

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



NICS Act Record Improvement Program (NARIP)

FY 2019 Competitive Grant Solicitation

CFDA # 16.813

Grants.gov Solicitation Number: BJS-2019-15723

Solicitation Release Date: April 23, 2019

Application Deadline: 11:59 p.m. eastern time on June 3, 2019

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications for funding for the 2019 National Instant Criminal Background Check (NICS) Act Record Improvement Program (NARIP). This program furthers the Department's mission by enhancing the completeness, automation, and transmittal of records to state and federal systems used by the NICS. Eligible states and tribes may receive grant funding to improve the completeness, automation, and transmittal of records to state and federal systems. For the purpose of this solicitation, the term "state" includes the District of Columbia and U.S. territories.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants for the preparation and submission to OJP of applications for funding. If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.

Eligibility (Who may apply): Eligible applicants are limited to the agency designated by the Governor in each state to administer the National Criminal History Improvement Program (34 U.S.C. § 40301) and federally recognized Indian tribal governments (as determined by the Secretary of the Interior). (A determination by the Secretary of the Interior is not required for tribes to which federal recognition was extended by virtue of Public Law 115-121, the Thomasina E. Jordan Indian Tribes of Virginia Federal Recognition Act of 2017.)

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

BJS will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project. For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

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

Contact information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or at support@grants.gov. The Grants.gov Support Hotline operates 24 hours per day, 7 days per 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** 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 (Grants.gov) section in the [OJP Grant Application Resource Guide](#).

For assistance with any other requirements of this solicitation, contact Ron Planty, Justice Statistics Policy Analyst, by telephone at 202-307-0765, or by email at AskBJS@usdoj.gov. Include “NARIP19” in the subject line.

Post-Award Legal Requirements Notice

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, and all applicable requirements of federal statutes and regulations (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.

For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

Deadline details

Applicants must register with Grants.gov at <https://www.grants.gov/web/grants/register.html> prior to submitting an application. All applications are due by 11:59 p.m. eastern time on June 3, 2019.

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, 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.

An applicant must use the **Add Attachment** button to attach a file to its application. Do not click the paperclip icon to attach files. This action will not attach the files to the application. After adding an attachment, select the **View Attachment** button to confirm you attached the correct file. To remove the file, select the **Delete Attachment** button.

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

For additional information, see the “How to Apply (Grants.gov)” section in the [OJP Grant Application Resource Guide](#).

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FY 2019 NICS Act Record Improvement Program (NARIP) (CFDA #16.813)

A. Program Description

Overview

The Bureau of Justice Statistics (BJS) is publishing this notice to announce the continuation of the National Instant Criminal Background Check System (NICS) Act Record Improvement Program (NARIP) in fiscal year (FY) 2019, identify the program priorities, and provide information on application requirements. This year, BJS is prioritizing the use of funds for two purposes: (1) to enhance the completeness automation, and transmittal of records to state and federal systems to the NICS, and (2) to improve the overall reporting of persons prohibited from possessing firearms for reasons related to domestic violence and mental health to the NICS.

Statutory Authority: Codified at 34 U.S.C. §40912, the NICS Improvement Amendments Act of 2007 (NIAA; P.L. 110-180) addresses the gap in information available to NICS about 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 also reduces delays for law-abiding persons to purchase firearms.

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

Pursuant to 34 U.S.C. §10132(c)(19), BJS is authorized to “provide for improvements in the accuracy, quality, timeliness, immediate accessibility, and integration of State and tribal criminal history and related records, support the development and enhancement of national systems of criminal history and related records including the National Instant Criminal Background Check System, the National Incident-Based Reporting System, and the records of the National Crime Information Center, facilitate State and tribal participation in national records and information systems, and support statistical research for critical analysis of the improvement and utilization of criminal history records.” The National Criminal History Improvement Program (NCHIP) and the NARIP are two means by which BJS provides for such improvements.

