

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



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications for the Federal Justice Analytical Support Program (FJSASP), a project to conduct methodological research, statistical analysis, and report generation using data from the Federal Justice Statistics Program (FJSP) and other sources. As the principal federal statistical agency in the Department, BJS is responsible for the collection, analysis, publication, and dissemination of statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This project furthers the Department's mission by working in partnership with the justice community to address the challenges inherent in using administrative data to accurately measure and report the federal response to crime and to provide innovative strategies and approaches for improving the quality and expanding the scope of federal justice statistics.

## **Federal Justice Statistics Analytical Support Program**

**Applications Due: August 7, 2017**

### **Eligibility**

Eligible applicants are limited to for-profit (commercial) organizations, nonprofit organizations (including tribal nonprofit or for-profit organizations), faith-based and community organizations, institutions of higher education (including tribal institutions of higher education). For-profit organizations (as well as other recipients) must forgo any profit or management fee.

BJS may elect to make awards for applications submitted under this fiscal year (FY) 2017 solicitation in future FYs, dependent on the merit of the applications and the availability of appropriations.

### **Deadline**

Applicants must register with [Grants.gov](#) prior to submitting an application. All applications are due by 11:59 p.m. eastern time on August 7, 2017

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](mailto:support@grants.gov). The [Grants.gov](#) Support Hotline operates 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](#).

For assistance with any other requirements of this solicitation, contact Mark Motivans, BJS Statistician, by telephone at 202-307-0765, or by email at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include “2017FJSASP” in the subject line.

Grants.gov number assigned to this solicitation: BJS-2017-12700

Release date: July 7, 2017

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# Federal Justice Statistics Analytical Support Program CFDA #16.734

## A. Program Description

### Overview

The Bureau of Justice Statistics' (BJS) Federal Justice Statistics Program (FJSP) collects, standardizes, and publishes statistics about the federal response to crime and the operation of the federal criminal justice system. The FJSP produces annual standard analysis files (SAFs), that document the federal criminal case processing stages from arrest to prosecution, pretrial release, adjudication, sentencing, appeals, and corrections. The FJSP also produces linking files that permit analysis of defendants and cases across stages of the federal criminal justice system.<sup>1</sup> With this solicitation, BJS seeks an agent to implement the Federal Justice Statistics Analytical Support Program (FJSASP) project. This project is designed to provide scientific and technical support to BJS for methodological research, statistical analysis, and the generation of statistical reports using data from the FJSP. In addition, the FJSASP will work with BJS to identify additional sources of data to further enhance the FJSP (e.g., immigration enforcement and court statistics; enforcement data from federal regulatory agencies; civil data from the federal courts; and staffing and budget statistics).

There are three priority areas for this project (1) using the FJSP data to address pressing substantive questions about the federal justice system through the production of statistical reports; (2) assessing the strengths and shortcomings of the FJSP data for federal criminal justice statistical reporting purposes and proposing and implementing methodological solutions to address deficiencies; and (3) identifying and assisting to integrate outside data sources with FJSP data files.

Over the project period, BJS will request the FJSASP to prepare specific analyses and write reports using the FJSP data. In addition, the FJSASP will propose topics that fill identified information reporting gaps. Once the proposals are approved, the FJSASP staff will author the reports, possibly with BJS co-authors. In addition, the FJSASP staff will work with BJS to develop methodologies to improve the rigor of measuring the federal response to crime, by identifying and quantifying the strengths and limitations of the data submitted to the FJSP, SAFs, and improving data linking methods. This work may include the use of advanced techniques to analyze longitudinal and cross-sectional data to improve our understanding of the federal criminal case process. To enable it to perform all of these tasks, the successful applicant will receive the relevant SAFs and dyad link file data and documentation files developed by the FJSP.

The FJSASP applicant may also be asked to work with BJS to identify additional sources of data for possible inclusion in the FJSP. Examples include immigration enforcement data from agencies of the Department of Homeland Security (DHS) (U.S. Customs and Border Patrol, Immigration and Customs Enforcement, U.S. Citizenship and Immigration Services and Office of

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<sup>1</sup> The publication, *Federal Justice Statistics Program Data Linking System*, provides methodological details of the dyad link file system design (available at [www.ncjrs.gov/pdffiles1/bjs/grants/239536.pdf](http://www.ncjrs.gov/pdffiles1/bjs/grants/239536.pdf)).

Immigration Statistics), immigration courts data from the Department of Justice (DOJ) [Executive Office for Immigration Review (EOIR); Office of Immigration Litigation], and U.S. Courts of Appeals data [Administrative Office of the U.S. Courts (AOUSC)].

To accomplish all of these tasks, the successful applicant will provide a well-organized staffing plan that can be responsive to the priorities of BJS and the field's evolving information needs. While applicants may propose what they believe is best for the work, this staffing plan should identify and retain the support of substantive and methodological experts (as internal staff and/or as affiliates) to assist with a range of possible project tasks.

Statutory Authority: BJS is authorized to issue this solicitation under 42 U.S.C. § 3732(c).

## Project-Specific Information

**Background.** The FJSP was initiated in 1982 and serves as the national clearinghouse of federal criminal case processing data. The FJSP helps BJS fulfill its legislative authorization to “collect, analyze, and disseminate comprehensive federal justice transaction statistics...and to provide technical assistance to and work jointly with other federal agencies to improve the availability and quality of federal justice data” 42 U.S.C. 3732 (c) (15). Under the FJSP, data provided by six federal justice agencies are standardized, maintained, analyzed, and archived (currently under Award #2016-BJ-CX-K044). Archived FJSP data are available at the [National Archive of Criminal Justice Data](#).<sup>2</sup> The FJSP produces annual data files the SAFs, which represent the federal criminal case processing stages from arrest to prosecution, pretrial release, adjudication, sentencing, appeals, and corrections. In addition, the FJSP uses an algorithm to link case records across 10 cohorts that permit analysis of cases and offenders as they progress through the justice process.

