

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



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications for funding under the 2017 National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP). The NARIP implements the grant provisions of the NICS Improvement Amendments Act of 2007 (Pub. L. 110-180 (18 U.S.C. § 922 note)) enacted on January 8, 2008. This program furthers the Department's mission by improving the records available to NICS, which is accomplished by helping eligible states and tribes improve completeness, automation, and transmittal of records to state and federal systems. For the purpose of this solicitation, the term "state" includes the District of Columbia and U.S. territories.

FY 2017 NICS Act Record Improvement Program (NARIP)

Applications Due: April 19, 2017

Eligibility

Eligible applicants are limited to (a) the agency designated by the Governor to administer the NARIP, (b) the state or territory central administrative office or similar entity designated by statute or regulation to administer federal grant funds on behalf of the jurisdiction's court system, or (c) federally recognized Indian tribal governments as determined by the Secretary of the Interior. Additionally, there are two specific conditions associated with eligibility for grants under this program (see "Eligibility" on page 10).

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

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

Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. All applications are due by 11:59 p.m. eastern time on April 19, 2017.

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

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

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

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

Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726 or 606-545-5035, or via email to support@grants.gov. The [Grants.gov](#) Support Hotline hours of operation are 24 hours a day, 7 days a week, except on federal holidays.

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

For assistance with any other requirements of this solicitation, contact Devon B. Adams, Chief, Criminal Justice Data Improvement Program, by telephone at 202-307-0765, or by email at askbjs@usdoj.gov. Include “NARIP17” in the subject line.

Grants.gov number assigned to this announcement: BJS-2017-11590

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FY 2017 NICS Act Record Improvement Program (NARIP) (CFDA #16.813)

A. Program Description

Overview

The Bureau of Justice Statistics (BJS) is publishing this notice to announce the continuation of the National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) in fiscal year (FY) 2017, identify the program priorities, and provide information on application requirements.

Statutory Authority

The NICS Improvement Amendments Act of 2007, Pub. L. 110-180 (NIAA or the Act), was signed into law on January 8, 2008, in the wake of the April 2007 shooting tragedy at Virginia Tech. The Virginia Tech shooter was able to purchase firearms from a Federal Firearms Licensee (FFL) because information about his prohibiting mental health history was not available to the NICS, and the system was therefore unable to deny the transfer of the firearms used in the shootings. The NIAA seeks to address the gap in information available to NICS about such prohibiting mental health adjudications and commitments, and other prohibiting factors. Filling these information gaps will better enable the system to operate as intended to keep guns out of the hands of persons prohibited by federal or state law from receiving or possessing firearms. The automation of records will also reduce delays for law-abiding persons to purchase firearms.

The NIAA authorized a grant program to assist states in providing certain information to the NICS and prescribes grant penalties for noncompliance with the NIAA's record completeness goals. Additionally, pursuant to the Act, there are certain conditions, described under [Section C. Eligibility Information](#), that a state must satisfy in advance of receiving grants under the Act.

Pursuant to 42 U.S.C. § 3732(c)(19), BJS is authorized to "provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of state and tribal criminal history and related records, support the development and enhancement of national systems of criminal history and related records including the National Instant Criminal Background Check System (NICS), the National Incident-Based Reporting System (NIBRS), and the records of the National Crime Information Center (NCIC), facilitate state and tribal participation in national records and information systems, and support statistical research for critical analysis of the improvement and utilization of criminal history records." The NCHIP and the NARIP are two means by which BJS provides for such improvements.

The NARIP is authorized by the NIAA, enacted on January 8, 2008. Among other things, the NIAA provides that grants are to be made in a manner consistent with NCHIP. Therefore, NARIP application procedures parallel the provisions of the Crime Identification Technology Act of 1998, which guide NCHIP and implement the requirements of the following:

- the Crime Identification Technology Act of 1998 (CITA) 42 U.S.C. § 14601 et seq.
- the Brady Handgun Violence Prevention Act (Brady Act), 18 U.S.C. § 921 et seq.
- the National Child Protection Act of 1993 (NCPA), 42 U.S.C. §§ 5101 note, 5119, 5119a, 5119b, and 5119c
- those provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3711 et seq.) and the Violent Crime Control and Law Enforcement Act of 1994 which pertain to the establishment, maintenance, analysis, or use of criminal history records and criminal record systems
- relevant requirements of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, (42 U.S.C. Section 16911 et seq.); Megan’s Law, (42 U.S.C. Section 14071(d)); and the Pam Lychner Sexual Offender Tracking and Identification Act of 1996, Pub. L. No. 104-236, 110 Stat. 3093; and Title 1 of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. No 109-248
- the Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464 (2000) and related laws pertaining to the identification, collection, analysis, and interstate exchange records relating to domestic violence and stalking (including protection orders).

