

## **Notice regarding the solicitation “FY 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program (Formula)”**

April 19, 2018: Each applicant is to submit an NIJ Programmatic Coversheet and Checklist with its application to assist NIJ in assessing the potential environmental impacts of the activities proposed for funding by the applicant. Specifically, the applicant is expected to:

- Carefully read the [Programmatic Environmental Assessment](#);
- Complete the [Cover Sheet and the attached the Programmatic Checklist](#); and
- Attach the completed documents to the grant application.

The applicant should also submit a Cover Sheet and NIJ Programmatic Checklist for any organization identified in the Budget Detail Worksheet that will receive grant funds through a sub-award or procurement contract to perform any of the following activities: new construction or renovations that change the basic prior use of a facility or significantly change the size; research and/or technology development that could be expected to have an effect on the environment; or implementation of programs involving the use of chemicals.

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April 3, 2018: The total expected award amount under this solicitation has changed from \$64 million to \$70 million. The table “Estimated Aggregate Amounts Available for Each State” also has been updated to reflect this change (see page 40).

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The original solicitation document begins on the next page.



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [National Institute of Justice](#) (NIJ) is seeking applications for the FY 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) program. This program furthers the Department's mission by funding States and units of local government with existing crime laboratories that conduct DNA analysis to process, record, screen, and analyze forensic DNA and/or DNA database samples, and to increase the capacity of public forensic DNA and DNA database laboratories to process more DNA samples, thereby helping to reduce the number of forensic DNA and DNA database samples awaiting analysis.

## **FY 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program (Formula)**

**Applications Due: May 7, 2018**

### **Eligibility**

Eligible applicants are States<sup>1</sup> and units of local government with existing crime laboratories that conduct forensic DNA and/or DNA database sample analysis and:

- Participate in external audits, not less than once every two years, that demonstrate compliance with the requirements of the Quality Assurance Standards established by the Director of the Federal Bureau of Investigation (FBI).
- Are accredited by a nonprofit professional organization actively involved in forensic science that is nationally recognized within the forensic science community.
- Participate in the National DNA Index System (NDIS), or have an agreement with an NDIS participating laboratory to upload their data.

**Note:** A prospective recipient of grant funds that is found to have an “unresolved audit finding” from a DOJ Office of the Inspector General audit, as described at 34 U.S.C. § 10263, will be ineligible to receive grant funds during the period specified in that statute. See 34 U.S.C. § 10263(2).

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<sup>1</sup> For purposes of this announcement, the term “State” includes the District of Columbia and the Commonwealth of Puerto Rico. The U.S. territories of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands also may be eligible for funding. Please contact NIJ at 202-616-9264 for additional information, including information on allocation of funds.

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

## Deadline

Applicants must register with the [OJP Grants Management System \(GMS\)](https://grants.ojp.usdoj.gov/) at <https://grants.ojp.usdoj.gov/> prior to submitting an application under this solicitation. All applicants must register, even those that previously registered in GMS. Select the “Apply Online” button associated with the solicitation title. All registrations and applications are due by 11:59 p.m. eastern time on May 7, 2018

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 Management System Support Hotline at 888-549-9901, option 3, or via email at [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov). The GMS Support Hotline operates 24 hours a day, 7 days a week, including federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the NIJ contact identified below **within 24 hours after the application deadline** in order to request approval to submit its application after the deadline. For information on reporting technical issues, see “Experiencing Unforeseen GMS Technical Issues” under [How to Apply](#) in [Section D. Application and Submission Information](#).

For assistance with any other requirements of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 1-800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email [grants@ncjrs.gov](mailto:grants@ncjrs.gov); fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center operates from 10:00 a.m. until 6:00 p.m. eastern time, Monday through Friday, and from 10:00 a.m. until 8:00 p.m. eastern time on the solicitation close date. General information on applying for NIJ awards can be found at [www.nij.gov/funding/Pages/welcome.aspx](http://www.nij.gov/funding/Pages/welcome.aspx). Answers to frequently asked questions that may assist applicants are posted at [www.nij.gov/funding/Pages/faqs.aspx](http://www.nij.gov/funding/Pages/faqs.aspx).

Release date: March 23, 2018

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# FY 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program (Formula)

CFDA No. 16.741

## A. Program Description

### Overview

The goal of NIJ's FY 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) program is to assist eligible States and units of local government to process, record, screen, and analyze forensic DNA and/or DNA database samples and to increase the capacity of public forensic DNA and DNA database laboratories to process more DNA samples — thereby helping to reduce the number of forensic DNA and DNA database samples awaiting analysis.

Under this program, in general, eligible applicants are given the opportunity, based on their individual needs, to determine what portion of their anticipated funding should be used for capacity building purposes, and what portion should be used for analysis of forensic DNA and/or DNA database samples.

**Statutory Authority:** Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2018. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution"; no full-year appropriation for the Department has been enacted for FY 2018.

### Program-Specific Information

The following requirements apply to all DNA analyses conducted under this program:

- Applicants must ensure that all eligible DNA profiles obtained with funding from this program are entered into the Combined DNA Index System (CODIS) and, where applicable, are uploaded into the National DNA Index System (NDIS). No profiles generated with funding from this program may be entered into any non-governmental DNA database without prior express written approval from NIJ.
- Applicants must ensure that all profiles uploaded to NDIS<sup>2</sup> follow NDIS DNA Data Acceptance Standards.
- Applicants must ensure that each DNA analysis conducted and resulting profile generated under this program is maintained pursuant to all applicable federal privacy requirements, including those described in 34 U.S.C. § 12592(b)(3).

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<sup>2</sup> <https://www.fbi.gov/services/laboratory/biometric-analysis/codis/codis-and-ndis-fact-sheet>.

## Goals, Objectives, and Deliverables

The overarching goal of NIJ's FY 2018 DNA CEBR program is to assist eligible States and units of local government to increase laboratory capacity and reduce the number of samples awaiting analysis in both the casework and database sections. It is anticipated that this program will assist eligible States and units of local government that receive CEBR funds to decrease turnaround time of the analysis of forensic DNA and DNA database samples; and to process, record, screen, and analyze such samples. Increased laboratory capacity and decreased sample turnaround time will aid laboratories in reducing the number of forensic DNA and DNA database samples awaiting analysis.