Since its inception, BJS has taken steps to improve the rigor and scope of the FJSP statistical series. At the request of the Attorney General, BJS convened the Interagency Working Group on Federal Criminal Case Processing Statistics in 1995 to study, identify, and reconcile differences in official statistics describing the federal criminal justice system. The working group consisted of representatives from the federal criminal justice agencies participating in the FJSP. The group concluded that differences in official statistics were attributed to (1) the differing ways the agencies define defendants in key case processing events, (2) the periods covering the reported events, (3) the methods used to classify offenses and case types, and (4) the methods used to classify disposition and sentence imposed. The BJS report, *Reconciling Federal Criminal Case Processing Statistics*, is available at [www.bjs.gov/](http://www.bjs.gov/).

BJS incorporated the recommendations of the working group into algorithms that standardize each of the annual agency datasets by (1) applying, where possible, person-case as the primary unit of count (exceptions include at sentencing where the unit of count is the sentencing event and at imprisonment where the unit of count is the inmate); (2) delineating fiscal year (October 1 through September 30) as the period for reported events; (3) applying a uniform offense classification by means of a master offense cross-walk; and (4) classifying disposition and sentences imposed. Where more than one offense is charged or adjudicated, the most serious

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<sup>2</sup> The six agencies include: the U.S. Marshals Service, Drug Enforcement Administration, Executive Office for U.S. Attorneys, Administrative Office of the U.S. Courts, Federal Bureau of Prisons, and U.S. Sentencing Commission. Standards are applied to each agency's data to increase comparability between agencies. These include a common unit of analysis (person-case), an equivalent time for reporting of events (fiscal year), and a common offense classification.

offense at disposition and sentencing is used. Offense seriousness is based on the maximum statutory imprisonment term, type of crime, and statutory maximum fine amount. The working group advised deferring to the disposition information that is most closely associated with an agency's core mission. For example, the mode of adjudication, verdict, sentence type, and duration or amount of sentence imposed uses information from the Administrative Office of the U.S. Courts' (AOUSC) criminal master file, despite the availability of similar information from the Executive Office for U.S. Attorneys' (EOUSA) National LIONS database. Once the algorithms have been applied to each submitted dataset, the file is referred to as SAFs (see table below). The annual (i.e., FY) SAFs comprise the building blocks of the FJSP and are used in record linking efforts.

<b>Standard Analysis Files in the Federal Justice Statistics Program</b>		
<b>Stage of federal criminal case process</b>	<b>Data source agency — Data system(s)</b>	<b>Description of data file contents</b>
Arrest and booking  Warrants initiated and cleared	<b>U.S. Marshals Service</b> - Prisoner Tracking System - Justice Detainee Information System - Warrant Information Network	Warrants initiated or cleared suspects arrested and booked by federal enforcement agencies for violations of federal law.
Investigation and prosecution	<b>Executive Office for U.S. Attorneys</b> - Central system file - National LIONS system	Suspects in matters investigated and prosecuted and defendants in criminal cases filed and cases terminated.
Pretrial release/detention	<b>Administrative Office of the U.S. Courts (AOUSC): U.S. Office of Probation and Pretrial Services</b> - Probation and Pretrial Services Automated Case Tracking System (PACTS)	Defendants interviewed, investigated, or supervised by pretrial services. Includes pretrial hearings, detentions, and releases from the time suspects are interviewed through the disposition of their cases in district courts.
Cases filed and terminated in U.S. district court	<b>AOUSC</b> - Criminal Master File	Defendants in criminal cases from time of filing to termination in U.S. district courts.
Defendants sentenced pursuant to the Sentencing Reform Act of 1984	<b>U.S. Sentencing Commission</b> - Monitoring Data Base	Defendants sentenced pursuant to the provisions of the Sentencing Reform Act of 1984.
Criminal appeals filed and terminated	<b>AOUSC: U.S. Court of Appeals</b>	Criminal appeals filed and terminated in U.S. Courts of Appeals.
Probation, parole, and supervised release	<b>AOUSC: U.S. Office of Probation and Pretrial Services</b> - PACTS	Offenders under post-conviction supervision provided by officers for persons placed on probation, parole, or supervised release.
Offenders entering and exiting prison	<b>Bureau of Prisons (BOP)</b> - SENTRY System	Prisoner information from prison entry until release from the jurisdiction of the BOP.

The FJSP began efforts to link SAF records across stages of federal case processing in the late 1990s. Because no identifier collected by each agency links records across agencies, record-matching criteria were developed to link records pertaining to a specific person-case. Once the link was made, personal identifiers were substituted with a sanitized identification number. In these early FJSP linking efforts, record matching yielded one large file that contained the sanitized identification numbers and the year of the SAF for all records in the FJSP. This file provided analysts with the records that matched (across stages) and a pointer to the set(s) of annual files that held relevant stage information for matched records. The analyst would then retrieve and combine individual SAFs prior to conducting an analysis.

More recent improvements to the dyad link file system have proceeded on two fronts. First, improved match rates have been achieved by taking advantage of the improved quality and completeness of identifiers provided by agencies. Second, the revised methodology has yielded improved match rates by linking records between two adjacent agency cohort files at a time, with attention to maximizing the use of identifiers unique to each matched pair file (or dyad).