Program-Specific Information

Goals, Objectives, and Deliverables

The NIAA has provisions that require states to meet specific goals for completeness of the records submitted to the Attorney General identifying individuals prohibited by federal law from possessing firearms. The records covered include automated information needed by the NICS to identify felony convictions, felony indictments, fugitives from justice, drug arrests and convictions, prohibiting mental health adjudications and commitments, domestic violence protection orders, and misdemeanor crimes of domestic violence. The Act provides incentives for states to meet the goals it sets for greater record completeness:

- First, the Act allows states to obtain a waiver, beginning in 2011, of the state matching requirement under NCHIP if a state provides at least 90% of its records identifying persons in specified prohibited categories;
- Second, the Act authorizes grant programs described herein, which, pursuant to the Act, are being administered consistent with NCHIP, for state executive and judicial agencies to establish and upgrade information automation and identification technologies for timely submission of final criminal record dispositions and other information relevant to NICS checks; and
- Finally, the Act provides for discretionary and mandatory Byrne Justice Assistance Grant (JAG) program funding penalties, unless the penalties are waived by the Attorney General for good cause. The penalties are specific in relation to meeting record completeness requirements and the time lapsed from January 8, 2008, when NIAA was enacted. As of January 2011, 3% could be withheld if records are less than 70%

complete. In 2013, 4% may be withheld if records are less than 70% complete. In 2018, 5% shall be withheld if the records are less than 90% complete, unless the Attorney General waives the penalty upon finding that a state is making a reasonable effort to comply with the NIAA. (Note: No penalties or waivers have been imposed to date.)

The NARIP was enacted to improve the completeness, automation, and transmittal of records to state and federal systems used by the NICS. Such records include criminal history records, records of felony convictions, warrants, records of protective orders, convictions for misdemeanors involving domestic violence and stalking, drug arrests and convictions, records of mental health adjudications, and others which may disqualify an individual from possessing or receiving a firearm under federal law. Helping states, state court systems, and tribes to automate these records will also reduce delays for law-abiding gun purchasers.

FY 2017 Priority Area – Improve Reporting of Mental Health Information to NICS

BJS continues to emphasize the need for applicants to focus efforts on making information on persons prohibited from possessing firearms for mental health reasons accessible to NICS. Therefore, recipients of funds must agree to use a portion of awarded funds to make such records accessible to NICS unless the state certifies in the application that it:

- 1) Already submits to NICS information on all persons prohibited from possessing firearms for mental health reasons; or
- 2) Will focus funds on another category of qualifying NICS records that the state reasonably argues represents a greater information gap; or
- 3) Is prohibited by law from sharing information with NICS on persons prohibited for mental health reasons (with citations to the relevant state law). Note: The Health Insurance Portability and Accountability Act of 1996 (HIPPA; Pub. L. 104-191, 110 Stat. 1936) is not considered to be a prohibiting factor.

State Grants

Section 103 of the NIAA provides that the grants “shall be used by the States and Indian tribal governments, in conjunction with units of local government and State and local courts, to establish or upgrade information and identification technologies for firearms eligibility determinations.” In accordance with the NIAA, a grant to a state, territory, or Indian tribe may only be used to—

- Supply accurate and timely information to the Attorney General concerning the identity of persons who have a federally prohibiting mental health adjudication or commitment
- Create electronic systems that provide accurate and up-to-date information directly related to checks under the NICS, including court disposition and corrections records
- Assist states in establishing or enhancing their own capacities to perform NICS background checks
- Supply accurate and timely information to the Attorney General concerning final dispositions of criminal records to databases accessed by NICS

- Supply accurate and timely court orders and records of misdemeanor crimes of domestic violence for inclusion in federal and state law enforcement databases used to conduct NICS background checks
- Collect and analyze data needed to demonstrate levels of state compliance with the NIAA
- Maintain the required relief from disabilities program in accordance with the NIAA (however, by statute, not less than 3% and no more than 10% of each grant shall be used for this purpose).