The NARIP is authorized by the NIAA, which provides that grants be made in a manner consistent with the NCHIP. Therefore, NARIP application procedures parallel the provisions of the Crime Identification Technology Act of 1998 (34 U.S.C. § 40301), which guide the NCHIP. Both the NCHIP and NARIP were reauthorized under Title VI of the Consolidated Appropriations Act of 2018 (P.L. 115-141).

Program-Specific Information

Goals, Objectives, and Deliverables

The NIAA has provisions that require states to meet specific goals for completeness of the records submitted to the Attorney General identifying individuals prohibited by federal law from possessing firearms. The records 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, misdemeanor crimes of domestic violence, and other statutory obligations.

The NARIP was developed to improve the completeness, automation, and transmittal of records to state and federal systems used by the NICS. These include records of criminal history, felony convictions, warrants, protective orders, convictions for misdemeanors involving domestic violence and stalking, drug arrests and convictions, mental health adjudications, and other information that may disqualify an individual from possessing or receiving a firearm under federal law.

Awards under this solicitation will include a condition (the specific terms of which will govern the award) related to supplying records to the National Instant Background Check System (NICS). The condition will, generally speaking, require recipients that use the award for a project or program that results in court dispositions, information or other “eligible records” relevant to the NICS, or that has a purpose of establishing or improving any of the foregoing, to promptly make available (and, as appropriate, update, correct, modify, remove) to the NICS or the state repository accessed by the NICS all such dispositions, information, and other “eligible records.”

FY 2019 Priority Areas—Improve Identification and Reporting of Convictions of Domestic Violence and Mental Health Submissions to the NICS

Applicants should focus efforts on (1) identifying, flagging, and making immediately accessible to NICS records of persons prohibited from purchasing or possessing firearms for domestic violence convictions and (2) reporting records of persons prohibited from possessing firearms for mental health reasons. Therefore, recipients must agree to use a portion of awarded funds to make such records accessible to the NICS, unless the state certifies in the application that it—

1. already makes available to the NICS information on all persons prohibited from possessing firearms due to a domestic violence conviction or prohibiting mental health reason; or
2. will focus funds on another category of qualifying NICS records that the state reasonably argues represents a greater information gap.

State Grants

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

- Supply accurate and timely information to the Attorney General concerning the identity of persons who have a federally prohibiting mental health adjudication or commitment

- Create electronic systems that provide accurate and up-to-date information directly related to checks under the NICS, including court disposition and corrections records
- Assist states in establishing or enhancing their own capacities to perform NICS background checks
- Supply accurate and timely information to the Attorney General concerning final dispositions of criminal records to databases accessed by the NICS
- Supply accurate and timely court orders and records of misdemeanor crimes of domestic violence for inclusion in federal and state law enforcement databases used to conduct NICS background checks
- Collect and analyze data needed to demonstrate levels of state compliance with the NIAA
- Maintain the required relief from disabilities program in accordance with the NIAA (however, by statute, not less than 3% and no more than 10% of each grant shall be used for this purpose).

State Court Grants

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

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

Assessments, as necessary, of the capabilities of state courts to automate and transmit arrest and conviction records, court orders, and mental health adjudications or commitments to federal and state record repositories; and

Policies, systems, and procedures to automate and transmit arrest and conviction records, court orders, and mental health adjudications or commitments to federal and state record repositories.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under [What an Application Should Include](#).

Information Regarding Potential Evaluation of Programs and Activities

Applicants should note OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section, entitled, “Information Regarding Potential Evaluation of Programs and Activities.”

B. Federal Award Information

FY 2019 NARIP awards will be new awards, rather than supplemental awards, and will be made for a performance period from 12 to 24 months. Funded activities may begin as early as October 1, 2019 or as late as January 1, 2020. All activities must be scheduled to be completed by December 31, 2021.

BJS is unable to estimate the number of awards to be made or the maximum amount awarded per state. The number and amount of awards depends on the extent to which the projects proposed address the program priority areas and the demonstrated level of need. In FY 2018, BJS made 20 awards totaling approximately \$21 million.

Period of Performance start date	October 1, 2019 to January 1, 2020
Period of Performance duration	12-24 months

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 to make any award under this solicitation 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 the “Administrative, National Policy, and Other Legal Requirements” section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants (and cooperative agreements).