A core capability of the dyad link files is the ability to track person-cases forward (e.g., from arrest to subsequent processing stages) and backward (e.g., from admission to prison to earlier stages). Each dyad for a specific year links to all applicable person-case records in the associated SAFs. Currently, there are a total of 200 dyad link files (10 linked dyads x 20 years). The 10 linked dyads are:

1. EOUSA: Suspects in Matters Concluded and U.S. Marshals Service (USMS): Suspects Arrested
2. EOUSA: Defendants in Cases Filed and AOUSC: Defendants in Cases Filed
3. EOUSA: Defendants in Cases Terminated/ Suspects in Matters Concluded and AOUSC: Defendants in Cases Terminated
4. AOUSC: Defendants in Cases Terminated and U.S. Sentencing Commission (USSC): Defendants Sentenced
5. Federal Bureau of Prisons (BOP): Prisoners Admitted to Federal Prison and USSC: Defendants Sentenced
6. AOUSC: Defendants in Cases Filed and AOUSC: Defendants in Cases Terminated
7. EOUSA: Defendants in Cases Filed and EOUSA: Defendants in Cases Terminated
8. EOUSA: Suspects in Matters Concluded and EOUSA: Defendants in Cases Filed
9. EOUSA: Suspects in Matters Concluded and EOUSA: Defendants in Cases Terminated
10. EOUSA: Suspects in Matters Investigated and EOUSA: Suspects in Matters Concluded

The [files](#) are available for approved researchers (*Federal Justice Statistics Program: Paired-Agency Linked Files, 2013*). The files are sanitized of personally identifiable information and require approval to access for research and statistical purposes.

BJS's primary vehicles for disseminating statistics from the FJSP are (1) annual or periodic bulletins that provide the latest statistics, (2) special reports that address topical issues, and (3) data briefs that focus on a specific set of findings. BJS also reports findings from data quality assessments and new approaches for analyzing FJSP data through BJS working papers. Examples of BJS publications include *Federal Justice Statistics, 2013-2014* (NCJ 249149), BJS web, March 2017, *Federal Justice Statistics, 2014 - Statistical Tables* (NCJ 250183, BJS web, March 2017), *Drug Offenders in Federal Prisons: Estimates of Characteristics Based on Linked*



*Data* (NCJ 248648, BJS web, October 2015) and *Pretrial Release and Misconduct in Federal District Courts, 2008-2010* (NCJ 239243, BJS web, November 2012).

The SAFs are also incorporated into a BJS web query tool that permits users to interactively query the federal data and download the query results as a spreadsheet. This query tool (available at [www.bjs.gov/fjsrc/](http://www.bjs.gov/fjsrc/)) provides statistics by stage of the federal criminal case process, including law enforcement, prosecution or courts, and incarceration. Users can currently generate queries for up to three variables. Users can also generate queries by title and section of the U.S. criminal code by processing stage.

### **Goals, Objectives, and Deliverables**

Through the FJSASP project, BJS seeks to expand and improve federal justice statistics. The FJSP is the only comprehensive source of federal criminal justice data that spans the case process from arrest to corrections. This framework will be used by FJSASP project staff to prepare analyses and reports that address substantive questions posed both by BJS and by FJSASP project staff. BJS seeks to maximize the utility of FJSP's unique justice system perspective by using the data to address issues of concern to DOJ and other executive, legislative, and judicial branch agencies. For example, recently BJS-funded reports included *Drug Offenders in Federal Prisons: Estimates of Characteristics Based on Linked Data* (NCJ 248648, BJS web, October, 2015), *Federal Sentencing Disparity: 2005-2012* WP-2015:01, BJS Web, October, 2015, and *Building a Comprehensive White-Collar Violations Data System* <https://www.ncjrs.gov/pdffiles1/bjs/grants/248667.pdf> (Report at NCJRS).

In addition to analyzing data and authoring publications, the FJSASP staff will also be asked to use their knowledge of administrative data to explore possible shortcomings in the data and propose methodological solutions or the use of alternative data resources.

This project is intended to complement and directly support the FJSP by achieving the following objectives:

- identify and retain a team of substantive and methodological experts to assist in project tasks
- prepare, and assist BJS in preparing BJS bulletins and special reports approved by BJS on topics of interest to the field
- assist BJS in responding to information requests
- enhance the use of the FJSP data by exploring new ways the FJSP data and other sources of data can be analyzed
- undertake methodological research to identify and address shortcomings or limitations of the FJSP data series and propose methodological solutions.

BJS expects that information needs will evolve during the project period, and the content of specific tasks within the areas outlined will not be completely known at the beginning of the project period. The FJSASP must be organized as an entity so that it can respond to changing priorities and adapt quickly to substantive shifts in tasks. Applicants must demonstrate the ability to respond to BJS's changing needs while achieving the project's objectives.

To manage the project effectively, the recipient of funds will develop and submit to BJS for review and approval a short proposal for each requested or proposed task prior to the task's undertaking. Each proposal must state the goals, objectives, deliverables, time frames, staff



allocations, and costs for each proposed task. If BJS approves the proposal, the work on this task may begin.

### **Objectives**

The project's primary objectives are as follows:

#### ***Objective 1: Assemble a team that can provide substantive and methodological expertise needed to guide efforts on specific tasks.***

Based on their knowledge of BJS, the goals and objectives of this solicitation, and an assessment of their organizational capacity, applicants should propose a team of experts who can provide the needed substantive, technical, and methodological assistance required by the FJSASP. While there may be some exceptions, BJS expects that most applicants will not have internal staff with all of the required knowledge and skills to perform the work. As a result, BJS expects these applicants to demonstrate that they have the organizational capacity to recruit and manage the work of affiliates on whom can be called to accomplish specific tasks to augment in-house staff. Applicants proposing affiliates must identify them and demonstrate the ability to obtain and retain the services of these subject matter experts. If affiliates will be used, letters of cooperation or support from the proposed affiliates should be included with the application.