State Court Grants

Section 301 of the NIAA provides that grants shall be made to each state or tribal government, consistent with plans for the integration, automation, and accessibility of criminal history records, for use by the court systems to improve automation and transmittal to federal and state repositories of (1) criminal history dispositions, (2) records relevant to determining whether a person has been convicted of a misdemeanor crime of domestic violence or whether a person is a subject of a prohibiting domestic violence protection order, and (3) prohibiting mental health adjudications and commitments.

Further, the law provides that the amounts granted shall be used by the court system only to implement—

- assessments, as necessary, of the capabilities of state courts to automate and transmit arrest and conviction records, court orders, and mental health adjudications or commitments to federal and state record repositories
- policies, systems, and procedures to automate and transmit arrest and conviction records, court orders, and mental health adjudications or commitments to federal and state record repositories.

The Goals, Objectives, and Deliverables are directly related to the performance measures set out in the table in [Section D. Application and Submission Information](#), under "Program Narrative."

B. Federal Award Information

FY 2017 NARIP awards will be new awards rather than supplemental awards and will be made for up to a 24 month period of performance. Funded activities may begin on or after October 1, 2017. All activities must be scheduled to be completed by September 30, 2019.

BJS is unable to estimate the number of awards to be made or the maximum amount awarded per state. The number and amount of awards will be totally dependent on the extent to which the projects proposed address the program priority areas and the demonstrated level of need. In FY 2016 BJS made 20 awards totaling about \$15 million.

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

Type of Award

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

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities²) must, as described in the Part 200 Uniform Requirements³ as set out at 2 C.F.R. 200.303:

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

To help ensure that applicants understand applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available [here](#).

² 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.

³ 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.

Budget Information

Cost Sharing or Match 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.

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](#) for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.⁴ The 2017 salary table for SES employees is available at the Office of Personnel Management [website](#). Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Director of BJS may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that BJS will request the applicant to adjust and resubmit the budget.

The justification should address—in the context of the work the individual would do under the award—the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award

⁴ OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

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

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

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 2017 Awards” in the [OJP Funding Resource Center](#).

C. Eligibility Information

The NIAA provides that the grants authorized are to be made in a manner consistent with the National Criminal History Improvement Program (NCHIP).

Applications must be submitted by (a) the agency designated by the Governor to administer the NCHIP program, (b) the state or territory central administrative office or similar entity designated by statute or regulation to administer federal grant funds on behalf of the jurisdiction’s court system, or (c) federally recognized Indian tribal governments.

Note: In accordance with the NIAA (see 18 U.S.C. § 922 note), there are two specific conditions that each state must satisfy before being eligible to receive grants:

1. First, “each State shall provide the Attorney General with a reasonable estimate, as calculated by a method determined by the Attorney General... of the number of the records” subject to the NIAA completeness requirements. The last round of estimates was collected in 2011. Applicants under this solicitation should confirm with BJS whether this eligibility criteria has been met.
2. Second, “to be eligible for a grant under this [program], a State shall certify, to the satisfaction of the Attorney General, that the State has implemented a relief from disabilities program.” (*Id.*) For the purpose of this solicitation, a “relief from disabilities

program” is a program that permits persons who have been adjudicated a mental defective or committed to a mental institution to obtain relief from the firearms disabilities imposed by law as a result of such adjudication or commitment. This relief must be based on a finding, in accordance with principles of due process, by a state court, board, commission, or other lawful authority, that the circumstances of the disability and the person’s record and reputation are such that the person will not be likely to act in a manner dangerous to the public safety and that the granting of relief would not be contrary to the public interest. The certification form is available on the ATF website at www.atf.gov/files/forms/download/atf-f-3210-12.pdf. For further information, please visit NICS Improvement Act Questions and Answers on the BJS website at <http://www.bjs.gov/index.cfm?ty=tp&tid=49>.

Further, applications submitted on behalf of state court systems must specifically assure that (1) the court system has the capability to contribute and will transmit pertinent information to the NICS established under section 103(b) of the Brady Handgun Violence Prevention Act (18 U.S.C. § 922 note), and (2) it will coordinate the programs proposed for NARIP funding with other federally funded information technology programs, including directly funded local programs.