Cooperative agreements include a condition in the award document that sets out the nature of the “substantial federal involvement” in carrying out the award and program. Generally stated, under OJP cooperative agreement awards, 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 substantive coordination of technical efforts and site selection, as well as review and approval of project work plans, research designs, data collection instruments, and major project-generated materials. In addition, OJP often indicates in the award terms and conditions that it may redirect the project if necessary.

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

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements¹ as set out at 2 C.F.R.

¹ 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.

200.303, comply with standards for financial and program management. See the [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

Cost Sharing or Matching Requirement

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

Pre-agreement Costs (also known as Pre-award Costs)

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs **before** submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of the 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 Postaward Requirements at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver

For applicants seeking the waiver, see [OJP Grant Application Resource Guide](#) for information.

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

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

Costs Associated with Language Assistance (if applicable)

See the [OJP Grant Application Resource Guide](#) for information on costs associated with language assistance that may be allowable.

C. Eligibility Information

The NARIP application must be submitted by (a) the agency designated by the governor in each state to administer the NCHIP/NARIP, (b) the state or territory central administrative office or similar entity designated by statute or regulation to administer federal grant funds on behalf of the jurisdiction's court system, or (c) federally recognized Indian tribal governments.

In accordance with the NIAA, each state must satisfy these conditions to receive grants:

1. First, “each State shall provide the Attorney General with a reasonable estimate, as calculated by a method determined by the Attorney General...of the number of the records” subject to the NIAA completeness requirements. The last round of estimates was collected in 2011. States may also meet this eligibility by submitting a NICS Implementation Plan as outlined in the reauthorization of the NIAA (Fix NICS Act of 2018, under Title VI of the Consolidated Appropriations Act of 2018; P.L. 115-141). Applicants under this solicitation should confirm with BJS whether this eligibility criteria has been met.
2. Second, “to be eligible for a grant under this [program], a State shall certify, to the satisfaction of the Attorney General, that the State has implemented a relief from disabilities program.” For the purpose of this solicitation, a “relief from disabilities program” is a program that permits persons who have been adjudicated a mental defective or committed to a mental institution to obtain relief from the firearms disabilities imposed by law as a result of such adjudication or commitment. This relief must be based on a finding, in accordance with principles of due process, by a state court, board, commission, or other lawful authority, that the circumstances of the disability and the person’s record and reputation are such that the person will not be likely to act in a manner dangerous to the public safety and that the granting of relief would not be contrary to the public interest. The certification form is available on the Bureau Alcohol, Tobacco, Firearms, and Explosives (ATF) website at <https://www.atf.gov/files/forms/download/atf-f-3210-12.pdf>.

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 (34 U.S.C. §40901), and (2) it will coordinate the programs proposed for NARIP funding with other federally funded information technology programs, including directly funded local programs.

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

D. Application and Submission Information

What an Application Should Include

For this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet, and Budget Narrative.

See the “Application Elements and Formatting Instructions” section of the [OJP Grant Application Resource Guide](#) for information on, among other things, what happens to an application that does not contain all the specified elements or that is nonresponsive to the scope of the solicitation.

1. Complete the Application for Federal Assistance (Standard Form (SF)-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

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

2. Project Abstract

Applications should include a high quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with “Project Abstract” as part of its file name.
- Single-spaced, using a standard 12-point font (such as Times New Roman) with 1-inch margins.

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

3. Program Narrative

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

a. Description of the Issue—Background and Identification of Needs

Accomplishments and progress on record improvement goals. Applicants must provide a summary of the major accomplishments achieved with funding under the NARIP. This section should describe, in quantifiable terms if possible, results achieved and advances made in the last decade of NARIP funding (2008-2018). **Specifically address accomplishments relating to participation in each of the national databases and initiatives (i.e., Interstate Identification Index (III), NICS, NCIC Protection Order File (POF), domestic violence records, mental health records, and Livescan/Automated Fingerprint Identification System capability).** Where relevant, reference should be made to surveys and data quality audits. This section should also include any evaluative efforts undertaken to identify the key areas of weakness in the state’s criminal record system since submission of previous NARIP applications. Tribal applicants should discuss progress related to record automation and improvement funded by other federal sources applicable to the above areas.