Applicants must show that they can provide (either through internal staff and/or affiliates) technical skills related to record linkage, analysis of administrative records, imputation, and estimation. In addition, they must show evidence of substantive knowledge of the federal criminal justice system and its information needs, including an awareness of (and gaps in) current research found in government publications, academic journals, and government-funded projects. Applicants must also demonstrate a capacity to write statistical products of high quality and to meet project deadlines. In all, BJS expects that the applicant demonstrate that the project team has a wide array of necessary skills to successfully provide the range of services required from the FSJASP.

#### ***Objective 2: Undertake methodological research that supports BJS's efforts to assess the quality and reliability of federal criminal justice data for statistical purposes.***

The FJSP is continuously exploring ways to expand the utility of its data for statistical purposes. This requires both assessing and expanding data capabilities. For example, the creation of dyad link files provide federal agencies, as well as a broader community of researchers, with greater analytical capacity to quantitatively identify and assess system efficiencies, workload issues, and resource allocation. One example of this is the past use of the dyad link files by federal budget agencies to identify and assess cost-effective strategies in federal crime enforcement.

The recipient will develop a working knowledge of strengths and limitations of federal justice agency databases, including SAFs and dyad link files. The recipient of funds will also be expected to undertake quality assessments of administrative records included in and added to the FJSP during the course of the project. The scope of these efforts will be tied to the research questions the project intends to address with these data.

The quality assessment of an agency's data will focus on issues such as—

- the quality of the documentation about the administrative data, including the legal or administrative framework giving rise to the data
- administrative issues, such as the definitions of population units; the types of reports the source agencies produce from the data; and evaluation of the data collection
- the extent of population coverage in the administrative dataset and an assessment of coverage errors (e.g., USSC data may omit cases due to nonresponse from districts)
- reference periods and updates to the data systems, with particular focus on fields that may get overwritten with updates, and how it impacts the timing for obtaining extracts
- completeness and veracity of the data files, which should address errors related to measurement and missing or duplicate records
- the agency's policies and practices regarding data quality control (i.e., the extent of data-focused training and outreach; systematic auditing focused on the reliability of data input; and internal auditing focused on data handling procedures)
- limitations associated with statutory or regulatory requirements, restrictions, or other structural factors that affect administrative record systems.

A project-specific assessment of data quality should identify the specific statistical use of the administrative data and assess whether the data can be used to meet that need, such as any bias in the data that may affect the representativeness of the cohort or the effect of missing data on the planned analyses. This assessment should follow a standardized approach, such as through use of the data quality assessment tool developed by the Federal Committee on Statistical Methodology or a similar tool that considers all aspects of quality from a statistical perspective.<sup>3</sup> At a minimum, such an assessment should—

- identify the data's statistical purpose or use
- assess coverage and unit of analysis issues
- determine completeness and error
- address missing data and imputation issues
- determine external validity criteria and assess reliability of estimates.

Applicants should demonstrate in their applications a knowledge of federal criminal justice agency data and outline their approach to address the completeness and utility of the FJSP data. The successful applicant will be asked develop ways to use the FJSP linked data files to improve the reporting of federal statistics. This may include how linked data files between two or more agencies can be compared for the purposes of assessing data quality. It may also include the use of the linked data files to demonstrate how information not collected by one agency may be augmented from information collected by another agency to more effectively address a substantive research question.

***Objective 3: Enhance the utility of BJS data through the production of reports on substantive issues and special analyses requested by BJS***

The objective of this task is to develop and disseminate high quality, timely, reliable, and relevant statistical reports from FJSP data. Central to this task is the establishment of a research agenda in federal justice statistics. This agenda will be developed in collaboration with BJS. For the application, the applicant should plan to develop and deliver annually three BJS bulletins, special reports or working papers, with the contents and methods dependent upon

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<sup>3</sup> See [Data Quality Assessment Tool for Administrative Data](#) by a working group of the Federal Committee on Statistical Methodology.

approval by BJS. Final versions of all reports and working papers will include tables, text, verified program code, documentation about created variables, and methodology for producing estimates.

The recipient of funds is expected to work collaboratively with BJS staff in developing the report topics and producing reports. After the idea is jointly developed, project staff will provide BJS with a report proposal, including (1) an abstract, (2) a detailed report outline, (3) a summary of the statistical and data problems and the proposed solution to these problems, (4) a staffing plan, and (5) the costs and time frame for producing the report. Once the proposal is approved, the FJSASP will produce a draft report. BJS will review and comment on the draft. When BJS approves a final draft, it will be published by BJS and, therefore, must conform to BJS publication standards.

Applicants should describe in their application how they will work with BJS to develop a research agenda that will produce BJS substantive and methodological reports. The application should also include a brief description for at least three proposed BJS report ideas (with at least one being substantive and one being methodological). This section of the application will provide BJS the opportunity to assess an applicant's substantive knowledge of key and pressing research topics that could be addressed with FJSP data. These proposals should also identify the proposed staffing and the data that will be used. Examples of possible proposal topics include (but are not limited to)—

- An analysis of federal arrest, prosecution, and sentencing of human trafficking offenders.
- An analysis of prosecutorial discretion in whether a crime is handled at the federal or state level. State-level data may be proposed to be obtained from state court agencies for comparison/analysis using the FJSP data.
- An analysis of the effect of counsel (including public defenders, panel attorneys, and private counsel) on federal criminal case outcomes.
- An investigation of the effects of receiving pretrial detention on subsequent adjudication and sentencing outcomes (e.g., sentence type, terms of confinement).
- A methods paper analyzing the data overlap in agency-reported 1-day custody counts. This would include use of data matching to reconcile 1-day counts of persons in the custody of USMS (pre-sentence detention), persons in the custody of the BOP (post-conviction confinement), persons under pretrial supervision in the community, and persons under post-conviction supervision in the community). The paper would detail the degree of overlap among agencies and forward a strategy for more accurately reporting federal confinement and supervision statistics.