(See “Additional Attachments” on page 21.)

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 an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJS has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative. An applicant may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Please review the “Note on File Names and File Types” under [How to Apply](#) (below) to be sure applications are submitted in permitted formats.

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

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

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and OJP's Grants Management System (GMS) take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. Current OJP award recipients, when completing the field for "Legal Name" 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. On the SF-424, enter the Legal Name in box 5 and 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 the Official Legal Name and address of the applicant entity in box 5 and the EIN in box 6 of the SF-424. Applicants must attach official legal documents to its applications (e.g., articles of incorporation, 501C3, etc.) to confirm the legal name, address, and EIN entered into the SF-424.

Intergovernmental Review: This solicitation ("funding opportunity") **is not** subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the "Program is not covered by E.O. 12372.")

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 (Times New Roman) with 1-inch margins.

3. Program Narrative

The following sections should be included as part of the program narrative⁵:

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies

⁵ 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](#).

The Program Narrative should also include the following sections:

Activities to be funded. The program narrative should describe each task to be funded with FY 2017 NARIP funds over the project period outlined under Program Goals. All proposed tasks should demonstrate the program's intent to improve the completeness, automation, and transmittal of records used by the NICS to state and federal systems. Dollar amounts must be included for each funded task. **Applications must specifically address the priority area regarding submission of mental health information to NICS (as outlined on page 6).**

Compatibility with other systems. The application should describe the extent to which proposed activities are compatible with current NCIC, NICS, Next Generation Identification (NGI; formerly IAFIS), and other applicable statewide or regional criminal justice information sharing standards or plans, including state anti-terrorism plans.

Coordination. The administering agency should coordinate efforts with relevant emergency management task forces and agencies to ensure that records development activities are compatible with security measures for preventing acts of terrorism. NARIP activities will be coordinated with other OJP efforts authorized and funded under CITA. To encourage coordination and information sharing among criminal justice systems, all OJP awards supporting information technology development require that a description of the project be submitted to the state Information Point of Contact (POC), if one has been designated. A copy of the correspondence can be submitted as a separate attachment or sent directly to BJS prior to accessing funds. There is no requirement that the POC concur with the information technology project. The intent of this condition is to facilitate communication within the state. **Tribal applicants should provide documentation that activities proposed for funding will be coordinated with a tribal consortia, a state, or directly with the FBI.**

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

Plan for collecting the data required for the solicitation's performance measures. Submission of performance measures data is not required for the application. Performance measures are included as a notification that successful applicants will be required to submit specific data to BJS as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements (see specific performance measures (see page 15) and discuss how the applicant will gather the required data, should the applicant receive funding.

NICS Record Improvement Plan

As in previous years, in order to make the most effective use of the funds for improvement to the quality and availability of records used by the NICS, FY 2017 NARIP grant applications must provide for the development and implementation of comprehensive strategic planning. Such planning must include activities designed to examine the current condition of the involved state, local, and tribal records, problems associated with incomplete reporting and/or records availability, and demonstrate a commitment to a long-range planning process to address such issues to achieve the goals of the NIAA.

Therefore, FY 2017 NARIP applications should include funding, as needed, for the development and/or modification of a NICS Record Improvement Plan through a four-step process:

Step 1. Establishment of a NICS Record Improvement Task Force. Complete reporting and transmission of state or tribal records to national files can only be achieved through the cooperative efforts of all record originating entities. Therefore, BJS recommends that the applicant propose to use some FY 2017 NARIP funding to establish and/or support a NICS Record Improvement Task Force to guide the development and implementation of an ongoing long-range records improvement plan. The task force might include representatives from the central record repository and source agencies, including state, local, and tribal law enforcement; prosecuting attorneys; the courts; local jails; state correctional facilities; probation and parole agencies; and state mental health program agencies.

A task force with wide representation from throughout the system could provide a forum for exploring the range of options for improving the quality, completeness, and availability of NICS records in the state. The task force could review the results of the assessment and the problem identification phases (Steps 2 and 3) and develop recommendations to improve the quality, completeness, and availability of NICS records. Current legislation and administrative procedures related to reporting, maintaining, sharing, and use of relevant records might be reviewed to determine if they are adequate. A list of the proposed task force members and the agencies they represent should be included in the preliminary plan. If components of the system listed above are not included in the task force, the plan should describe how input and participation will be achieved. If a task force is not to be established, the applicant should propose instituting other mechanisms to provide for the input and participation of all affected components of the criminal justice system.

