

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



The [U.S. Department of Justice, Office of Justice Programs \(OJP\), Bureau of Justice Statistics \(BJS\)](#) is pleased to announce that it is seeking applications for funding under the 2010 National Instant Criminal Background Check System Act Record Improvement Program (NARIP). This program implements the grant provisions of the National Instant Criminal Background Check System (NICS) Improvement Amendments Act of 2007 (P.L. 110-180) enacted on January 8, 2008. This program furthers the Department's mission by improving the records utilized by NICS by providing assistance to states to improve the completeness, automation, and transmittal of records to state and federal systems. Such records include criminal history records, records of felony convictions, warrants, records of protective orders, convictions for misdemeanors involving domestic violence and stalking, records of mental health adjudications, and others, which may disqualify an individual from possessing or receiving a firearm under federal law. Helping states to automate these records will also reduce delays for law-abiding gun purchasers.

FY 2010 NICS Act Record Improvement Program (NARIP) for States and State Court Systems Solicitation

Eligibility

As indicated in P.L. 110-180, applicants are limited to (a) the agency designated by the Governor to administer the National Criminal History Improvement Program (NCHIP), (b) the state or territory central administrative office or similar entity designated by statute or regulation to administer federal grant funds on behalf of the jurisdiction's court system, or (c) federally recognized Indian tribal government. Additionally, there are two other specific conditions associated with eligibility for grants under this program (see "Eligibility" on page 3).

Deadline

Registration with OJP's Grants Management System (GMS) is required prior to application submission. The registration deadline is 5:00 p.m. Eastern time on Thursday, May 6, 2010. All NARIP applications are due by 5:00 p.m. Eastern time on Friday, May 7, 2010. (See "Deadlines: Registration and Application," on page 3)

Contact Information

For assistance with the requirements of this program announcement, contact Ms. Devon B. Adams at 202-307-0765 or via email at askbjs@usdoj.gov. Include "narip10" in the subject line.

Applications must be submitted through the Grants Management System Hotline at 1-888-549-9901, option 3. **Note:** GMS Support Hotline hours of operation are Monday–Friday from 6:00 a.m. to midnight Eastern time, except Federal holidays.

2010-BJS-2567

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NICS Act Record Improvement Program (NARIP) For States and State Court Systems CFDA Number 16.813

Overview

The NICS Improvement Amendments Act of 2007, Pub. L. 110-180 (“the NICS Improvement Act”), was signed into law on January 8, 2008. The NICS Improvement Act amends the Brady Handgun Violence Prevention Act of 1993 Pub. L. 103-159 (“the Brady Act”), under which the Attorney General established NICS. The Brady Act requires Federal Firearms Licensees (FFLs) to contact the NICS before transferring a firearm to an unlicensed person for information on whether the proposed transferee is prohibited from receiving or possessing a firearm under state or federal law.

The NICS Improvement Act was enacted in the wake of the April 2007 shooting tragedy at Virginia Tech. The Virginia Tech shooter was able to purchase firearms from an FFL because information about his prohibiting mental health history was not available to the NICS, and the system was therefore unable to deny the transfer of the firearms used in the shootings. The NICS Improvement Act seeks to address the gap in information available to NICS about such prohibiting mental health adjudications and commitments and other prohibiting factors. Filling these information gaps will better enable the system to operate as intended to keep guns out of the hands of persons prohibited by federal or state law from receiving or possessing firearms. The automation of records will also reduce delays for law-abiding gun purchasers.

The Act authorized a grant program to assist states in providing certain information to the NICS, and prescribes grant penalties for non-compliance with the Act’s record completeness goals. Additionally, pursuant to the Act, there are certain conditions, described below, that a state must satisfy in advance of receiving grants under the Act. In FY 2010, \$20 million has been appropriated for this program.

Deadline: Registration and Application

The GMS registration deadline is 5:00 p.m. Eastern time, Thursday, May 6, 2010. Applications must be received by 5:00 p.m. Eastern time, Friday, May 7, 2010, to be eligible for funding in FY 2010. Awards are expected to be made by September 30, 2010.