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

1. **Dispositions available to the III (including felonies and domestic violence misdemeanor convictions).** All applicants should discuss the percentage of state records with final dispositions or case outcomes linked to arrests and available at the time of a firearm background check. Applicants should provide information on efforts to improve reporting and availability at the national level. The application should also discuss the extent to which dispositions requested in connection with a NICS inquiry have not been provided within the required timeframe and must identify any

problems that are delaying instant responses to NICS inquiries and identify proposed solutions to these problems.

- ***Provide the number and percentage of arrests (felonies and misdemeanors) available in the state criminal history repository that are missing final dispositions.***
- ***Report the percentage of arrests (felonies and misdemeanors) missing final dispositions accessible to the III.***

2. NICS Indices and mental health record availability. All applications should discuss the extent to which the applicant provides information to the NICS Indices administered by the FBI. Applicants that do not submit information to this file should describe the prohibiting factors and any plans to overcome them. (Note: Health Insurance Portability and Accountability Act (HIPAA) is not considered to be a prohibiting factor.) Additionally, all applicants should indicate whether mental health records are checked, either by the state point of contact (POC) or the FBI, during a NICS check. Where mental health records are accessible, include the number of records currently available and any plans to improve availability. If mental health records are not currently accessible at the time of a background check, describe factors that limit or prohibit the exchange of mental health records. States that are not currently eligible for funding under NARIP should discuss plans, if any, to establish a relief from disabilities program and progress toward eligibility. If a state has no immediate plans to pursue development of a relief program, include a statement outlining the reasons for not pursuing one.

- ***Provide the current number of submissions, by prohibitor, in the NICS Indices.*** Counts for the following prohibitors should be addressed in the application: (1) felony conviction, (2) active felony indictment/information, (3) fugitive from justice, (4) controlled substance, (5) protection/restraining order, (6) MCDV, and (7) state prohibitor.

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

- ***Provide the current number of records in the NCIC POF and a description of any known gaps in reporting.***

4. Warrants/wanted person records. All applicants should indicate whether they submit records for inclusion in the FBI's NCIC Wanted Persons file. Applicants that submit such records should indicate the number provided to the FBI for the last full calendar year. Applicants that do not submit such records (or do not submit all qualifying records that are maintained at the state or local level) should describe the prohibiting factors and any plans to overcome them.

- ***Provide the current number of active warrants in the NCIC Wanted Persons File and a description of any known gaps in reporting.***

b. Project Design and Implementation—Description of Tasks to be Funded

Describe the activities to be conducted with NARIP funds during the project period and specifically address how activities relate to each of the NARIP priority areas identified

under “FY 2019 Priority Areas—Improve Identification and Reporting of Domestic Violence and Mental Health Submissions to the NICS” on page 6.

- ***Include dollar amounts for each funded task.***
- ***Provide quantitative measures to assess or describe the impact each project will have on the quality, completeness, and availability of records at the national level.***
- ***Specifically address the priority areas regarding the improvement of submitting domestic violence convictions and mental health submissions to the NICS.***
- ***Submit a detailed project period timeline covering all proposed activities.***

c. Capabilities and Competencies—Coordination

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

To encourage coordination and information sharing among criminal justice systems, all OJP awards that support information technology development are subject to a special condition requiring submission of a description of the project to the state Information Technology POC, if designated. Submit a copy of the correspondence as part of “Additional Attachments” (see page 19), or send directly to BJS prior to fund drawdown.

The POC is not required to concur with the information technology project. This condition intends to facilitate communication within the state.

Recipients of funds under this solicitation should ensure that any funded activities will be coordinated with related activities supported with OJP funding, including awards under OJP’s Residential Substance Abuse Treatment Program, Drug Court Program, or the Mentally Ill Offender Act Program. BJS is particularly interested in awards under these programs that may involve reportable records that can be shared with state and national record systems. To the extent feasible under state law and regulations, such records should be made available to the state criminal history record repository and federal files managed by the FBI, including the III, NCIC, and NICS Indices.