Step 2. Assessment of the completeness and availability of NICS records. The record estimates and other information provided by the state in response to the information collection developed by BJS pursuant to the NIAA provide an initial or baseline assessment on which FY 2017 activities can be based. However, for the purposes of long-term strategic planning, an applicant may wish to use the task force to examine (and address) issues surrounding the accuracy, completeness, and availability of such records as part of its assessment. In any event, the ongoing assessment must result in a comprehensive understanding of the following:

- Availability of the records in terms of entities that originate, maintain, and/or receive such records
- How relevant records are currently transmitted to the state's central repository and/or how they are otherwise made available to the NICS
- Completeness of the records in the various categories described of (what portion of the records is actually made available to the NICS).

Such an assessment may involve an examination of records in the state central record repository, surveys of local reporting/originating agencies, analysis of court statistics, data collection from sample(s) of local agency records, estimates derived from audits of local reporting agencies, or other analytical work which may or may not have been performed to support the development of record estimates.

Step 3. Identification of reasons for incomplete and/or unavailable NICS records. The task force may also seek to identify challenges or obstacles encountered in efforts to ensure that all qualifying records are made available to the NICS. Understanding such challenges

may help focus improvement strategies, and may include factors such as the type and number of state/local/tribal agencies that originally create such records; the typical “life cycle” of such original records, including when and where the records are created, whether such records are maintained in paper or electronic form, if and how such records are transmitted to state and national files, and when and how such records are ultimately disposed of, deleted, or otherwise made unavailable. The task force might identify factors that affect the availability of records for state and national files, including whether categories of records may be protected from disclosure under a provision of state, tribal, or federal law.

Step 4. Development of a NICS Record Improvement Plan. The final step develops strategies for addressing each of the challenges identified in Step 3, including the use of federal grant funds appropriated under the NIAA. The plan should clearly identify goals, objectives, and a general timetable for achievements. Subsequent iterations of the plan should include a progress report on the strategies previously employed.

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

OJP will require each successful applicant to submit specific performance measures data as part of its reporting under the award (see “[General Information about Post-Federal Award Reporting Requirements](#)” in [Section F. Federal Award Administration Information](#)). The performance measures correlate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in [Section A. Program Description](#).

The application should describe the applicant's plan for collection of all of the performance measures data listed in the table below under “Data Recipient Provides,” should it receive funding.

Objective	Performance Measure(s)	Data Recipient Provides
Ensure that the infrastructure is developed to connect each state’s and tribe’s records systems to the national records systems operated by the FBI, including the NCIC, NGI, Interstate Identification Index (III), and NICS Index.	Number of states and tribes participating or making records available to the NICS (within the 7 categories).	<p>Total number of states and tribes participating and total number of state and tribal records in the 7 categories.</p> <p>Number of state and tribal records made available for use by NICS in 7 categories, including—</p> <p>Category 1: Records that identify a person who has been convicted in any court of a crime punishable by imprisonment for a term exceeding 1 year (e.g., federal or state felonies), and any state misdemeanor punishable by imprisonment for more than 2 years.</p> <p>Category 2: Records that identify a person who is under an indictment or information returned or filed with a court, or for whom a criminal complaint has been issued or verified by a prosecutor for the crimes described in Category 1.</p> <p>Category 3: Records that identify a person who is a fugitive from justice, as demonstrated by an active felony or misdemeanor want or warrant.</p> <p>Category 4: Records that identify a person who is an unlawful user of, or addicted to, any controlled substance, as demonstrated by specified arrests,</p>