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.

## Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates;
- Integrating evidence into program, practice, and policy decisions within OJP and the field;
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

The OJP CrimeSolutions.gov website at <https://www.crimesolutions.gov> is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

## 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

NIJ expects to award up to \$70 million under the FY 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) program to States and units of local government that operate forensic DNA laboratories. NIJ expects to make awards for a 24-month period of performance, to begin on January 1, 2019.

In general, the aggregate amount of FY 2018 funds expected to be awarded to eligible applicants from each State (including the State and its units of local government) is based on:

1. The number of Uniform Crime Report (UCR) Part 1 Violent Crimes<sup>3</sup> reported to the FBI for 2016.<sup>4</sup>
2. The number of Uniform Crime Report (UCR) Part 1 Property Crimes<sup>5</sup> reported to the FBI for 2016.<sup>6</sup>
3. The population of the State.<sup>7</sup>
4. A minimum (total) amount available to eligible applicants from each State. A minimum amount will be applied to each eligible State before the formula is calculated for the remainder of the allocation. For FY 2018, the minimum amount is \$150,000 and the rest of the allocation available to each State will be based on the number of UCR Violent Crimes and UCR Property Crimes reported to the FBI and on the State's population.

The number of State and local applicants may also affect funding allocations.

See "[Appendix A: Estimated Aggregate Amounts Available for Each State — FY 2018](#)" for a chart that identifies the estimated aggregate amount for each State (to fund eligible public forensic DNA laboratories in the State).

If there is more than one public DNA laboratory within a State, funds generally are expected to be allocated among the eligible applicants on the basis of the UCR Part 1 Violent Crimes, UCR Property Crimes, and population of the State, such that the total funding requested by all applicant agencies from each State does not exceed the aggregate level listed for the State in "Appendix A: Estimated Aggregate Amounts Available for Each State — FY 2018." NIJ expects applicants from States with multiple eligible applicants to coordinate among themselves to set a minimum level of funding for each applicant so that, **if practicable**, each eligible applicant within

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<sup>3</sup> UCR Part 1 Violent Crimes statistics are published on the FBI website at <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/topic-pages/tables/table-3>.

<sup>4</sup> Although cases of violent crime against the person are expected to be the priority for forensic casework conducted under this solicitation, States and units of local government may use FY 2018 program funds to process, record, screen, and analyze any criminal forensic DNA sample awaiting analysis.

<sup>5</sup> UCR Part 1 Violent Crimes statistics are published on the FBI website at <https://ucr.fbi.gov/crime-in-the-u.s/2016/crime-in-the-u.s.-2016/topic-pages/tables/table-3>.

<sup>6</sup> Although cases of violent crime against the person are expected to be the priority for forensic casework conducted under this solicitation, States and units of local government may use FY 2018 program funds to process, record, screen, and analyze any criminal forensic DNA sample awaiting analysis.

<sup>7</sup> <http://www.census.gov/population/international/data/idb/informationGateway.php>.

the State receives a minimum of **\$150,000**, regardless of whether its proportion of available funding based on UCR Part 1 Violent Crimes, UCR Property Crimes and population of the State reaches \$150,000.

If an eligible laboratory does not want to take the minimum aggregate amount of \$150,000 (or the full portion of the minimum aggregate amount for which it would be eligible), then that laboratory must submit official documentation to NIJ stating that it has agreed to cede a portion of the minimum aggregate amount to other eligible entities within the State.

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**

NIJ expects to make any award under this solicitation in the form of a grant. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

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

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>8</sup>) must, as described in the Part 200 Uniform Requirements<sup>9</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

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<sup>8</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>9</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.

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.)

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 the OJP Financial Management and System of Internal Controls Questionnaire (<https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf>) 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**

### **A. Permissible Uses of Funds — For Forensic DNA Laboratories and DNA Database Laboratories**

Under this program, in general, eligible applicants are given the opportunity, based on their individual needs, to determine what portion of their anticipated funding should be used for capacity-building purposes, and what portion should be used for analysis of forensic DNA and/or DNA database samples.

In developing requests for funding under this program, applicants should consider whether, if awarded, funds requested can be obligated in a timely manner and fully expended within required timeframes. All obligations properly incurred by the end of the federal award must be liquidated no later than 90 days after the end date of the award. *Properly obligated awards will have the full liquidation period for remaining expenditures.* The liquidation period exists to allow project time to receive ordered goods and make final payments. **No new obligations may be made during the liquidation period.** Disbursements made by recipients or subrecipients after the end date but within the liquidation period must have documentation to demonstrate that the obligation occurred before the end date of the award.

#### **1. Salary and benefits of laboratory employees**

Funds may be used to hire **additional** full-time or part-time laboratory employees to directly process, record, screen, and/or analyze forensic DNA and/or DNA database samples. Funds may also be used to hire **additional** full-time or part-time laboratory employees (excluding executive personnel) to directly perform capacity enhancement-specific activities, such as validating new DNA analysis technologies for the forensic DNA laboratory and/or the laboratory responsible for analysis of DNA database samples. Funds are subject to applicable restrictions on supplanting. Matching funds are not required.

**Note:** NIJ makes no assurance that funds will be available for this purpose in future award announcements.

(See [What an Application Should Include: Budget and Associated Documentation](#)).

Federal funds must be used to **supplement** existing State and local funds for program activities and must not supplant those funds that have been appropriated for the same purpose.

Please refer to the [DOJ Grants Financial Guide](#), section 2.3 “Standards for Financial Management Systems,” for more information on supplanting.

## 2. Overtime for laboratory staff

Funds may be used to pay overtime for laboratory employees (excluding executive personnel) to directly process, record, screen, and/or analyze forensic DNA and/or DNA database samples. Funds may also be used to pay overtime for existing laboratory employees to directly perform capacity enhancement-specific activities, such as validating new DNA analysis technologies for the forensic DNA or DNA database laboratory. Any payments for overtime must be in accordance with the applicable provisions of the [DOJ Grants Financial Guide](#).