#### ***Objective 4: Working with BJS, expand the sets of data collected by FJSP***

BJS is also interested in working with the FJSASP to expand the data collection. Examples of such work include—

- conceptualizing and implementing a plan that integrates criminal data from the FJSP with administrative data from DHS immigration enforcement agencies and data from the DOJ's EOIR
- conceptualizing and implementing a plan that integrates criminal data from the FJSP with administrative data from selected federal regulatory agencies (e.g., SEC, EPA) and civil data from both the EOUSA'S National LIONS database and the AOUSC to more comprehensively report on the federal response to white-collar crime.

Applicants should describe how they would approach such tasks and provide evidence of how the project team has the skills and backgrounds to support such activities.

### ***Deliverables***

The FJSASP is designed as a 3-year project, during which the recipient of funds will meet the project objectives in a flexible and responsive manner. To accomplish that goal, the recipient of funds must demonstrate a capacity to manage resources effectively.

**1. Kickoff and project management plan:** A kickoff meeting will be convened at BJS offices in Washington, DC within the first month of the project period. Travel for project meetings is allowable but should be minimized. The initial project plan presented in the application (and proposed revisions to it) will be reviewed at the project kickoff meeting. After deliberation and discussion, a revised project time/task plan will be prepared. This time/task plan should identify the time frames for accomplishing each of the initial tasks of the project identified by BJS at the kickoff meeting. In addition, at the kickoff meeting, project staffing (including affiliates if proposed) will be reviewed to determine if they provide the needed skills for the project. If necessary, gaps in coverage will be identified and plans to fill these gaps will be discussed. The kickoff meeting report that includes the new time/task plan and the revised project staffing is due within 2 weeks after the kickoff meeting for BJS review and approval. In addition, the kickoff meeting report establishes a regularly scheduled project call that will be observed through the project period (at least biweekly at first and thereafter no less than monthly).

**2. Three substantive BJS reports (per funding year) and periodic special data analysis requests:** BJS anticipates that the project will produce an average of three BJS-quality methodological and/or substantive reports each year. As indicated in this solicitation, topic priorities are subject to change given BJS's needs and interests. However, the applicant is strongly encouraged to propose in the application three report topics (with brief statements of their value to the field and proposed staffing) that it believes should be on the project's initial research agenda.

The number of BJS special data analysis requests that the applicant will be expected to prepare will vary from month to month. In some months, there may not be any special requests, while in other months there may be up to five special requests. The range of effort needed to complete the requests typically will include a period of familiarization with the FJSP codebooks to ascertain whether and to what extent various FJSP datasets can address the request. As an example, a request may ask for the number of defendants charged in federal court with money laundering who were convicted in selected federal judicial districts in the past 5 years. This question would necessitate an analyst to (1) review federal money laundering statutes from the U.S. criminal code and FJSP codebooks, (2) determine the best FJSP data source[s] and variables to use to answer the question, and (3) generate descriptive statistics on trends for the pertinent statutes. These results should be formatted in a table with accompanying bullets to summarize the major findings and should show the reader how to interpret the statistics, along with pertinent citations and user notes. It is expected that the time needed to complete special requests will vary. The expected turnaround time for most requests will range from a few days to 1 week or more (for more involved requests). Requests will require the applicant to provide to BJS for verification the statistical code (SAS or STATA) and the output.

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.”

### **Evidence-Based Programs or Practices**

The Office of Justice Programs (OJP) strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to—

- improving the quantity and quality of evidence OJP generates
- integrating evidence into program, practice, and policy decisions within OJP and the field
- improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence based. The OJP [CrimeSolutions.gov](#) website is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

## **B. Federal Award Information**

BJS anticipates that it will make up to one award of up to \$1 million for a 3-year performance period, which will be funded incrementally, in the form of a cooperative agreement for this project. Pending available funding, BJS may make an initial award for a 12-month period to cover activities associated with the first year of activities. BJS may, in certain cases, provide additional funding in future years to the award made under this solicitation, through supplemental awards. In making decisions regarding supplemental awards, OJP will consider, among other factors, the availability of appropriations, OJP’s strategic priorities, and OJP’s assessment of both the management of the award (for example, timeliness and quality of progress reports), and the progress of the work funded under the award.

In preparing the application, applicants should assume the BJS will make one award of up to \$1 million for a 36-month performance period. The applicant should consider that project activities will begin on October 1, 2017 and continue for a 3-year period. The applicant should provide separate annual budgets for FYs 2018, 2019, and 2020 and one summary 3-year budget. All scheduled activities must be completed by September 30, 2020.

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 entities<sup>4</sup>) must, as described in the Part 200 Uniform Requirements<sup>5</sup> as set out at 2 C.F.R. 200.303:

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

To help ensure that applicants understand 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](#).

### **Information System Security and Privacy Requirements**

BJS award recipients and subrecipients are required to facilitate the privacy, security, confidentiality, integrity, and availability of computer systems, networks, and data in accordance with applicable federal and DOJ policies, procedures, and guidelines. Recipients and subrecipients may not release or disclose any data collected on behalf of BJS without prior written approval from BJS, or until the dataset has been released to the public. This includes, but is not limited to, data used in presentations at professional conferences and meetings, press releases, and/or grant applications.

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<sup>4</sup> For purposes of this solicitation, the phrase “pass-through entity” includes any recipient or subrecipient that provides a subaward (“subgrant”) to a subrecipient (“subgrantee”) to carry out part of the funded award or program.

<sup>5</sup> The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

Recipients and subrecipients who operate as BJS data collection agents that collect, receive, handle, maintain, transfer, process, store, or disseminate directly identifiable information (e.g., names, SSNs, last known address, or FBI, state, or DOC ID numbers) in conjunction with the BJS-funded activities must have the appropriate administrative, physical, and technical safeguards in place to ensure that information systems are adequately secured and protected against unauthorized disclosure. Applicants must specify in the Privacy Certificate (see page 26) all of the specific controls used to safeguard directly identifiable information against unauthorized disclosure.