	<p>Percentage of records made available to NICS that are complete.</p> <p>Number of records available in NICS.</p> <p>Percentage of applications for firearm transfers rejected due to data made available to the NICS.</p>	<p>convictions, and adjudications not protected from disclosure to the Attorney General by federal or state law.</p> <p>Category 5: Records that identify a person who has been adjudicated as a mental defective or who has been formally and involuntarily committed to any mental institution when the information is not protected from disclosure to the Attorney General by federal or state law.</p> <p>Category 6: Records that are electronically available and identify a person subject to an active court order (e.g., issued by a criminal court or any civil court, such as divorce court, family court, magistrate, or general jurisdiction court) that restrains the person from committing acts of violence against another person.</p> <p>Category 7: Records that are electronically available and identify a person convicted in any court of a misdemeanor crime of domestic violence.</p> <p>Number of records made available to NICS that are complete.</p> <p>Number of applications for firearm transfers.</p> <p>Number of applications for firearm transfers rejected for the presence of a domestic violence misdemeanor conviction.</p> <p>Number of applications for firearm transfers rejected due to the presence of a mental health prohibitor.</p>
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Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements, likely do not constitute “research.” Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 (“Protection of Human Subjects”).

Research, for purposes of human subjects protection for OJP-funded programs, is defined as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the “[Requirements related to Research](#)” web page of the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017," available through the [OJP Funding Resource Center](#). Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that web page.

4. Budget and Associated Documentation

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. An applicant that submits its budget in a different format should use the budget categories listed in the sample budget worksheet. The Budget Detail Worksheet should break out costs by year.

For questions pertaining to budget and examples of allowable and unallowable costs, see the [DOJ Grants Financial Guide](#).

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—for purposes of federal grants administrative requirements—a particular agreement between a recipient and a third party will be considered a "subaward" or instead considered a procurement "contract" under the award is determined by federal rules and applicable OJP guidance. It is an important distinction, in part because the

federal administrative rules and requirements that apply to "subawards" and to procurement "contracts" under awards differ markedly.

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.

Additional guidance on the circumstances under which (for purposes of federal grants administrative requirements) an agreement constitutes a subaward as opposed to a procurement contract under an award, is available (along with other resources) on the [OJP Part 200 Uniform Requirements](#) web page.

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 sufficient detailed description and justification of the proposed subaward in the application as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not sufficiently described and justified in the application as 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. 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. Various considerations that may be pertinent to the justification are outlined in the [DOJ Grants Financial Guide](#).

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 (that is, unexpired), federal 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 (that is, unexpired) federal 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 federal 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 OCFO Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <http://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 federal negotiated indirect cost rate is in place. (No entity that ever has had a federal approved negotiated indirect cost rate is eligible to use the "de minimis" rate.)

6. Tribal Authorizing Resolution (if applicable)

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

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

Every applicant (other than an individual applying in his/her personal capacity) is to download, complete, and submit the [OJP Financial Management and System of Internal Controls Questionnaire](#), as part of its application.

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).

8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form [Disclosure of Lobbying Activities \(SF-LLL\)](#). An applicant that does not expend any funds for

lobbying activities is to enter “N/A” in the text boxes for item 10 (“a. Name and Address of Lobbying Registrant” and “b. Individuals Performing Services”).

9. Additional Attachments

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

- a. A copy of the approved application for certification of the state’s relief from disabilities program or indication that certification is being sought by ATF (the certification form must be approved by ATF to be eligible for funding).
- b. If the application does **not** include a portion of funds to improve submission of information to NICS on persons prohibited from possessing firearms for mental health reasons, the applicant must certify one of the following in the submission: (1) it already submits information to NICS on all persons prohibited from possessing firearms for mental health reasons, (2) it will focus on another category of qualifying NICS records that the state reasonably argues represents a greater information gap, or (3) it is prohibited by law from sharing information with NICS on persons prohibited for mental health reasons (with citations to the relevant state law).
- c. Complete project timeline outlining each activity, completion time, and responsible party.

d. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federal 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 any 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 & 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 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 federal 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 in this application.”

e. Disclosure of Process Related to Executive Compensation

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

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

Each applicant nonprofit organization must state at the time of its application (in the “OJP Financial Management and System of Internal Controls Questionnaire” mentioned earlier) whether or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

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

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

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

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

How to Apply

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

Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation of registration and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications at least 72 hours prior to the application due date, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

OJP strongly encourages all prospective applicants to sign up for Grants.gov email [notifications](#) regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

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

Note on Attachments: Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Please ensure that all required documents are attached in either Grants.gov category.