## 3. Training

Funds may be used for appropriate training of forensic DNA laboratory and DNA database laboratory personnel. In general, funds used for training are intended to aid personnel in the forensic DNA laboratory and DNA database laboratory to meet continuing education requirements mandated in the DNA Quality Assurance Standards established by the Director of the Federal Bureau of Investigation.

- “Appropriate training” includes internal or external training and continuing education/training opportunities **that are directly related to the forensic DNA laboratory or DNA database laboratory operation.**
- Funds used towards travel and registration expenses for **appropriate** continuing education/training opportunities that are associated with professional meetings and conferences (including workshops provided at such meetings and conferences) are limited to **no more than eight (8) percent of the total award.**
- Funds used toward travel expenses, registration fees, and required learning aids (e.g., textbooks) for appropriate training and continuing education opportunities that are not associated with professional meetings and conferences are not subject to the eight (8) percent cap.

## 4. Travel (limited)

Funds may be used for travel to conduct required site visits to public or private accredited laboratories that will be conducting DNA analyses on behalf of the eligible State or unit of local government to review procedures and practices prior to initial sample shipment; funds may also be used to make one additional unannounced site visit.

Funds may be used for travel associated with DNA training, described in item 3 “Training,” above.

Travel expenses must be reasonable and comply with the applicable provisions of the grant award terms and special conditions, the DOJ Financial Guide, the recipient’s (and any subrecipient’s) written policies, and DOJ regulations (Part 200 Uniform Requirements). Justifications for the number of staff traveling and the benefit of their attendance at the event must be included.

## **5. Equipment**

In general, funds may be used to upgrade, replace, or purchase laboratory equipment, instrumentation, and associated computer hardware for the forensic DNA and/or the DNA database laboratory. See “Expenses That Are Not Permitted,” below, for specific equipment items that are excluded from the FY 2018 program.

Requests for equipment must adequately be justified with the demonstrated need. Updates to computer hardware must be based on new technology or software upgrades to instrumentation.

## **6. Supplies**

Justification of expenses for supplies must include support for the number of units requested and reasoning for the request. Recipients are expected to use expendable supplies, including kits, prior to their expiration date and by no later than the end date of the award.

### **a. Laboratory supplies for validation**

Allowable supply expenses include the purchase of laboratory supplies that can be directly attributed to the validation of new DNA analysis technologies (instruments, processes, or chemistries).

### **b. Laboratory supplies for DNA sample analysis**

Allowable supply expenses include the purchase of laboratory supplies that can be directly attributed to the processing, recording, screening, and analysis of forensic DNA casework and/or DNA database samples.

### **c. Collection kits for database samples**

Collection kits for database samples (convicted offender or arrestee) may be purchased.

If an applicant (or proposed subrecipient) is a current grantee (or subgrantee) of the NIJ DNA Arrestee Collection Process Implementation Grants Program, a justification for the purchase of these kits must be included that addresses the issue of potential duplicative costs for collection kit requests between the CEBR program and the DNA Arrestee Collection Process Implementation Grants program.

## **7. Contracts**

### **a. Contracts for analysis of forensic DNA casework samples or DNA database samples to public or private accredited DNA laboratories**

Funds may be used to send forensic DNA and/or DNA database samples to fee-for-service laboratories to conduct DNA analyses. Funds may also be used to enter into agreements with government-owned laboratories to conduct forensic DNA and/or DNA database sample analyses, perform data review, enter eligible DNA profiles into CODIS and, where applicable, upload to NDIS. All obligations properly incurred by the end of the federal award must be liquidated no later than 90 days after the end date of the award. Properly obligated awards will have the full liquidation period for remaining expenditures. No new obligations may be made during the liquidation period.

Every laboratory that is contracted to conduct forensic DNA or DNA database sample analyses under this program must undergo an external audit, not less than once every two (2) years, that demonstrates compliance with the requirements of the Quality Assurance Standards for Forensic DNA Testing Laboratories and/or the Quality Assurance Standards for DNA Database Laboratories established by the Director of the Federal Bureau of Investigation, and must be accredited by a nonprofit professional organization actively involved in forensic science that is nationally recognized within the forensic science community.

### **b. Contracts for DNA audits**

DNA laboratories may establish contracts with vendors (individuals or entities) that can provide an external DNA audit once every two (2) years, as required by the Quality Assurance Standards for Forensic DNA Testing and DNA Database Laboratories established by the Director of the Federal Bureau of Investigation.

As part of the decision as to whether to award a contract to a vendor for a DNA audit, an award recipient is expected to examine carefully any costs charged by the vendor, including auditor fees (costs should not exceed \$650 per auditor for each day on site) and auditor travel expenses, and to determine whether all such charges are reasonable and justified. All audit-related costs must be detailed in the budget. Note that NIJ will use the rates established by GSA as a benchmark in examining the reasonableness of audit-related travel expenses.

Auditors must meet the requirements specified in the Quality Assurance Standards for Forensic DNA Testing and/or DNA Database Laboratories and, additionally, must reside outside the State where the laboratory to be audited operates. The same auditors cannot be used in consecutive audits, and all auditors must sign a conflict of interest and nondisclosure form prior to performing any work.

### **c. Contracts for process mapping or other efficiency studies**

Contracts may be established for an outside vendor to conduct a process mapping or efficiency type study, such as a Lean Six Sigma-type efficiency study, of the DNA laboratory. One of the potential benefits from such an approach is highlighted in the following report: [Increasing Efficiency of Forensic DNA Casework Using Lean Six Sigma Tools](#).

**d. Warranty, service, or maintenance contracts for equipment**

Contracts may be established to provide warranty, service, or maintenance contracts only for laboratory equipment purchased with funds from an award made from the FY 2018 program.

**e. Contracts for temporary laboratory employees**

Contracts may be established to hire personnel to process, record, screen, and analyze forensic DNA casework; to process, record, and analyze DNA database samples; or to perform capacity enhancement activities such as validating new DNA analysis technologies. Contracts may be established for data review in accordance with the Quality Assurance Standards for Forensic DNA Testing and DNA Database Laboratories.<sup>10</sup>

**f. Contracts for validation studies for new DNA analysis technologies**

Contracts may be established for an outside vendor to validate new instruments, processes, or chemistries that are National DNA Index System (NDIS) approved within the DNA laboratory.

