMS prior to the receipt of any award funds)

b. Disclosure of Lobbying Activities (required for any applicant that expends any funds for lobbying activities; this form must be downloaded, completed, and then uploaded)

c. Accounting System and Financial Capability Questionnaire (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and then uploaded)

d. Standard Assurances (required to be submitted in GMS prior to the receipt of any award funds)

Selection Criteria

All applications must be responsive to this Program Announcement. Applicants are strongly encouraged to review the evaluation criteria BJS will use in making funding decisions before deciding whether to submit an application for this competitive solicitation. Applicants should understand that applications must respond to priorities identified and that full funding may not be possible for all proposed activities. **For FY 2011, NCHIP grants will be made on a competitive basis. Completeness of the application, in terms of all required information, will be a key consideration for BJS.** Awards will also be based on the following review criteria:

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

- the application proposes to directly address one or more of the priorities identified.

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

- the extent to which the application recognizes the role of the courts in ensuring complete records.
- the extent to which the proposal appears reasonable in light of the applicant's current level of system development and statutory framework.
- the technical feasibility of the proposal.

(3) Capabilities/Competencies (30%)

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

(4) Budget (15%)

- the reasonableness of the budget, including the nature of the proposed expenditures and their relation to the priorities identified herein.
- the extent to which the applicant proposes to match and/or leverage the NCHIP award with other resources.

(5) Impact/Outcomes and Evaluation (10%)

- the extent to which proposed project(s), by virtue of the applicant's record numbers, levels of technical development, or operating procedures, will have a significant impact on availability of records throughout the national system.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Statistics reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. The Bureau of Justice Statistics may use either internal peer reviewers, external peer reviewers, or a combination to review the applications under this solicitation. An

external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Eligible applications will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with BJS, conducts a financial review of applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the Budget Detail

Worksheet and Budget Narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

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

Additional Requirements

Applicants selected for award must agree to comply with additional legal requirements upon acceptance of award. We strongly encourage you to review the information pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

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

- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in excess of $5,000,000 – Federal Taxes Certification Requirement
- Active CCR Registration

Application Checklist
FY 2011 National Criminal History Improvement Program

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

Eligibility Requirement:

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

What an Application Should Include

_____ Application for Federal Assistance (SF-424) (see page 15)
_____ Program Narrative (see pgs 15-17)
_____ Budget Detail Worksheet (see page 17)
_____ Budget Narrative (see page 18)
_____ Indirect Cost Rate Agreement, (if applicable) (see page 18)
_____ Tribal Authorizing Resolution, (if applicable) (see page 18)
_____ Additional Attachments (see page 19)
- _____ Letter of Support/Commitment from the Courts
- _____ Letter to State IT POC
- _____ CITA Certification Statement
- _____ 1-year Project Period Timeline

_____ Other Standard Forms as applicable (see page 19)
- _____ Disclosure of Lobbying Activities (if applicable)
- _____ Accounting System and Financial Capability Questionnaire (if applicable)