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

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ()	Curly braces { }	Square brackets []
Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Underscore (_)	Comma (,)	Semicolon (;)	Apostrophe (‘)
Hyphen (-)	At sign (@)	Number sign (#)	Dollar sign (\$)
Space	Percent sign (%)	Plus sign (+)	Equal sign (=)
Period (.)	Applicants must use the “&” format in place of the ampersand (&) when using XML format for documents.		

GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps.

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, Data Universal Numbering System [DUNS] number) requirements. If an applicant entity has not fully complied with 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.

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

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

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.

A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. 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. A DUNS number is usually received within 1-2 business days.

2. **Acquire registration with the System for Award Management (SAM).** SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. 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.

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

Information about SAM registration procedures can be accessed at www.sam.gov.

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <https://apply07.grants.gov/apply/OrcRegister>. Individuals registering with Grants.gov should go to <http://www.grants.gov/web/grants/applicants/individual-registration.html>.
4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance ("CFDA") number for this solicitation is 16.813, titled "NICS Act Record Improvement Program," and the funding opportunity number is BJS-2017-11590.
6. **Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24-48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the

application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on April 19, 2017.

Click [here](#) for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

Note: Application Versions

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

Experiencing Unforeseen Grants.gov Technical Issues

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov [Customer Support Hotline](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. The applicant must email the BJS 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 Grants.gov Help Desk or SAM tracking number(s).

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

The following conditions generally are insufficient to justify late submissions:

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

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP [Funding Resource Center](#) web page.

E. Application Review Information

Review Criteria

Applications that meet basic minimum requirements will be evaluated by peer reviewers using the following review criteria. All applications must be responsive to this solicitation. Applicants are strongly encouraged to review the evaluation criteria BJS will use in making funding decisions before deciding whether to submit an application for this solicitation. Applicants should understand that applications should respond to priorities identified and that full funding may not be possible for all proposed activities. **For FY 2017 NARIP awards, completeness of the application in terms of all required information will be a key consideration for BJS.**

Awards will also be based on the following review criteria:

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

- The program narrative must describe each proposed task in accordance with the priority program goals. Applications should address how proposed activities directly relate to the improvement of the NICS.
- Applications should specifically address the FY 2017 Priority Area – Improve Reporting of Mental Health Information to NICS.

2. Program Design and Implementation (25%)

- The extent to which the application recognizes the role of the courts in ensuring complete records.
- The extent to which the proposal appears reasonable in light of the applicant's current level of system development and statutory framework.
- The extent to which the application demonstrates the technical feasibility of the proposed task(s) and details the specific implementation plan to achieve the intended deliverables.

3. Capabilities and Competencies (25%)

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

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

- The extent to which the data collection plan addresses required performance measures.

5. Budget: Complete, Reasonable, and Allowable, Cost Effective, and Necessary for Program Activities (10%)

Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.⁶

- The reasonableness of the budget, including the basis of the estimates, nature of the proposed expenditures, and their relationship to the priorities identified herein.

6. Impact/Outcomes and Evaluation (15%)

- The extent to which the application identifies the anticipated outcomes of the proposed program(s) in **quantifiable** terms to demonstrate the anticipated level of impact at the national level.

Review Process

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

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

- Application must be submitted by an eligible type of applicant
- Application must request funding within programmatic funding constraints (if applicable)
- Application must be responsive to the scope of the solicitation
- Application must include all items designated as “critical elements”
- Applicant must not be identified in SAM as excluded from receiving federal awards.

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

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJS may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation’s review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. Peer reviewers’ ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for OJP include underserved populations, geographic diversity, strategic priorities, and available funding, as well as the extent to which the budget detail worksheet and budget narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

⁶ Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by applicants. 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. If OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; "FAPIIS").

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

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

- applicant financial stability and fiscal integrity
- quality of the management systems of the applicant, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide
- 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
- reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements
- applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJS recommendations, but also other factors as indicated in this section.

F. Federal Award Administration Information

Federal Award Notices

Award notifications will be made by September 30, 2017. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial 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 of the fully executed award document to OJP.

Administrative, National Policy, and Other Legal Requirements

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

Applicants should consult the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements](#)," available in the [OJP Funding Resource Center](#). 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.

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

Applicants may view these documents in the Apply section of the [OJP Funding Resource Center](#).