**g. Contracts for in-house training services**

Contracts may be established for an outside vendor to provide in-house training to laboratory personnel directly involved in the processing, recording, screening, and/or analysis of forensic DNA or DNA database samples.

**Note:** Procurements under awards made under this program are subject to the “Procurement Standards” set forth in 2 C.F.R. 200 (“Subpart D — Post Federal Award Requirements”) — including the provisions relating to competition — and other applicable law.

The Procurement Standards, at 2 C.F.R. §200.317 through §200.326, detail requirements and restrictions imposed on non-federal entities (i.e., recipients and subrecipients) that use federal assistance funds to procure property or services needed to carry out the grant-funded project.

Recipients or subrecipients must conduct all procurement transactions in a manner providing full and open competition consistent with the Procurement

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<sup>10</sup> <https://archives.fbi.gov/archives/about-us/lab/forensic-science-communications/fsc/july2000/quality-assurance-standards-for-forensic-dna-testing-laboratories> and [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwjsq4W4z\\_iPAhVJXD4KHderBZYQFggcMAA&url=https%3A%2F%2Fwww.fbi.gov%2Ffile-repository%2Fquality-assurance-standards-for-forensic-dna-testing-laboratories.pdf&usq=AFQjCNGM24I2xiUg2wVcle2b9Dgd-feg9g&sig2=4UN1C9gSsVf73X-70ceMIQ](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEwjsq4W4z_iPAhVJXD4KHderBZYQFggcMAA&url=https%3A%2F%2Fwww.fbi.gov%2Ffile-repository%2Fquality-assurance-standards-for-forensic-dna-testing-laboratories.pdf&usq=AFQjCNGM24I2xiUg2wVcle2b9Dgd-feg9g&sig2=4UN1C9gSsVf73X-70ceMIQ).

Standards. Contractors that develop or draft specifications, requirements, statements of work, and invitations for bids or requests for proposals must be excluded from competing for such procurements.

**Sole source procurement** (or, noncompetitive procurement) should be used only when use of competitive solicitation procedures like sealed bids, or competitive proposals is not applicable to the requirements or is impracticable. All Sole Source procurements in excess of the Simplified Acquisition Threshold set in accordance with 41 U.S.C. 1908 (currently set at \$150,000) must receive advance authorization from the grant-making agency component to use a non-competitive approach for the procurement before entering into the contract.

## **8. Direct administrative expenses**

Up to three (3) percent of the federal portion of an award under this program may be used for direct administrative expenses specifically related to grant administration and management, including travel and training costs related to federal grant management.

## **9. Costs associated with and including accreditation**

Details regarding the costs associated with accreditation and the justification of these costs must be included with the budget narrative.

## **10. Software**

Allowable software is that which is associated with running the DNA laboratory. Allowable purchases may include, but are not limited to, software and licenses associated with running DNA instrumentation, software associated with running temperature monitoring systems, and other quality control systems, licenses for existing laboratory information management systems (LIMS) for users in the forensic biology and/or DNA laboratory who are directly involved in the processing, recording, screening, or analysis of forensic DNA or DNA database samples, and software for DNA mixture interpretation.

## **11. Laboratory information management systems (LIMS)**

### **a. Existing laboratory information systems**

Contracts may be established to purchase and install **DNA modules to existing LIMS**, extra licenses for the DNA unit users to an existing LIMS system, or software upgrades for an existing LIMS or DNA module. **NOTE:** See the definitions of **LIMS and module**.

### **b. Accessories for existing LIMS**

Accessories for existing LIMS in the forensic biology and/or DNA section of the laboratory may be purchased. Allowable accessories include items such as barcode printers and barcode scanners; however, do not include hardware items such as laptops, desktop computers, or computer tablets. A detailed

justification for these items would need to be submitted with the application documents.

For the purposes of this solicitation:

**LIMS** — a software-based laboratory and information management system with features that support a modern laboratory's operations. Key features include, but are not limited to, workflow and data tracking support, flexible architecture, and data exchange interfaces.

**Module** — A sample/case tracking component separate from the laboratory's LIMS that functions only for the purposes of the forensic biology/DNA unit. NOTE: The module may be a product of the same, or a different, vendor as the laboratory's current LIMS.

## **B. Expenses That Are Not Permitted**

Federal funds awarded under this program may only be used for the permissible uses of funds outlined above. Among other things, they may not be used for:

1. Salaries and benefits other than as discussed in section "[Permissible Uses of Funds.](#)"
2. Travel, other than authorized travel expenses associated with appropriate DNA training and visits to outsourcing laboratories as discussed in section "[Permissible Uses of Funds.](#)"
3. Travel and training costs for continuing education/training opportunities that are associated with professional meetings and conferences (including workshops provided at such meetings and conferences) that exceed eight (8) percent of the total award.
4. Testimony and associated travel costs.
5. Construction.
6. Direct administrative expenses that exceed three (3) percent of the federal portion of the award.
7. General office supplies and equipment, including but not limited to, paper, pens, toner, printer cartridges, office/modular furniture, chairs, tables, floor mats, "basic supplies," etc.) Equipment directly related to DNA analysis (e.g. printers connected directly to genetic analyzers or CODIS terminals) is allowable.
8. Maintenance and service contracts for existing laboratory equipment.
9. Annual maintenance and annual service contracts and licensing agreements for existing Laboratory Information Management Systems (LIMS).
10. LIMS hardware or software, other than as stated in section "[Permissible Uses of Funds,](#)" number 10.
11. Renovation costs for ordinary rearrangements, alterations, or restorations of the facility.

12. Purchase of equipment or technologies that have not been approved for use by the National DNA Index System (NDIS), including personnel and supply costs that would be needed to validate equipment or technologies not approved for use by NDIS. This includes Rapid DNA Analysis instruments proposed to be used in a way not compatible with the FBI's Addendum to the QAS for Rapid DNA Analysis.<sup>11</sup>

Rapid DNA, or Rapid DNA Analysis, describes the fully automated (hands-free) process of developing a CODIS Core STR profile from a reference sample buccal swab. The "swab in – profile out" process consists of automated extraction, amplification, separation, detection and allele calling without human intervention.