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

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

- ***Include the current status of open NARIP awards such as the current unexpended balance, projected end date, and description of any challenges or delays encountered, if applicable.***

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

d. NICS Record Improvement Plan

As in previous years, to make the most effective use of the funds for improvement to the quality and availability of records used by the NICS, FY 2019 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; explore problems associated with incomplete reporting and/or records availability; and demonstrate a commitment to a long-range planning process to achieve NIAA goals.

Therefore, FY 2019 NARIP applications should include funding, as needed, for the development and/or modification of the NARIP through a four-step process:

Step 1. Establishment of a NICS Record Improvement Task Force. Complete reporting and transmission of state or tribal records to national files may only be achieved through the cooperative efforts of all record originating entities. Therefore, BJS recommends that the applicant propose to use some FY 2019 NARIP funding to establish and/or support a NICS Record Improvement Task Force to guide the development and implementation of an ongoing long-range records improvement plan. The task force may 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.

The task force can review the results of the assessment and problem identification phases (steps 2 and 3) and develop recommendations to improve the quality, completeness, and availability of NICS records. It can review and assess the adequacy of current legislation and administrative procedures related to reporting, maintaining, sharing, and use of relevant records. The preliminary plan should include a list of proposed task force members and the agencies they represent. If components of the system listed above are not included in the task force, the plan should describe how they can participate and provide input. If a task force will not be established, the applicant should propose instituting other mechanisms for input from and participation of all affected components of the criminal justice system.

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

The record estimates and other information provided by the state in response to the information collection developed by BJS pursuant to the NIAA provide an initial or baseline assessment on which FY 2019 activities can be based. However, for the purposes of long-term strategic planning, an applicant may wish to use the task force to examine (and address) issues surrounding the accuracy, completeness, and availability of such records as part of its assessment. The ongoing assessment must result in a comprehensive understanding of the following:

- Availability of the records from entities that originate, maintain, and/or receive such records.
- How relevant records are currently transmitted to the state's central repository and/or how they are otherwise made available to the NICS.

- Completeness of the records in the various categories described (what portion of the records is actually made available to the NICS).

Such an assessment may involve an examination of records in the state central record repository, surveys of local reporting/originating agencies, analysis of court statistics, data collection from sample(s) of local agency records, estimates derived from audits of local reporting agencies, or other analytical work that 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 identify challenges or obstacles encountered in efforts to ensure that all qualifying records are made available to the NICS. Understanding these challenges may help focus improvement strategies and may include factors such as the type and number of state, local, and tribal agencies that originally create such records; and typical life cycle of such original records, including when and where they are created, whether they are maintained in paper or electronic form, if and how they are transmitted to state and national files, and when and how they are ultimately disposed of, deleted, or otherwise made unavailable. The task force might identify factors that affect the availability of records for state and national files, including whether categories of records can be protected from disclosure under a provision of state, tribal, or federal law.

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

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

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables" in [Section A. Program Description](#).

Applicants should visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

Performance measures for this solicitation are listed in [Appendix A: Performance Measures Table](#).

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

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful

applicants will be required to submit performance data as part of the reporting requirements under an award.

Award recipients will be required to provide relevant data addressing performance measures information as part of their semiannual progress reports. All performance measures should be fully addressed in these semiannual reports.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should follow the guidance under Note on Project Evaluations in the [OJP Grant Application Resource Guide](#).

4. Budget Information and Associated Documentation

See the Budget Preparation and Submission Information section of the [OJP Grant Application Resource Guide](#) for details on the Budget Detail Worksheet, and on budget information and associated documentation, such as information on proposed subawards, proposed procurement contracts under awards, and pre-agreement costs.

5. Indirect Cost Rate Agreement (if applicable)

See the Budget Preparation and Submission Information section of the [OJP Grant Application Resource Guide](#) for information.