Eligibility

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

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

American Indian Tribes and Alaska Native Tribes and/or Tribal Organizations: Applicants are limited to for-profit (commercial) organizations, nonprofit organizations, faith-based and community organizations, institutions of higher learning, and consortiums with demonstrated organization and community-based experience working with American Indian and Alaska Native communities, including tribal commercial and nonprofit organizations, tribal colleges and universities, and tribal consortiums.

All tribal applications must be accompanied by a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable government body. If the grant will benefit more than one tribal entity, a current authorizing resolution or other enactment of the tribal council or comparable government body from each tribal entity must be included. If the grant application is being submitted on behalf of a tribal entity, a letter or similar document authorizing the inclusion of the tribal entity named in the application must be included.

Applicants are also encouraged to review the “Civil Rights Compliance” section on the [“Other Requirements for OJP Applications”](#) webpage, which can be found at the web address shown above.

Note - In accordance with the Act, there are two specific conditions that each state must satisfy before being eligible to receive grants:

1. First, the state must provide to the Attorney General a “reasonable estimate,” based on a methodology established by the Attorney General, of records subject to the Act’s completeness requirements. BJS developed an information collection to be used by states to submit these estimates which is available on the BJS website at: <http://bjs.ojp.usdoj.gov/index.cfm?ty=tp&tid=49#calculate>.
2. Second, a state must certify, to the satisfaction of the Attorney General, that the state has implemented a program permitting persons who have been adjudicated a mental defective or committed to a mental institution to obtain relief from the firearms disabilities imposed by law as a result of such adjudication or commitment. This relief must be based upon a finding, in accordance with principles of due process, by a state court, board, commission, or other lawful authority, that the circumstances of the disability and the person’s record and reputation are such that the person will not be likely to act in a manner dangerous to the public safety, and that the granting of relief would not be contrary to the public interest. The certification form is available on the Bureau of Alcohol, Tobacco, Firearm and Explosives (ATF) website at: <http://www.atf.gov/forms/download/atf-f-3210-12.pdf>. The Act also specifies that not less than 3 percent, and no more than 10 percent, of each grant provided to a state under the Act shall be used for the purpose of maintaining the required relief from disabilities program. For further information, please visit the NICS Improvement Act Questions and Answers on the BJS website at: [Bureau of Justice Statistics \(BJS\) - The NICS Improvement Amendments Act of 2007](#).

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

(See “Other Program Attachments” on page 15)

Project-Specific Information

Authorizing legislation

The NICS Act Record Improvement Program is authorized by the NICS Improvement Amendments Act of 2007 (P.L. 110-180), enacted on January 8, 2008. Among other things, the Act provides that the grants are to be made in a manner consistent with BJS's NCHIP Program. Therefore, NARIP application procedures parallel the provisions of the Crime Identification Technology Act of 1998 that guide NCHIP and implement the requirements of—

- The Crime Identification Technology Act of 1998 (CITA), Pub. L. No. 109-162, 112 Stat.1871 (1998), codified at 42 USC Section 14601 et seq.;
- The Brady Handgun Violence Prevention Act (Brady Act), Pub. L. No. 103-159, 107 Stat.1536 (1993), codified as amended at 18 U.S.C. Section 921 et seq.;
- The National Child Protection Act of 1993 (NCPA), Pub. L. No. 103-209, 107 Stat. 2490 (1993), codified as amended at 42 U.S.C. Sections 3759, 5101 note, 5119, 5119a, 5119b, 5119c;
- Those provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (Omnibus Act), Pub. L. No. 90 351, 82 Stat. 197 (1968), codified as amended at 42 U.S.C. Section 3711 et seq., as amended; and the Violent Crime Control and Law Enforcement Act of 1994 (Violent Crime Control Act), Pub. L. No.103 322, 108 Stat. 1796 (1994), codified as amended at 42 U.S.C. Section 13701 et seq., which pertain to the establishment, maintenance, analysis, or use of criminal history records and criminal record systems;
- Relevant requirements of the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, Pub. L. No. 103-322, 108 Stat. 2038, Megan's Law, Pub. L. No. 104-145, 110 Stat. 1345, and the Pam Lychner Sexual Offender Tracking and Identification Act of 1996, Pub. L. No. 104-236, 110 Stat. 3093; and Title 1 of the Adam Walsh Child Protection and Safety Act of 2006, Pub. L. 109-248; and
- The Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464 (2000) and related laws pertaining to the identification, collection, analysis and interstate exchange of records relating to domestic violence and stalking (including protection orders).