13. Work that is funded under another federal award. Recipients and subrecipients are prohibited from commingling funds on either a program-by-program or project-by-project basis.
14. Any items not directly related to capacity enhancement or backlog reduction.
15. Costs incurred outside of the project period.
16. Costs for the overtime or compensatory time of executives, such as the president or executive director of an organization.

### **Program Income**

If funded, the applicant must declare program income on quarterly and final Federal Financial Reports (SF-425) if it charges a fee for DNA testing services and uses any funds from this program to work cases in which the laboratory accepts a fee for testing.

Program income means gross income earned by the non-federal entity that is directly generated by a supported activity or earned as a result of the federal award during the period of performance. See [2 C.F.R. § 200.80](#) (definition of "Program Income"). Non-federal entities are encouraged to earn income to defray program costs where appropriate. See [2 C.F.R. § 200.307\(a\)](#).

Applicants must submit a declaration that they will or will not be generating program income on this award.

### **Cost Sharing or Matching Requirement**

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

### **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.

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<sup>11</sup> <https://www.fbi.gov/about-us/lab/biometric-analysis/codis/rapid-dna-addendum-to-qas-final-effective-12-1-2014>.

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 point of contact listed on the title page 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 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.

### **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 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](https://www.ojp.gov/funding/index.htm)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

## **C. Eligibility Information**

For eligibility information, see title page.

For information on cost sharing or match 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 OJP will not make funds available for an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that NIJ has designated to be critical.**

For this solicitation, NIJ has designated the following application elements as critical: **Program Narrative, Budget Detail Worksheet, Budget Narrative, and Proof of Laboratory Accreditation.**

**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.

**ATTENTION APPLICANTS:**

Applicants that do not submit **all** critical elements specified in the paragraph above will not be funded under this program. Applicants are strongly encouraged to read the solicitation thoroughly prior to submitting applications.

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. The OJP Grants Management System (GMS) takes information from the applicant’s profile to populate the fields on this form.

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 5), 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 applicants should enter the Employer Identification Number (EIN) in box 6 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, its address, its EIN, and its Data Universal Numbering System (DUNS). 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 16 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 16 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 less. 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.

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

## 3. Program Narrative

The program narrative must specifically describe the manner in which the DNA Capacity Enhancement and Backlog Reduction grant funds will be used to conduct DNA analysis to process, record, screen, and analyze forensic DNA and/or DNA database samples, and to increase the capacity of eligible forensic DNA and DNA database laboratories to process more DNA samples, thereby helping to reduce the number of forensic DNA and DNA database samples awaiting analysis.

The program narrative section of the application should not exceed 10 pages, double-spaced, in 12-point font with 1-inch margins. If included in the main body of the program narrative, tables, charts, figures, and other illustrations count toward the 10-page limit for the narrative section. The project abstract, table of contents, appendices, and government forms do not count toward the 10-page limit.

The following sections should be included as part of the program narrative:<sup>12</sup>

a. Description of the Issue.

- i. Applicants should discuss identified bottlenecks in the DNA analysis process.

b. Project Design and Implementation.

- i. This section should address the goals, objectives, and expected results of the applicant's proposal.
- ii. A detailed plan showing how the applicant intends to use FY 2018 CEBR Program funds to meet the programmatic goals of this solicitation: reducing DNA sample turnaround time, increasing the throughput of the public DNA laboratory, and reducing the number of forensic DNA and/or DNA database samples awaiting analysis. The goals and/or objectives should not be the purchase of cost items or a restating of the budget request, but should be what processes, policy, or technology implementation this project will introduce to the agency to reduce turnaround time, increase throughput, and reduce the number of DNA samples awaiting analysis.

This plan should include a detailed timeline for the project (e.g., for the procurement, validation, and implementation of any new equipment; for the implementation of new chemistries; for the implementation of personnel costs [hiring and/or overtime]; for the execution of contracts; etc.).

- iii. Applicants should discuss how they intend to address bottlenecks in the DNA analysis process.
- iv. Applicants should also provide descriptions of any observed and/or anticipated increases in DNA submissions that would be expected to significantly impact the DNA laboratory's backlog and/or capacity that may negatively impact the project's expected results.
- v. Applicants seeking funds for processing, recording, screening, and analysis of forensic DNA cases and/or DNA database samples must make a statement of the estimated number of forensic DNA cases and/or DNA database samples that can be processed, recorded, screened, and analyzed within the 24-month project period.

c. Capabilities and Competencies

- i. The applicant must identify proposed project staff, including any and all individuals (and organization) who will be significantly involved in substantive aspects of the proposal and provide their qualifications and experience.
- ii. The applicant organization must demonstrate its ability to manage the effort.

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<sup>12</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](#).

- iii. The applicant must also show the relationship between the capabilities/competencies of the proposed staff (including the applicant organization) and the scope of the proposed project.
- d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

The data collection plan is a description of the applicant's plan for collecting the data required for the solicitation's performance measures. Applicants should discuss this plan in detail in their applications. The plan should describe how the performance measure data will be derived, state who will be responsible for collecting the data, and state that the data will be available for review three (3) years post award, as required. The data collection plan should be rigorous to ensure that the performance measure data provided are accurate, auditable, and correctly measure the impact of the federal funds provided.

The data collection plan should clearly describe both the method for the collection and tracking of performance measure data produced as a result of federal assistance provided under this solicitation and the method for reporting such data on a semi-annual basis. For projects that include forensic DNA casework and/or DNA database sample testing activities and objectives, the data collection plan should also include an explanation of how the tracking and reporting methods will avoid the possibility of "double counting" forensic DNA cases and/or DNA database samples affected by federal funds.

The applicant should also provide its policy on **validating performance measure data** at the applicant level, including who is responsible for the process of collecting and calculating the data, who is responsible for quality control of the data, and how the data will be stored.

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.

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

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.