Specifically, BJS data collection agents are required to, where applicable:

- Follow the [DOJ IT Security Rules of Behavior for General Users](#), which pertain to the use, security, and acceptable level of risk for DOJ systems and applications;
- Assess and secure information systems in accordance with the [Federal Information Security Modernization Act](#) (FISMA) (Pub. L. No. 107-347), which appears as Title III of the [E-Government Act of 2002](#) (Pub. L. No. 107-347);
- Adhere to [National Institute of Standards and Technology](#) (NIST) guidelines to categorize the sensitivity of all data collected or maintained on behalf of BJS;
- Once the system has been categorized, secure data in accordance with the Risk Management Framework specified in [NIST SP 800-37 rev. 1](#);
- Employ adequate controls to ensure data are not comingled with any other dataset or product without the express written consent of BJS;
- Reduce the volume of directly identifiable information collected, used, or retained to the minimum necessary;
- Limit access to identifiable data to only those individuals who must have such access;
- Limit use of identifiable data to only the purposes for which it was approved;
- Log all computer-readable data extracts from databases holding sensitive information and ensure each extract including sensitive data has been erased within 90 days, or its use is still required;
- Ensure all contracts involving the processing and storage of personally identifiable information comply with DOJ policies on remote access and security incident reporting; and
- Employ formal sanctions for anyone failing to comply with DOJ policy and procedures, in accordance with applicable laws and regulations.

Recipients and subrecipients that use a FISMA-defined information system to support award activities must maintain a Security Program Management Plan that prescribes the reporting of and response to security incidents involving directly identifiable information including, but not limited to, system compromise, unauthorized access from both internal and external parties, data leakage, and loss of technology assets. This policy shall be in accordance with the OMB and Department of Commerce Cybersecurity Policy, Presidential Directives, and NIST best practices. **If applicable, recipient and subrecipients shall provide BJS with a signed copy of their Security Program Management Plan within 90 days of accepting the award, and with all updated versions throughout the life of the project period.** Recipients and subrecipients shall notify BJS within one hour of any security incidents that impacts the FISMA-defined information systems used to support award activities.



Upon award, recipients and subrecipients shall provide BJS with a written certification that all staff resources who have access to the FISMA-defined information systems used to collect, receive, handle, maintain, transfer, process, store, or disseminate data files, reports, working papers, or other products in support of the project have completed annual Cybersecurity Awareness Training. Recipients and subrecipients are required to provide BJS with an updated certification when staff resources change.

Applicants are advised that OJP may audit the FISMA-defined information systems that are used during the performance period to assess compliance with federal laws and regulations related to data management and security.

To ensure that applicants understand the applicable information system security and privacy requirements, BJS encourages prospective applicants to review the relevant provisions of the [BJS Data Protection Guidelines](#), which summarize the many federal statutes, regulations, and other authorities that govern BJS data and data collected and maintained under BJS's authority.

## **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 (POC) 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.<sup>6</sup> 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 nonfederal funds. (Nonfederal funds used for any such additional

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<sup>6</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.

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

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

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

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

For eligibility information, see the title page.

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

## **D. Application and Submission Information**

### **What an Application Should Include**

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may

negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that 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](#) to verify 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. 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. An applicant must attach official legal documents to its application (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 [E.O. 12372](#). (In completing the SF-424, an applicant must 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 (such as Times New Roman) with 1-inch margins.

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

All project abstracts should follow the detailed [template](#).

## 3. Program Narrative

This should describe the manner in which the applicant will address the goals and objectives and meet the deliverables for the project, as well as address the evaluation criteria. The narrative should present a clear understanding of BJS, its mission, the FJSP, and the strengths and limitations of the FJSP collections and reports. The narrative should articulate the applicant’s proposed research agenda for the FJSASP, and it should also demonstrate the applicant’s capabilities to complete the tasks in a timely manner. The applicant’s discussion of capabilities should address the following points:

- substantive expertise about the federal criminal justice system
- knowledge of the BJS’s portfolio of federal justice statistics products (e.g., publications, BJS web query tool) and available FJSP data
- demonstrated capacity to conduct methodological research on administrative records and produce BJS quality statistical reports.

The program narrative must not exceed 30 pages, using 12 point font and 1-inch margins all around. These limitations apply to tables and figures included within the narrative. If the program narrative fails to comply with these length-related restrictions, BJS may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative<sup>7</sup>.

### a. Statement of the Problem

- i) Applicants should describe their understanding of federal criminal justice administrative data (law enforcement, courts, and corrections), their purpose and goals, and the achievements that BJS had made with these data.
- ii) Applicants should demonstrate their knowledge of important issues in criminal justice that are currently not covered by BJS products but that could be addressed with BJS’s existing FJSP data or by expanding the FJSP data collection.

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<sup>7</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

b. Project Design and Implementation

- i) Applicants should describe how they will flexibly and adaptively manage the goals and objectives of the project to meet BJS's priorities.
- ii) Applicants should describe how they will be responsive to special requests by BJS.
- iii) Applicants should propose a research agenda for at least the first year of the project, listing the topics of the three proposed methodological and/or substantive reports, a brief description of their content, the staff (and/or affiliates, if proposed) who would work on each along with their capabilities, and an explanation why each is important to the field and BJS.

c. Capabilities and Competencies

- i) Applicants should describe their capacity to provide the substantive, analytic, and methodological research services necessary to meet the objectives of the FJSASP.
- ii) If proposed, applicants should describe how they intend to supplement their own in-house capacities in cost-effective ways with high-quality affiliates.
- iii) Applicants should show how their performance on issues directly related to the FJSASP's goals and objectives demonstrates their capability to address the goals and objectives of this project. This may include past research reports, past projects (with references), and current research projects.