6. Tribal Authorizing Resolution (if applicable)

The following two paragraphs in this solicitation expressly modify the “Tribal Authorizing Resolution” provisions in the [OJP Grant Application Resource Guide](#). An applicant is to follow the guidance in these two paragraphs instead of the guidance stated under the “Tribal Authorizing Resolution” heading in the Guide.

An application in response to the solicitation may require inclusion of information related to a tribal authorizing resolution. 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 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 OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. See the [OJP Grant Application Resource Guide](#) for additional information and submission instructions for this Questionnaire.

8. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. See the [OJP Grant Application Resource Guide](#) for additional information and submission instructions for this disclosure.

9. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. For additional information on the submission requirements for this disclosure, see the [OJP Grant Application Resource Guide](#).

10. Applicant Disclosure and Justification – DOJ High Risk Grantees² (if applicable)

An applicant that is designated as a DOJ High Risk Grantee is to submit, as a separate attachment to its application, information that OJP will use, among other pertinent information, to determine whether it will consider or select the application for an award under this solicitation. The file should be named “DOJ High Risk Grantee Applicant Disclosure and Justification.” (See, also, “Review Process,” below, under Section E. Application Review Information, for a brief discussion of how such information may be considered in the application review process.) See the [OJP Grant Application Resource Guide](#) for additional information and submission instructions for this disclosure.

11. Additional Attachments

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

- a. A copy of the approved application for certification of the state’s relief from disabilities program or indication that certification is being sought from the ATF. (The certification form must be approved by ATF to be eligible for funding.)
- b. A complete project timeline outlining each activity, completion time, and responsible party.

² A “DOJ High Risk Grantee” is a recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

How To Apply (Grants.gov)

Applicants must register in and submit applications through [Grants.gov](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find information on how to apply in response to this solicitation in the [OJP Grant Application Resource Guide](#).

Registration and Submission Steps

Applicants will need the following identifying information when searching for the funding opportunity on [Grants.gov](https://www.grants.gov):

- CFDA: 16.813, NICS Act Record Improvement Program.
- BJS-2019-15723.

For information on each registration and submission step, see the [OJP Grant Application Resource Guide](#).

E. Application Review Information

Review Criteria

All applications must be responsive to this solicitation. Applicants are strongly encouraged to review the evaluation criteria BJS will use to make funding decisions before deciding whether to submit an application. Applicants should understand that applications should respond to priorities identified and that full funding may not be possible for all proposed activities. **For FY 2019 NARIP grants, completeness of the application in terms of all required information will be a key consideration for BJS.**

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

1. Statement of the Problem/Description of the Issue (30%)

The extent to which the application—

- Describe each proposed task in accordance with the priority program goals and how the proposed activities directly relate to the improvement of the NICS.
- Propose to directly address one or more of the priorities as identified in the solicitation. Specifically address the “FY 2019 Priority Areas – Improve Identification and Reporting of Domestic Violence Convictions and Mental Health Submissions to NICS” section.
- Address the scope of the need and identify quantifiable measures to demonstrate how the funds will improve the quality, completeness, and accessibility of records at the national level, particularly with regard to the NICS.

2. Project Design and Implementation (30%)

The extent to which the application—

- Address how proposed activities will increase the availability of records to systems queried by the NICS, including through federal and state and criminal history records, the NCIC, and NICS Indices.
- Include dollar amounts for each proposed project.

- Include a detailed project period timeline covering all the proposed projects to demonstrate the technical feasibility of the proposed task(s), and detail the specific implementation plan to achieve the intended deliverables.

3. Capabilities and Competencies (25%)

- Demonstrate progress in record quality improvement efforts by making relevant records available for national background checks, and provide the reported number of records currently available in the national files.
- Fulfill goals of previous NARIP awards (or related criminal record improvement awards), including consideration of the total funds already awarded and expended funds from previous awards, if applicable.
- Demonstrate commitment to the national record system, through membership in the III and participation in the FBI's National Fingerprint File, and report the current status of development of its criminal records.

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

- Supply key performance measures for the award period.
- Provide a sufficient plan for collecting and reporting these performance measures.