Objective	Performance Measure(s)	Data Recipient Provides
Improve the DNA analysis capacity of existing State and local government crime laboratories that conduct forensic DNA analysis.	Increase in DNA analysis throughput for the laboratory.	<p>Number of forensic biology/DNA cases submitted to the laboratory during the reporting period.</p> <p>Total number of forensic biology/DNA cases completed by the laboratory during the reporting period.</p> <p>Average number of forensic DNA samples analyzed per analyst per month at the beginning of the award period.</p> <p>Average number of forensic DNA samples analyzed per analyst per month at the end of the reporting period.</p>
	Reduction in response time for requests.	<p>Average number of days between the submission of a request, by type, for forensic biology/DNA analysis to the laboratory and the delivery of the test results at the beginning of the award period.</p> <p>Average number of days between the submission of a request, by type, for forensic biology/DNA analysis to the laboratory and the delivery of the test results at the end of the reporting period.</p>
Reduce backlogged forensic DNA casework in State and local government crime laboratories.	Percentage decrease in DNA backlog. <sup>13</sup>	<p>Number of backlogged forensic biology/DNA cases at the beginning of the award period.</p> <p>Number of backlogged forensic biology/DNA cases, at the end of the reporting period.</p> <p>Number of forensic biology/DNA cases analyzed.</p>
Enter DNA profiles into the FBI's National DNA Index System using CODIS version 7.0.	Percent of DNA profiles resulting in a CODIS match.	<p>Number of DNA profiles from forensic analyses entered into CODIS.</p> <p>Number of CODIS hits.</p>

<sup>13</sup> A backlogged case is defined as a forensic biology/DNA case that has not been completed within 30 days of receipt in the laboratory.

**DNA database laboratories will provide the following data for performance measures.**

<b>Objectives</b>	<b>Performance Measure(s)</b>	<b>Data Grantee Provides</b>
Improve the capacity of laboratories that conduct DNA analysis on convicted offender and/or arrestee DNA samples (DNA database samples).	Increase in DNA analysis throughput for the laboratory.	Average number of DNA database samples analyzed per analyst per month at the beginning of the award period.  Average number of DNA database samples analyzed per analyst per month at the end of the reporting period.
	Reduction in response time for requests.	Average number of days between the submission of a DNA database sample to the laboratory and the upload of the profile to CODIS at the beginning of the award period.  Average number of days between the submission of a DNA database sample to the laboratory and the upload of the profile to CODIS at the end of the award period.
Reduce the backlog of convicted offender and/or arrestee DNA samples (DNA database samples).	Percent decrease in DNA backlog. <sup>14</sup>	Number of backlogged DNA database samples at the beginning of the award period.  Number of backlogged DNA database samples at the end of the award period.  Number of DNA database samples analyzed.
Enter DNA profiles into the FBI's National DNA Index System using CODIS version 7.0.	Percent of DNA profiles resulting in a CODIS match.	Number of DNA profiles from forensic analyses entered into CODIS.  Number of CODIS hits.

To assist NIJ in determining baseline national backlogs, all applicants are to submit the baseline backlog data requested in the following table as part of their program narrative.

The request encompasses backlog data for the database laboratory, regardless of whether Federal funding assistance is being sought for the database operation.

<sup>14</sup> A backlogged case is defined as a forensic biology/DNA case that has not been completed within 30 days of receipt in the laboratory.

**Baseline Backlog Data**

<b>Casework Laboratories</b>	
Number of untested/not completed forensic biology/DNA cases on hand on January 1, 2017.	
Number of untested/not completed forensic biology/DNA cases more than 30 days old ( <b>backlogged</b> ) on January 1, 2017.	
Please estimate percentage of the backlogged cases that were from property crimes.	
Number of new <b>cases</b> for forensic biology/DNA received in 2017.	
Please estimate percentage of these <b>cases</b> that were from property crimes.	
Total number of forensic biology/DNA <b>cases</b> completed in 2017.	
Please estimate percentage of these <b>cases</b> that were property crimes.	
Forensic biology/DNA cases closed by administrative means in 2017.	
Number of untested/not completed forensic biology/DNA cases on hand on December 31, 2017.	
Number of untested/not completed forensic biology/DNA cases more than 30 days old ( <b>backlogged</b> ) on December 31, 2017.	
The average number of days needed to complete (including peer review and report) non-priority forensic DNA cases for calendar year 2017. Please indicate violent crime time with a “ <b>V</b> ” and the nonviolent crime time with “ <b>NV</b> .” If the applicant cannot separate violent and nonviolent cases, give the number with no other markings.	

<b>Database Laboratories</b>	
<b>Convicted Offender Samples</b>	
The number of untested/not completed convicted offender samples on hand on January 1, 2017.	
The number of untested/not completed convicted offender samples more than 30 days old ( <b>backlogged</b> ) as of January 1, 2017.	
The number of new convicted offender samples received in 2017.	
The total number of convicted offender samples completed in 2017.	
Samples closed by administrative means (duplicates, non-authorized samples, etc.) in 2017.	
Number of untested/not completed convicted offender samples on December 31, 2017.	
Number of untested/not completed convicted offender samples more than 30 days old ( <b>backlogged</b> ) on December 31, 2017.	
Average number of days to complete the processing of a convicted offender sample (including upload to CODIS) for calendar year 2017.	
<b>Arrestee Samples</b>	
The number of untested/not completed arrestee samples on hand as of January 1, 2017.	
The number of untested/not completed arrestee samples more than 30 days old ( <b>backlogged</b> ) on January 1, 2017.	
The number of new arrestee samples received in 2017.	
The total number of arrestee samples completed in 2017.	
Samples closed by administrative means (duplicates, non-authorized samples, etc.) in 2017.	
Number of untested/not completed arrestee samples on December 31, 2017.	
Number of untested/not completed arrestee samples more than 30 days old ( <b>backlogged</b> ) on December 31, 2017.	
Average number of days to complete the processing of an arrestee sample (including upload to CODIS) for calendar year 2017.	

### Definitions for Requested Baseline Backlog Data

**Backlogged forensic biology/DNA case** — A forensic biology/DNA case that has not been completed within 30 days of receipt in the laboratory.

**Backlogged DNA database sample** — A DNA database sample that has not been uploaded to CODIS within 30 days of receipt in the laboratory.