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

BJS does not require applicants to submit performance measures data with their application. However, grantees are expected to report on performance measures specific to the project objectives in semiannual progress reports and final progress reports. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

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
Enhance the utility of BJS's FJSP data through the production of reports on substantive issues.	Percent of deliverables that meet BJS expectations.  Percent of deliverables completed on time.	Deliver annually-three BJS reports that address substantive, methodological or technical issues related to the FJSP, produced in collaboration with and to be published by BJS.
	Provide a communication plan that meets BJS's expectations.  Number of meetings and/or conference calls conducted.	Provide communication plan that details schedule frequency to discuss progress on assigned activities and planning for future work.  Number of meetings and/or conference calls conducted, by topic area.
Undertake methodological research that supports BJS's efforts to assess the quality and reliability of federal criminal justice data for statistical purposes.	The number of new statistical methods or approaches used.	Research products using new statistical approaches in assessing the reliability of administrative and operational data, such as linking, in production of BJS reports; statistical products reflecting data quality assessments; and statistical products that, in final form, are error free and fully documented by program code and methodology.
	Number of products made available to customers (print and online).	Number of reports and other publications produced.

OJP does not require applicants to submit performance measures data with their applications. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section "What an Application Should Include" on page 16 for additional information.

**Note on Project Evaluations**

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project

evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 ("Protection of Human Subjects").

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

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

#### **4. Budget and Associated Documentation**

##### **a. Budget Detail Worksheet**

A [sample Budget Detail Worksheet](#) is available. 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 nonfederal 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](#) webpage.

**1. Information on proposed subawards**

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

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the 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 or 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 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 (i.e., unexpired), federally approved indirect cost rate; or
- (b) The recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (i.e., unexpired) federally approved indirect cost rate must attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the

applicant's accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the OCFO Customer Service Center at 800-458-0786 or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <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 federally negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the "de minimis" rate.)

## **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.

An applicant unable to submit an application that includes a fully-executed (i.e., signed) copy of legal appropriate documentation, as described above, consistent with the applicable tribe's governance structure, should, at a minimum, submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, OJP will make use of and access to award funds contingent on receipt of the fully-executed legal documentation.

## **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) must 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:

- federal awarding agency that currently designates the applicant high risk
- date the applicant was designated high risk
- high-risk POC at that federal awarding agency (name, phone number, and email address)
- 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 must 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 must 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**

### **a. Key Staff Information**

This should include an annual staff loading chart, by task, showing the role and number of hours committed by proposed staff; identification of proposed key personnel (including identified and unidentified affiliates) and their qualifications for the significant functions in the project, along with concise descriptions of the duties each will perform; and identification by name of all key personnel with decision-making authority.

### **b. Privacy Certificate**

The Privacy Certificate is a funding recipient's certification of compliance with federal regulations requiring confidentiality of a private person's identifiable information that is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient's Privacy Certificate also includes a description of policies and procedures to be followed to protect identifiable data. A model certificate is located at [www.bjs.gov/content/pub/pdf/bjsmpc.pdf](http://www.bjs.gov/content/pub/pdf/bjsmpc.pdf).

### **c. Human Subjects Protection Certification of Compliance**

BJs requires the funding recipient to submit proper documentation to determine that the research project meets the federal requirements for human subjects protections set forth

in 28 CFR Part 46. A model certificate, describing the necessary information to be provided by the funding recipient, can be accessed at [www.bjs.gov/content/hscr.cfm](http://www.bjs.gov/content/hscr.cfm).

**d. Applicant Disclosure of Pending Applications**

Each applicant must disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant must 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 must provide the following information about pending applications submitted within the last 12 months:

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

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

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant 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 must submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-

424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of in this application.”

**e. Research and Evaluation Independence and Integrity**

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below.

- i. For purposes of this solicitation, each applicant must document research and evaluation independence and integrity by including one of the following two items:
  - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including thorough review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest—whether personal, financial, or organizational (including on the part of the applicant entity or staff, investigators, or subrecipients)—that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified (including thorough review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients) that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse’s work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an

instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

- ii. In addition, for purposes of this solicitation, each applicant must address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
  - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also should include an explanation of the specific processes and procedures that the applicant has in place, or will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant must provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that it has or will put in place to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.



## Disclosure of Process Related to Executive Compensation

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

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

Each applicant nonprofit organization must state at the time of its application (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 IRS 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](http://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 successfully submitted applications to the OJP Grants Management System (GMS).

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

**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, a 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 to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Complete the [registration form](#) 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 9-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 POC information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.

- 2. Acquire registration with the 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](http://www.sam.gov).

- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity’s “unique entity identifier” (DUNS number) must be used

to complete this step. For more information about the registration process for organizations and other entities, go to <https://apply07.grants.gov/apply/OrcRegister>. Individuals registering with Grants.gov should go to <https://www.grants.gov/web/grants/applicants/individual-registration.html>.

4. **Acquire confirmation for the AOR from the E-Business POC (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number 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 16.734 titled "Special Data Collections and Statistical Studies" and the funding opportunity number is BJS-2017-12700.
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 August 7, 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](#) webpage.**

## **E. Application Review Information**

### **Review Criteria**

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

#### **1. Statement of the Problem (15%)**

- Demonstrated understanding of the FJSP and the capabilities of its various data components.
- Capacity to articulate the substantive and methodological needs of the field that could be addressed by the FJSP data, as well as identifying gaps in BJS statistical reports that should be addressed through the product lines described in this solicitation.
- Understanding of how the project goals will assist BJS in addressing stakeholders' statistical information needs.