5. Budget (10%): complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.³

- Provide a reasonable budget, including the basis of the estimates, nature of the proposed expenditures, and their relation to the priorities identified herein.
- Propose to leverage funds to directly support activities associated with the proposed tasks.

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. See the [OJP Grant Application Resource Guide](#) for information on the application review process for this solicitation.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

³ 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.

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

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

F. Federal Award Administration Information

Federal Award Notices

See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

Administrative, National Policy, and Other Legal Requirements

OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application. See the [OJP Grant Application Resource Guide](#) for additional information on administrative, national policy, and other legal requirements.

Information Technology (IT) Security Clauses

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for information on information technology security.

General Information about Post-Federal Award Reporting Requirements

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

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

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measures data.

G. Federal Awarding Agency Contact(s)

For OJP contact(s), see page 2.

For contact information for Grants.gov, see page 2.

H. Other Information

Freedom of Information and Privacy Act (5 U.S.C. 552 and 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. See the [OJP Grant Application Resource Guide](#) for information on DOJ and OJP processes with regard to application information requested pursuant to FOIA.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. See the [OJP Grant Application Resource Guide](#) for information on providing solicitation feedback to OJP.

Appendix A: Performance Measures Table

Objective	Performance Measure(s)	Data Recipient Provides
<p>Ensure that the infrastructure is developed to connect each state's and tribe's records systems to the national records systems operated by the FBI, including the NCIC, NGI, III, and NICS Indices.</p>	<p>Number of states and tribes participating or making records available to the NICS.</p> <p>Number of records available in the NICS.</p> <p>Percentage of complete records made available to the NICS.</p> <p>Percentage of applications for firearm transfers rejected due to data made available to the NICS.</p>	<p>Total number of states and tribes participating and total number of state and tribal records available to the NICS.</p> <p>Number of state and tribal records made available for use by the NICS.</p> <p>Number of complete records submitted by states and tribes made available to the NICS.</p> <p>Number of applications for firearm transfers.</p> <p>Number of applications for firearm transfers rejected due to a domestic violence misdemeanor conviction.</p> <p>Number of applications for firearm transfers rejected due to a mental health prohibitor.</p>

Appendix B: Application Checklist
FY 2019 NICS Act Record Improvement Program

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

What an Applicant Should Do:

See [OJP Grant Application Resource Guide](#) for more information on all sections.

Prior to Registering in Grants.gov:

- Acquire a DUNS Number
- Acquire or renew registration with SAM

To Register with Grants.gov:

- Acquire AOR and Grants.gov username/password
- Acquire AOR confirmation from the E-Biz POC

To Find Funding Opportunity:

- Search for the Funding Opportunity on Grants.gov (see page 18)
- Access Funding Opportunity and Application Package
- Sign up for Grants.gov email [notifications](#) (optional)
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, and reporting, available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see page 9)

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 2)

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

- Contact BJS regarding technical difficulties (see page 2)

Overview of Post-Award Legal Requirements:

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

Eligibility Requirement:

Agency designated by the Governor to administer NARIP or federally recognized Indian tribal government

What an Application Should Include:

The following items are critical application elements required to pass BMR. An application that OJP determines does not include the application elements designated to be critical, will neither proceed to peer review, nor receive further consideration.

- Program Narrative (see page 11)
- Budget Detail Worksheet (see page 16)
- Budget Narrative (see page 19)

- Application for Federal Assistance (SF-424) (see page 10)
- Project Abstract (see page 11)
- Program Narrative (see page 11)
- Budget Detail Worksheet (including Narrative) (see page 16)
- Indirect Cost Rate Agreement (if applicable) (see page 16)
- Tribal Authorizing Resolution (if applicable) (see page 16)
- Financial Management and System of Internal Controls Questionnaire (see page 17)
- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see page 17)

Additional Attachments

- Applicant Disclosure of Pending Applications (see page 17)
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)
- Request and Justification for Employee Compensation; Waiver (if applicable) (see page 9)
- Project Period Timeline (see page 8)