**Case** — Analysis request for examination in one forensic investigation area (forensic biology/DNA for this purpose).

**DNA** — For the purposes of determining baseline national backlogs for casework laboratories, “DNA” will be considered to be biology screening (the location, screening, identification, and characterization of blood and other biological stains and substances) and/or DNA analysis (the identification and comparison of DNA in biological samples). For the purpose of determining baseline national backlogs for database laboratories, “DNA” will be considered the testing of DNA in biological samples collected from convicted offenders and/or arrestees, and subsequent upload to CODIS databases.

### **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 [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards”](#) available through the OJP Funding Resource Center at <https://ojp.gov/funding/Explore/SolicitationRequirements/index.htm>.

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), as well as on 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; 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, a contract, or a 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.

### **d. 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 is to 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 the “de minimis” rate requirements (including on eligibility to elect to use the rate), see the Part 200 Uniform Requirements, at 2 C.F.R. 200.414(f).

## **6. 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 point of contact 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).

## **7. 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”).

## **8. Additional Attachments**

### **a. Proof of DNA Laboratory Accreditation**

Acceptable types of documentation of current accreditation include: an electronic (scanned) copy of the current accreditation certificate(s), a digital photograph of the current accreditation certificate(s), or a letter from the accrediting body that includes the certificate number. Additionally, if a certificate references another document that contains key information on the type or scope of the accreditation, provide a copy of that supplemental documentation.

### **b. Eligibility Statements**

- a. The “Eligibility Statements” should include:
  - i. Information or documentation that any crime laboratory that would receive funding under this program is 1.) an existing crime laboratory that conducts

analysis of DNA samples and, if applicable, a State designated existing crime laboratory that conducts analysis of DNA database samples; 2.) accredited by a nonprofit professional organization actively involved in forensic science that is nationally recognized within the forensic science community; 3.) participates in external audits, not less than once every two (2) years, that demonstrate compliance with the requirements of the Quality Assurance Standards established by the Director of the Federal Bureau of Investigation.

- ii. Statement or documentation that 1.) all eligible DNA profiles obtained with funding from this program will be entered into the Combined DNA Index System (CODIS) and, where applicable, uploaded to the National DNA Index System (NDIS).
- iii. Statement acknowledging that any crime laboratory that would receive funding under his program 1.) participates in the National DNA Index System (NDIS), or has an agreement with an NDIS participating laboratory to upload its data; and 2.) must follow NDIS DNA Data Acceptance Standards for all profiles uploaded to NDIS.
- iv. Statement that all DNA analysis performed under this program will be maintained under applicable federal privacy requirements.

**c. Certification of Non-supplanting**

Applicants should include a written certification from the applicant, at the time of application submittal into GMS, on agency letterhead from the Authorized Representative, that “Federal funds will be used to supplement existing State and local funds for program activities and will not supplant those funds that have been appropriated for the same purpose.”

**d. Declaration that the Awardee Will or Will Not Generate Program Income (see page 15)**

**e. 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.
- The point of contact information at the applicable federal or State funding agency.

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact 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.”

### How To Apply

An applicant must submit its application through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Each applicant entity **must register in GMS for each specific funding opportunity**. Although the registration and submission deadlines are the same, OJP urges each applicant entity to **register promptly**, especially if this is the first time the applicant is using the system. Find complete instructions on how to register and submit an application in GMS at [www.ojp.gov/gmscbt/](http://www.ojp.gov/gmscbt/). An applicant that experiences technical difficulties during this process should email [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov) or call 888-549-9901 (option 3), 24 hours every day, including during federal holidays. OJP recommends that each applicant **register promptly** to prevent delays in submitting an application package by the deadline.

**Note on File Types: 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.

## **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 subrecipients. 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.

If the applicant entity already has an Employer Identification Number (EIN), the SAM registration will take **up to two weeks to process**. If the entity does not have an EIN, then **the applicant should allow two to five weeks for obtaining the information from IRS when requesting the EIN via phone, fax, mail or Internet**. For more information about EIN, visit <https://www.irs.gov/individuals/international-taxpayers/taxpayer-identification-numbers-tin>.

## **Registration and Submission Steps**

All applicants should complete the following 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 point of contact information for applicants, recipients, and subrecipients. 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 [www.dnb.com/](http://www.dnb.com/). A DUNS number is usually received within 1-2 business days.

- 2. Acquire or maintain registration with SAM.** 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).

Information about SAM registration procedures can be accessed at [www.sam.gov](http://www.sam.gov).

3. **Acquire a GMS username and password.** New users must create a GMS profile by selecting the “First Time User” link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to [www.ojp.gov/gmscbt](http://www.ojp.gov/gmscbt). Previously registered applicants should ensure, prior to applying, that the user profile information is up-to-date in GMS (including, but not limited to, address, legal name of agency and authorized representative) as this information is populated in any new application.
4. **Verify the SAM (formerly CCR) registration in GMS.** OJP requires each applicant to verify its SAM registration in GMS. Once logged into GMS, click the “CCR Claim” link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the “Funding Opportunities” link on the left side of the page. Select NIJ and NIJ FY 18 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program (Formula).
6. **Register by selecting the “Apply Online” button associated with the funding opportunity title.** The search results from step 5 will display the “funding opportunity” (solicitation) title along with the registration and application deadlines for this solicitation. Select the “Apply Online” button in the “Action” column to register for this solicitation and create an application in the system.
7. **Follow the directions in GMS to submit an application consistent with this solicitation.** Once the application is submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, an applicant must wait for GMS approval before submitting an application. OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date.

### **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 GMS Technical Issues**

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must contact the [GMS Help Desk](#) 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 NIJ contact identified in the Contact Information section on the title page **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 GMS 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 GMS Help Desk 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 GMS in sufficient time (SAM registration and renewal can take as long as 10 business days to complete).
- Failure to follow GMS instructions on how to register and apply as posted on the GMS 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.

## **E. Application Review Information**

### **Review Process**

NIJ will consider responsive applications that include all required elements designated as critical in [Section D. Application and Submission Information](#), above, under "What an Application Should Include."

OJP is committed to ensuring a fair and open process for making awards. NIJ reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. NIJ will also review applications to ensure that the statutory requirements have been met.

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, (FAPIS)).

**Important note on FAPIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIS, 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. OJP takes into account information pertinent to matters such as —

1. Applicant financial stability and fiscal integrity.
2. Quality of the applicant's management systems, 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, the Assistant Attorney General will make all final award decisions.