Record Completeness Goals and Incentives

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

- First, the Act allows states to obtain a waiver, beginning in 2011, of the state matching requirement under the NCHIP grant program, if a state provides at least 90 percent of its records identifying persons in specified prohibited categories;

- Second, the Act authorizes grant programs described herein, which, pursuant to the Act, are being administered consistent with NCHIP, for state executive and judicial agencies to establish and upgrade information automation and identification technologies for timely submission of final criminal record dispositions and other information relevant to NICS checks; and
- Finally, the Act provides for discretionary and mandatory Byrne Justice Assistance Grant (JAG) program funding penalties, beginning 3 years after enactment, for non-compliance with specified record completeness requirements within certain timeframes: after 3 years, 3 percent may be withheld in the case of less than 50 percent completeness; after 5 years, 4 percent may be withheld in the case of less than 70 percent completeness; and after 10 years, 5 percent shall be withheld in the case of less than 90 percent completeness (although the mandatory reduction can be waived if there is substantial evidence of the state making a reasonable effort to comply).

Program goals

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

State Grants

Section 103 of the NICS Improvement Act, regarding implementation assistance to the states, provides that the grants "shall be used by the States and Indian tribal governments, in conjunction with units of local government and State and local courts, to establish or upgrade information and identification technologies for firearms eligibility determinations."

In accordance with the Act, a grant to a state, territory, or Indian tribe may only be used to—

- create electronic systems, which provide accurate and up-to-date information which is directly related to checks under the NICS, including court disposition and corrections records;
- assist states in establishing or enhancing their own capacities to perform NICS background checks;
- supply accurate and timely information to the Attorney General concerning final dispositions of criminal records to databases accessed by NICS;
- supply accurate and timely information to the Attorney General concerning the identity of persons who have a federally prohibiting mental health adjudication or commitment;
- supply accurate and timely court orders and records of misdemeanor crimes of domestic violence for inclusion in federal and state law enforcement databases used to conduct NICS background checks;

- collect and analyze data needed to demonstrate levels of state compliance with the Act; and
- maintain the required relief from disabilities program in accordance with the Act; however, not less than 3 percent and no more than 10 percent of each grant shall be used for this purpose.

State Court Grants

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

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

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

Funding Information

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

Limitation on Use of Award Funds for Employee Compensation; Waiver: With respect to any award of more than \$250,000 made under this solicitation, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the Federal Government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The 2010 salary table for SES employees is available at <http://www.opm.gov/oca/10tables/indexSES.asp>.) Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

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

The justification should include (1) the particular qualifications and expertise of the individual, (2) the uniqueness of the service being provided, (3) the individual's specific knowledge of the program or project being undertaken with award funds, (4) and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work that is to be done.

Award Period

FY 2010 NARIP awards will be made for up to 12 months. Funded activities may begin on or after October 1, 2010. All activities must be scheduled to be completed by September 30, 2011.

Performance Measures

To assist in fulfilling the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measures the results of their work. Additionally, applicants must discuss their data collection methods in the application. Grantees are required to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. Please refer to "What an Application Must Include" (below), for additional information on applicant responsibilities for collecting and reporting data in this solicitation, which outline applicant responsibilities for collecting and reporting data. Performance measures for this solicitation are as follows:

Program Objectives	Performance Measures	Data to be Provided by Grantees
<p>Ensure that the infrastructure is developed to connect each state's records systems to the national records systems operated by the Federal Bureau of Investigation (FBI), including the National Crime Information Center (NCIC), the Integrated Automated Fingerprint Identification System (IAFIS), the Integrated Identification Index (III), and the National Instant Criminal Background Check System (NICS) Index.</p>	<p>The number of states making 90% (or more) of records available to the NICS. States are required to make at least 50% of their records available to NICS by 2011.</p>	<p>Total number of state records in the 7 categories.</p> <p>Number of state records made available for use by NICS in 7 categories, including—</p> <p>Category 1: Records that identify a person who has been convicted in any court of a crime punishable by imprisonment for a term exceeding one year (e.g., federal or state felonies), and of any state misdemeanor punishable by imprisonment for more than 2 years.</p> <p>Category 2: Records that identify a person who is under an indictment or information returned or filed with a court, or a criminal complaint issued or verified by a prosecutor, for the crimes described in Category 1.</p>

	<p>Percentage of records made available to NICS that are complete.</p> <p>Percentage of applications for firearm transfers rejected due to data made available to the NICS.</p>	<p>Category 3: Records that identify a person who is a fugitive from justice, as demonstrated by an active felony or misdemeanor want or warrant.</p> <p>Category 4: Records that identify a person who is an unlawful user of or addicted to any controlled substance, as demonstrated by specified arrests, convictions and adjudications, not protected from disclosure to the Attorney General by federal or state law.</p> <p>Category 5: Records that identify a person who has been adjudicated as a mental defective or has been formally and involuntarily committed to any mental institution, not protected from disclosure to the Attorney General by federal or state law.</p> <p>Category 6: Records that are electronically available and identify a person subject to an active court order (e.g., issued by a criminal court or any civil court, such as divorce court, family court, magistrate or general jurisdiction court) which restrains a person from committing acts of violence against another person.</p> <p>Category 7: Records that are electronically available and identify a person convicted in any court of a misdemeanor crime of domestic violence.</p> <p>Number of records made available to NICS that are complete.</p> <p>Number of applications for firearm transfers.</p>
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How to Apply

Applications will be submitted through OJP’s Grants Management System (GMS). [GMS](#) is a Web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of grants at OJP. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If you experience technical difficulties at any point during this process, please e-mail GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), Monday – Friday from 6:00 a.m. to midnight Eastern time, except Federal holidays. OJP highly recommends starting the registration process as early as possible to prevent delays in the application submission by the specified deadline.

All applicants are required to complete the following six steps:

1. **Acquire a Data Universal Numbering System Number (DUNS).** A DUNS number is required to submit an application in GMS. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS number in their application for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling 866-705-5711 or by applying online at www.dunandbradstreet.com. Individuals are exempt from this requirement.
2. **Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.** CCR registration is required to receive funding. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per

year to maintain an active status. Information about CCR registration procedures can be accessed at www.ccr.gov.

3. **Acquire a GMS Username and Password.** If you are a new user, please create a GMS profile by selecting the first time user link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/gmscbt/.
4. **Search for the Funding Opportunity on GMS.** After you log in to GMS or complete your GMS profile for your username and password, go to the Funding Opportunities link on the left hand side of the page. Please select Bureau of Justice Statistics and the FY 2010 NICS Act Record Improvement Program (NARIP).
5. **Select the Apply Online Button Associated with the Solicitation Title.** The search results from step 4 will display the solicitation title along with the Registration and Application Deadlines for this funding opportunity. Please select the Apply Online button in the Action Column to create an application in the system.
6. **Submit an Application Addressing All of the Requirements Outlined in this Solicitation by Following the Directions in GMS.** Once submitted, GMS will display a confirmation screen stating your submission was successful. **Important:** You are urged to submit your application at least 72 hours prior to the due date of the application.

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

Experiencing Unforeseen GMS Technical Issues

If you experience unforeseen GMS technical issues beyond your control which prevent you from submitting your application by the deadline, you must contact BJS staff **within 24 hours after the deadline** and request approval to submit your application. At that time, BJS staff will require you to e-mail the complete grant application, your DUNS number, and provide a GMS Help Desk tracking number(s). After the program office reviews all of the information submitted, and contacts the GMS Helpdesk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

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

Notifications regarding known technical problems with GMS are posted on the OJP funding Web page at: www.ojp.usdoj.gov/funding/solicitations.htm.