#### **2. Project Design and Implementation (35%)**

- Understanding the interactive nature of accomplishing project tasks under BJS direction. This includes a clear articulation of a management structure that is responsive to the demands that will be placed on the FJSASP.
- A high-quality proposed research agenda for the first year of the project, listing the topics of the proposed three methodological and/or substantive reports, their content, the staff and/or affiliates who would work on each and their qualifications, and an explanation why each is important to the field and BJS.
- Proposal will describe how the proposed research agenda will be accomplished on time and on budget.

- Examples of innovations proposed to support the research tasks outlined in the proposed research agenda. This may include a novel approach to effectively achieving project objectives.
- A description of the process that will be used to respond to requests that come from BJS for special analysis of FJSP data.
- Confirmation that the project team will meet biweekly early on in the project period and no less than monthly thereafter to review ongoing activities and develop plans for future ones.

### **3. Capabilities and Competencies (35%)**

- Demonstrated abilities of the key members of the project team (including affiliates, if proposed) to understand the interworkings of federal justice system; to analyze the FJSP data using statistical software packages; to produce reports with high quality and cost-efficiencies; to establish a proposed research agenda; and to be responsive to the evolving analytic and reporting needs of BJS.
- Depth of understanding of, and experience in, using administrative records for statistical research.
- Demonstrated capacity to manage large data files in a secure environment and to achieve research objectives in a timely manner.
- Demonstrated capacity and experience to deliver high-quality research reports targeted to the appropriate audience.
- Capacities to attract, retain, and manage a team of research affiliates, if affiliates are proposed.
- Demonstrated capacity to cover the substantive, methodological, analytic, and technical issues described in the project.
- Demonstrated capacity to produce data products for the end-user (e.g., consumers of BJS reports) and to document all work done to complete project tasks.
- Demonstrated past performance on issues directly related to the FJSASP's goals and objectives, such as research reports, past projects (with references), and current research projects.

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

- The efficiency of the data collection activities required to demonstrate the projects' performance in a low-cost manner and as part of the organization of the project.

### **5. Budget<sup>8</sup>: complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities (10%))**

- Applicant provides three annual budgets and one summary 3-year budget. Applicant provides an annual staff loading chart, by task, showing the role and number of hours committed by proposed staff (including identified and non-identified affiliates, if affiliates are proposed).

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<sup>8</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.



- The extent to which staff resources allocated in the budget are appropriate for the project tasks and the evolving demands of an FJSASP.
- Appropriateness of budgeted items for achieving project goals.
- Budget narratives should generally demonstrate how applicants will maximize cost effectiveness of project expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project. 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.

## **Review Process**

OJP is committed to ensuring a fair and open process for making awards. BJS reviews the application to make sure that the information presented is reasonable, understandable, measurable, 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:

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

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

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJS may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation's review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well versed or has expertise in the subject matter of this solicitation. Peer reviewers' ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for OJP include 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.

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; "FAPIS").

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

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

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Acting Director of the Bureau of Justice Statistics, who may take into account not only peer review ratings, 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 POC and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial POC; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning 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 - FY 2017 Awards](#), 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 webpages accessible through the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#) are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 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.

### **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, semiannual 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 the Federal Awardee Performance and Integrity Information System) 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 website](#).

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), P.L. 103-62, and the GPRA Modernization Act of 2010, P.L. 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 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 to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov) on this solicitation, the application submission process, and/or the application review process.

**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 [ojppeerreview@lmsolas.com](mailto:ojppeerreview@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

### Federal Justice Statistics Analytical Support Program

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 32)
- \_\_\_\_\_ Acquire or renew registration with SAM (see page 32)

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

- \_\_\_\_\_ Acquire AOR and Grants.gov username/password (see page 32)
- \_\_\_\_\_ Acquire AOR confirmation from the E-Biz POC (see page 33)

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

- \_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 33)
- \_\_\_\_\_ Download Funding Opportunity and Application Package (see page 33)
- \_\_\_\_\_ Sign up for Grants.gov email [notifications](#) (optional) (see page 31)
- \_\_\_\_\_ Read [Important Notice: Applying for Grants in Grants.gov](#)
- \_\_\_\_\_ Read [OJP policy](#) and guidance on conference approval, planning, and reporting (see page 17)

##### *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 33)

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

- \_\_\_\_\_ Contact BJS regarding experiencing technical difficulties (see page 33)

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

- \_\_\_\_\_ Review the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#) in the OJP Funding Resource Center

#### Scope Requirement:

- \_\_\_\_\_ The federal amount requested is within the allowable limit(s) of \$1 million.

**Eligibility Requirement:** See the title page.

#### What an Application Should Include:

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 18)
- \_\_\_\_\_ Project Abstract (see page 19)
- \_\_\_\_\_ Program Narrative (see page 19)
- \_\_\_\_\_ Budget Detail Worksheet (see page 22)
- \_\_\_\_\_ Budget Narrative (see page 22)
- \_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 24)

- \_\_\_\_\_ Tribal Authorizing Resolution (if applicable) (see page 25)
- \_\_\_\_\_ Financial Management and System of Internal Controls Questionnaire (see page 25)
- \_\_\_\_\_ Disclosure of Lobbying Activities (SF-LLL) (see page 26)
- \_\_\_\_\_ Additional Attachments (see page 26)
  - \_\_\_\_\_ Key Staff Information
  - \_\_\_\_\_ Privacy Certificate
  - \_\_\_\_\_ Human Subjects Protection Certification of Compliance
- \_\_\_\_\_ Applicant Disclosure of Pending Applications (see page 27)
- \_\_\_\_\_ Research and Evaluation Independence and Integrity (see page 28)
- \_\_\_\_\_ Disclosure of Process related to Executive Compensation (see page 30)
  
- \_\_\_\_\_ Request and Justification for Employee Compensation; Waiver (if applicable) (see page 16)