The web pages accessible through the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements](#)" 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 2017. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute or program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

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

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

Cooperative Agreement Under NCHIP and NARIP

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

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

Comprehensive Strategy for Information Sharing

Recipient is or will be following a comprehensive strategy for information sharing systems to improve the functioning of the criminal justice system, with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole. Further, the strategy must be developed in consultation with State and local officials with emphasis on the recommendation of officials whose duty it is to oversee, plan, and implement integrated information technology systems, and contain—(a) a definition and analysis of integration in the State and localities developing integrated information sharing systems; (b) an assessment of the criminal justice resources being devoted to information technology; (c) State and local resource needs; (d) Federal, State, regional, and local information technology coordination requirements; and (e) statewide priorities for planning and implementation of information technology systems.

FBI Systems Compatibility

Recipient agrees that criminal justice information systems designed, implemented, or upgraded with NCHIP or NARIP funds will be compatible, where applicable, with the National Incident-Based Reporting System (NIBRS), the National Crime Information Center system (NCIC 2000), the National Criminal Instant Background Check System (NICS), the Next Generation Identification (NGI), and applicable national, statewide or regional criminal justice information sharing standards and plans.

AFIS Compatibility

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

State and Local Coordination

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

Coordination Involving Federal Employment Check and Firearm-related Background Checks

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

General Information about Post-Federal Award Reporting Requirements

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

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

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

Data on performance measures. In addition to required reports, an 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 in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any recipient, post award, to provide the data listed as "Data Recipient Provides" in the performance measures table in [Section D. Application and Submission Information](#), under "Program Narrative," so that OJP can calculate values for this solicitation's performance measures.

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see the title page.

For contact information for Grants.gov, see the title page.

H. Other Information

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

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

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

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that 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.

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

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

Application Checklist
FY 2017 NICS Act Record Improvement Program
(NARIP)

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

What an Applicant Should Do:

Prior to Registering in Grants.gov:

- _____ Acquire a DUNS Number (see page 25)
- _____ Acquire or renew registration with SAM (see page 25)

To Register with Grants.gov:

- _____ Acquire AOR and Grants.gov username/password (see page 25)
- _____ Acquire AOR confirmation from the E-Biz POC (see page 25)

To Find Funding Opportunity:

- _____ Search for the Funding Opportunity on Grants.gov (see page 25)
- _____ Download Funding Opportunity and Application Package
- _____ Sign up for Grants.gov email [notifications](#) (optional) (see page 24)
- _____ Read [Important Notice: Applying for Grants in Grants.gov](#)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](#) (see page 10)

After application submission, Receive Grants.gov Email Notifications that:

- _____ (1) application has been received,
- _____ (2) application has either been successfully validated or rejected with errors (see page 23)

If no Grants.gov Receipt, and Validation or Error Notifications are Received:

- _____ contact BJS regarding experiencing technical difficulties (see page 26)

General Requirements:

- _____ Review the [Solicitation Requirements](#) in the OJP Funding Resource Center.

Eligibility Requirement:

- _____ Agency Designated by the Governor to Administer NCHIP/State Court Agency/Federally recognized Indian tribal government

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 12)
- _____ Project Abstract (see page 12)
- _____ Program Narrative (see page 12)
- _____ Budget Detail Worksheet (see page 17)
- _____ Budget Narrative (see page 17)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 19)
- _____ Tribal Authorizing Resolution (if applicable) (see page 20)
- _____ Financial Management and System of Internal Controls Questionnaire (see page 20)
- _____ Disclosure of Lobbying Activities (SF-LLL) (see page 20)
- _____ Additional Attachments (see page 21)

- _____ Copy of approved ATF certification form for relief from disabilities provision (or statement indicating the applicant is working with ATF toward certification in FY 2016, subject to ATF concurrence)
- _____ If application does **not** request a portion of funds to improve submission of mental health information to NICS, certification for one of the following:
 - ____ already submits all qualifying mental health information to NICS;
 - ____ will focus funds on another category of qualifying NICS records that the state reasonably argues represents a greater information gap; or
 - ____ is prohibited by law from sharing information with NICS on persons prohibited for mental health reasons, and provides citations to the relevant law
- _____ Applicant Disclosure of Pending Applications (see page 21)
- _____ Disclosure of Process Related to Executive Compensation (see page 22)
- _____ Request and Justification for Employee Compensation; Waiver (if applicable)
(see page 9)