What an Application Must Include

Applicants must submit the following:

- Standard Form 424
- Attachment #1: Preliminary NICS Record Improvement Plan
- Attachment #2: Budget Detail Worksheet and descriptive narrative
- Attachment #3: Program Narrative - including background and identification of needs, description of tasks to be funded, unexpended funds from previous grants under the program (if applicable), and coordination activities
- Attachment #4: Other Program Attachments
- Indirect Cost Rate Agreement (if applicable).

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

Assurances and Certificates. Applicants are required to review, accept, and “sign off” on these assurances and certifications electronically through GMS. Please verify that the name, address, phone number, fax number, and e-mail address of the authorizing official on these online forms are correct.

Assurances. The applicant must comply with assurances in order to receive federal funds under this program. It is the responsibility of the recipient of federal funds to fully understand and comply with these requirements. Failure to comply may result in withholding of funds, termination of the award, or other sanctions.

Certifications Regarding Lobbying: Debarment, Suspension, and Other Responsibility Matters; and the Drug-Free Workplace Requirement. Applicants are required to review and check off the box on the certification form included in their online application process. This form commits the applicant to compliance with the certification requirements under 28 CFR Part 69, “New Restrictions on Lobbying,” and 28 CFR Part 67, “A Government-Wide Debarment and Suspension (Nonprocurement) and Government-Wide Requirements for Drug-Free Workplace (Grants).”

ATTACHMENT #1. Preliminary NICS Record Improvement Plan

In order to make the most effective use of the grant program funds for improvement to the quality and availability of records utilized by the NICS, FY 2010 NARIP grant applications must provide for the development and implementation of comprehensive strategic planning. Such planning must include activities designed to examine the current condition of the involved state, local, and tribal records, problems associated with incomplete reporting and/or records availability, and demonstrate a commitment to a long range planning process to address such issues to achieve the goals of the NICS Improvement Amendments Act of 2007.

Therefore, FY 2010 NARIP applications should include funding for the development of a NICS Record Improvement Plan through a four-step process:

Step 1. Establishment of a NICS Record Improvement Task Force.

Since achieving complete reporting and transmission of state or tribal records to national files can only be achieved through the cooperative efforts of all record originating entities, BJS recommends that the applicant propose to utilize some FY 2010 NARIP funding to establish a NICS Record Improvement Task Force to guide the development and implementation of an ongoing long-range records improvement plan. The task force might include representatives from the central record repository and source agencies including state, local, and tribal law enforcement, prosecuting attorneys, the courts, local jails, state correctional facilities, probation and parole agencies, and state mental health program agencies.

A task force with wide representation from throughout the system could provide a forum for exploring the range of possible options for improving the quality, completeness and availability of NICS records in the state. The task force could review the results of the assessment and the problem identification phases in Steps 2 and 3 and could also develop recommendations for the achievement of improvements in the quality, completeness, and availability of NICS records. Current legislation and administrative procedures related to reporting, maintaining, sharing, and use of relevant records might be reviewed to determine if they are adequate.

A list of the proposed task force members and the agencies they represent should be included in the preliminary plan. If components of the system listed above are not included in the task force, the plan should describe how input and participation will be achieved. If a task force is not to be established, the applicant should propose instituting other mechanisms to provide for the input and participation of all affected components of the criminal justice system.

Step 2. Assessment of the completeness and availability of NICS records

The record estimates and other information provided by the state in response to the information collection developed by BJS pursuant to the Act provide an initial or baseline assessment on which FY 2010 activities can be based. However, for the purposes of long-term strategic planning, an applicant may wish to utilize the task force to examine (and address) more deeply issues surrounding the accuracy, completeness, and availability of such records as part of its assessment. In any event, the ongoing assessment must result in a comprehensive understanding of the following—

- the availability of the records in terms of entities that originate, maintain, and/or receive such records;
- how relevant records are currently transmitted to the state's central repository and/or how they are otherwise made available to the NICS; and
- completeness of the records in the various categories in terms of what portion of available records are actually made available to the NICS.