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

### **Federal Award Notices**

Award notifications will be made by September 30, 2018. OJP sends award notification by email through GMS to the individuals listed in the application as the point of contact and the authorizing official. 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 point of contact; 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 award conditions, as well as all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed at the time of 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](#)", 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 web pages accessible through the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#)” 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.

### **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. Recipients will be expected to report amounts expended under the award on contracts to private accredited DNA laboratories for analysis of forensic DNA casework samples or DNA database samples as detailed in the award terms and 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, as well as to assist DOJ with 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 questions directed to the Federal Awarding Agency, see NCJRS contact information on the title page

For contact information for GMS, 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 [ojpperreview@l-secb.com](mailto:ojpperreview@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.

**Appendix A: Estimated Aggregate Amounts Available for Each State – FY 2018**

Estimated Aggregate <sup>15</sup> Amounts Available for each State <sup>16</sup> — FY 2018			
Alabama	\$1,286,558	Montana	\$346,657
Alaska	\$377,727	Nebraska	\$458,866
Arizona	\$1,665,467	Nevada	\$917,395
Arkansas	\$880,122	New Hampshire	\$316,703
California	\$8,194,311	New Jersey	\$1,376,853
Colorado	\$1,165,422	New Mexico	\$762,218
Connecticut	\$644,008	New York	\$3,484,002
Delaware	\$363,474	North Carolina	\$2,083,740
District of Columbia	\$444,052	North Dakota	\$266,101
Florida	\$4,340,152	Ohio	\$2,131,440
Georgia	\$2,232,154	Oklahoma	\$991,240
Hawaii	\$408,528	Oregon	\$841,009
Idaho	\$379,993	Pennsylvania	\$2,172,890
Illinois	\$2,624,121	Puerto Rico	\$569,258
Indiana	\$1,449,450	Rhode Island	\$300,585
Iowa	\$646,860	South Carolina	\$1,298,822
Kansas	\$709,054	South Dakota	\$311,847
Kentucky	\$800,106	Tennessee	\$1,851,363
Louisiana	\$1,313,941	Texas	\$5,884,524
Maine	\$296,170	Utah	\$647,923
Maryland	\$1,390,484	Vermont	\$224,520
Massachusetts	\$1,301,778	Virginia	\$1,297,996
Michigan	\$2,093,685	Washington	\$1,521,670
Minnesota	\$965,682	West Virginia	\$469,542
Mississippi	\$656,946	Wisconsin	\$1,070,615
Missouri	\$1,537,064	Wyoming	\$234,912

**— ALL AWARDS ARE SUBJECT TO THE AVAILABILITY OF APPROPRIATED FUNDS —**

(See text of solicitation for additional information)

<sup>15</sup> Units of local government that meet the eligibility requirements may apply directly to NIJ for a portion of the estimated funds allocated for awards to their State.

<sup>16</sup> The U.S. territories of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands also may be eligible for funding. Please contact NIJ at 202-616-9264 for additional information, including information on allocation of funds.

## Appendix B: Application Checklist

### FY 2018 DNA Capacity Enhancement and Backlog Reduction (CEBR) Program (Formula)

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

#### What an Applicant Should Do:

##### *Prior to Registering in GMS:*

\_\_\_\_\_ Acquire a DUNS Number (see page 33)

\_\_\_\_\_ Acquire or renew registration with SAM (see page 33)

##### *To Register with GMS:*

\_\_\_\_\_ For new users, acquire a GMS username and password\* (see page 34)

\_\_\_\_\_ For existing users, check GMS username and password\* to ensure account access (see page 34)

\_\_\_\_\_ Verify SAM registration in GMS (see page 34)

\_\_\_\_\_ Search for correct funding opportunity in GMS (see page 34)

\_\_\_\_\_ Register by selecting the "Apply Online" button associated with the funding opportunity title (see page 34)

\_\_\_\_\_ 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 16)

\_\_\_\_\_ If experiencing technical difficulties in GMS, see GMS contact information on the title page.

\*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

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

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

#### Scope Requirement:

\_\_\_\_\_ The federal amount requested is within the allowable limit. See [Federal Award Information](#) for details.

## Eligibility Requirement:

Eligible applicants are States<sup>17</sup> and units of local government with existing crime laboratories that conduct forensic DNA and/or DNA database sample analysis and:

- Participate in external audits, not less than once every two years, that demonstrate compliance with the requirements of the Quality Assurance Standards established by the Director of the Federal Bureau of Investigation.
- Are accredited by a nonprofit professional organization actively involved in forensic science that is nationally recognized within the forensic science community.
- Participate in the National DNA Index System (NDIS), or have an agreement with an NDIS participating laboratory to upload their data.

Applicant must not have an “unresolved audit finding,” as described at 34 U.S.C. § 10263(2).

## What an Application Should Include:

_____	Application for Federal Assistance (SF-424)	(see page 17)
_____	Intergovernmental Review	(see page 18)
_____	Project Abstract	(see page 18)
_____	Program Narrative <b>(Required)</b>	(see page 18)
_____	Budget Detail Worksheet <b>(Required)</b>	(see page 26)
_____	Budget Narrative <b>(Required)</b>	(see page 26)
_____	Indirect Cost Rate Agreement (if applicable)	(see page 28)
_____	Financial Management and System of Internal Controls Questionnaire	(see page 29)
_____	<a href="#">Disclosure of Lobbying Activities (SF-LLL)</a>	(see page 30)
_____	Additional Attachments	
_____	Proof of Laboratory Accreditation <b>(Required)</b>	(see page 30)
_____	Eligibility Statements	(see page 30)
_____	Certification of Non-Supplanting	(see page 31)
_____	Declaration that the Laboratory Charges a Fee for DNA Testing Services	(see page 15)
_____	Applicant Disclosure of Pending Applications	(see page 31)
_____	NIJ Programmatic Coversheet and Checklist	(see solicitation cover page)

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<sup>17</sup> For purposes of this announcement, the term “State” includes the District of Columbia and the Commonwealth of Puerto Rico. The U.S. territories of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands also may be eligible for funding. Please contact NIJ at 202–616–9264 for additional information, including information on allocation of funds.