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

Step 3. Identification of reasons for incomplete and/or unavailable NICS records

The task force may also seek to identify any and all challenges or obstacles encountered in terms of ensuring that all qualifying records are made available to the NICS. Such challenges may help focus specific improvement strategies, and may include factors such as the type and number of state/local/tribal agencies that originally create such records, and the typical “lifecycle” of such original records, including when and where the records are created, whether such records are maintained in paper or electronic form, if and how such records are transmitted to state and national files, and when/how such records are ultimately disposed of, deleted, or otherwise made unavailable. Other factors may affect the availability of the records for state and national files, including whether categories of records are protected from disclosure under a provision of state, tribal, or federal law.

Step 4. Development of a NICS Record Improvement Plan.

The final step is the development of strategies for addressing each of the challenges identified in Step 3, including the use of federal grant funds appropriated under the NICS Act in FY 2010. The plan should identify goals, objectives, and a general timetable for achievements. It is expected that subsequent iterations of the plan will include a progress report on the strategies previously employed.

ATTACHMENT #2 - Program Narrative

The Program Narrative attachment must have three (3) separate sections:

- 1. Activities to be funded.** The program narrative must describe each and all of the tasks to be funded with FY 2010 NARIP funds over the project period outlined under Program Goals. All proposed tasks should demonstrate the intent of this program to improve the completeness, automation, and transmittal of records used by the NICS to state and federal systems. Dollar amounts must be included for each funded task.
- 2. Compatibility with other systems.** The application should describe the extent to which proposed activities are compatible with current NCIC, NICS, IAFIS, and other applicable statewide or regional criminal justice information sharing standards or plans, including state anti-terrorism plans.
- 3. Coordination.** The administering agency should coordinate efforts with relevant emergency management task forces and agencies to ensure that records development activities are compatible with security measures for preventing acts of terrorism. NARIP activities will be coordinated with other OJP efforts authorized and funded under CITA. To encourage coordination and information sharing among criminal justice systems, all OJP awards supporting information technology development are being special conditioned to require that a description of the project be submitted to the state Information Technology Point of Contact (POC), if one has been designated. A copy of the correspondence can be submitted as part of Other Attachments (see below) or sent directly to BJS prior to accessing funds. There is no requirement that the point of contact concur with the information technology project. The intent of this condition is to facilitate communication within the state.

ATTACHMENT #3 - Budget Detail Worksheet and Budget Narrative

Attachment #3 must contain two (2) separate pieces. The Budget Detail Worksheet is available on the OJP website. The OJP Financial Guide governs the administration of funds, contains information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. If you have any questions, please contact the Office of the Chief Financial Officer's Customer Service Center at 800-458-0786.

1. **Budget Detail Worksheet.** The budget should provide details for expenses in required categories (including match if applicable) and by individual task. The application should identify those agencies to receive direct funding and indicate the fiscal arrangements to accomplish fund transfer. The budget detail worksheet form is available at: http://www.ojp.usdoj.gov/funding/forms/budget_detail.pdf.

2. **Budget Narrative.** The budget narrative should detail costs included in each budget category for the federal and the non-federal (match) share, if applicable. The purpose of the budget narrative is to relate items budgeted to project activities and to provide justification and explanation for budget items, including criteria and data used to arrive at the estimates for each budget category. The budget narrative should also indicate amounts to be made available to subrecipient agencies (under Contractual/Contracts category) other than the direct award recipient.

Match. There is no required cash or in-kind match required under this program. However, if the applicant chooses to offer such a commitment, the narrative should include a description of cash contributions, in-kind services, or activities, with accompanying fiscal implications, which are offered as matching support for the activities to be funded under NARIP. BJS will consider all matching support which contributes to or meets NARIP program goals as additional demonstrated commitment to the application.

ATTACHMENT #4 - Other Program Attachments

The following **required** four (4) documents should be submitted either as a single file attachment or as separate attachments:

1. A copy of the latest completed NICS Improvement State Records Estimates Information Collection;
2. A copy of the approved application for certification of the state/territory's relief from disabilities (the certification form must be submitted to ATF for approval);
3. A copy of the required letter to the state Information Technology POC describing the current application request, as referenced above; and
4. A 1-year project timeline detailing each funded activity, completion time, and responsible parties.

If an application is being submitted by either (1) a tribe or tribal organization, or (2) by a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the

tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its residents must be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application must include a resolution from all tribes that will be included as a part of the services/assistance provided under the grant.

Selection Criteria

All applications must be responsive to this Program Announcement. Applicants are strongly encouraged to review the evaluation criteria BJS will use in making funding decisions before deciding whether to submit an application for this solicitation. Applicants should understand that applications must respond to priorities identified and that full funding may not be possible for all proposed activities. For FY 2010 NARIP grants completeness of the application in terms of all required information will be a key consideration for BJS. Awards will also be based on the following review criteria:

1. Program Narrative (25%)

- the program narrative must describe each proposed task in accordance with the program goals as outlined on pages 6 and 7.

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

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

3. Capabilities/Competencies (21%)

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

4. Budget (18%)

- the reasonableness of the budget, including the nature of the proposed expenditures and their relation to the priorities identified herein.

5. Impact/Outcomes and Evaluation (11%)

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

Review Process

OJP is committed to ensuring a standardized process for awarding grants. The Bureau of Justice Statistics reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with basic minimum program or legislative requirements as stated in the solicitation (including, but not limited to, requirements as to timeliness, proper format, and responsiveness to the scope of the solicitation).

Applications will be screened initially to determine whether the applicant meets all eligibility requirements. **Only applications submitted by eligible applicants that meet all other requirements will be evaluated, scored, and rated by a reviewer.** Peer reviewers will be reviewing the applications that meet basic minimum requirements submitted under this solicitation. BJS may use either internal peer reviewers, external peer reviewers, or a combination to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Applications will be screened initially to determine whether the applicant meets all eligibility requirements. Only applications submitted by eligible applicants that meet all other requirements will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. Reviewers' ratings and any resulting recommendations are advisory only. In addition to review ratings, considerations may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with the BJS, conducts a financial review of potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants, examines proposed costs to determine if the budget and budget narrative accurately explain project costs, and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations. OCFO also reviews the award document and verifies the OJP Vendor Number.

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

Applicants should be aware that winning applications might be made available to the public, after redactions of information determined to be covered by Privacy Act considerations.

Additional Requirements

Successful applicants selected for award must agree to comply with additional applicable requirements prior to receiving grant funding. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at: http://www.ojp.usdoj.gov/funding/other_requirements.htm.

- [Civil Rights Compliance](#)
- Funding to Faith-Based Organizations
- Confidentiality and Human Subjects Protections Regulations
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) Compliance
- DOJ Information Technology Standards
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with the Office of Justice Programs' [Financial Guide](#)
- Suspension or Termination of Funding
- Nonprofit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006

Application Checklist FY 2010 NICS Act Record Improvement Program (NARIP)

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

Eligibility Requirement:

- Agency Designated by the Governor to Administer NCHIP/State Court Agency/Federally recognized Indian tribal government
- Copy of Year 2 estimates of record completeness
- Copy of approved ATF certification form for relief from disabilities provision

Required Forms, Certifications and Other Components:

- Standard 424 Form
- DUNS Number
- Certifications

The Application Components:

- Attachment #1: Preliminary NICS Record Improvement Plan**
 - Step 1. Establishment of a NICS record improvement plan
 - Step 2. Assessment of the completeness and availability of NICS records
 - Step 3. Identification of reasons for incomplete and/or unavailable NICS records
 - Step 4. Development of a NICS records improvement plan
- Attachment #2 - Program Narrative**
 - Activities to be funded
 - Compatibility with other systems
 - Coordination
- Attachment #3 – Budget**
 - Budget Detail Worksheet
 - Budget Narrative
- Attachment #4 – Other Attachments**

The following **required** four (4) documents should be submitted either as a single file attachment or as separate attachments:

- A copy of the latest completed NICS Improvement State Records Estimates Information Collection;
- A copy of the approved application for certification of the state/territory's relief from disabilities (the certification form must be submitted to ATF for approval);
- A copy of the required letter to the state Information Technology POC describing the current application request, as referenced above; and
- A 1-year project timeline detailing each funded activity, completion time, and responsible party(ies).