

National Criminal History Improvement Program: NCHIP - 2005 Program Announcement

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Electronic Submission of NCHIP Application

The Office of Justice Programs (OJP) requires that applications for funding be submitted through the OJP Grants Management System (GMS). Access through the Internet to this online application system will expedite and streamline the receipt, review and processing of requests for funding. Applications will only be accepted through the GMS online application system.

To learn how to begin the online application process, please see the Quick Start Guide to Using the Office of Justice Programs Online Grants Management System (see appendix). A toll-free telephone number (1-888-549-9901) has been established to provide applicants with technical assistance as they work through the online application process.

Fiscal Year 2005 Tribal Criminal History Record Improvement Pilot Program

In March 2005, BJS will announce the Fiscal Year 2005 Tribal Criminal History Record Improvement Pilot Program (T-CHRIP). Modeled after the NCHIP, T-CHRIP applies specifically to the 562 federally recognized tribes. BJS anticipates that awards will be made to assist tribes to improve the accuracy, completeness, and interstate availability of criminal history records by automating the capture and reporting of fingerprints to tribal, State and national databases.

Funds may be available under T-CHRIP for State central repositories choosing to partner with participant tribes. Where appropriate, States may work with tribes within their jurisdiction to design T-CHRIP related projects. For example, supplemental funds may be requested for State repositories to provide technical assistance, information resources, and/or training to the selected tribes to share tribal criminal history data with State and national data systems agencies. Recipient tribes will receive direct funding for the purchase and installation of electronic livescan fingerprinting equipment that conforms to State and FBI standards.

Message from the Director, BJS

I am pleased to have the opportunity to provide you with my thoughts for the upcoming year. First of all, I want to again pass along my appreciation for your unflagging willingness to provide us data on quality and content of record systems. This information is absolutely invaluable for the development and assessment of record improvement strategies.

This year, I want to particularly emphasize three (3) items in the NCHIP Program Announcement:

1. We are now targeting 20% as each State's in-kind match for NCHIP awards and are, therefore, encouraging applicants to more fully document all record improvement activities being undertaken in the State so, where appropriate, these improvements can be included within the match definition.
2. We want States to consider their Records Quality Index (RQI) in developing NCHIP applications. It is our hope that use of the RQI will provide greater insight into the strengths and weaknesses of State record systems, and will encourage the development of record improvement strategies in the States;
3. We are especially urging States to propose utilizing grant funds to improve processes for entering data on stalking and domestic violence into local, State, and national databases. Such projects may qualify for supplemental funds.

We have identified the following key priorities and urge the States to consider these in planning their 2005 NCHIP activities:

- full participation in the III System;
- full participation in the National Protection Order File;
- full participation in the National Sex Offender Registry;
- automating and updating with disposition information older criminal history records;
- improving communication of dispositions and other case outcomes from courts and prosecutors to the repositories housing criminal history records;
- incorporating mental health records into background check systems;
- supporting improvements which facilitate the identification of those records containing convictions for misdemeanor domestic violence;
- implementing the National Crime Prevention and Privacy Compact which governs the interstate exchange of criminal records which are needed for noncriminal justice purposes;
- transmittal of relevant records to the Denied Persons File in the NICS Index; and
- implementing new record-keeping requirements for checks conducted by the NICS.

I also want to continue to emphasize the need for courts and prosecutors to be major players in the development of improvements to criminal records systems. The involvement of these officials is key to helping insure the timely and accurate transmittal of disposition information, including non-prosecution outcomes, to criminal record repositories.

In addition, it is important to stress the immense utility of the FBI's NIBRS system. If incident-level crime data could be reliably linked to perpetrators, the criminal record could become not just a chronology of

justice system transactions and outcomes, but a biography of the communal harm left behind by the offender. Such information would be of tremendous value in making pretrial release decisions, preparing presentence reports, assessing the appropriateness of aggravated sanctions, and helping to better understand the sentencing outcome and the role of a prior criminal record in judicial sentencing decisions. I would encourage all of you to learn more about NIBRS to enable you to build a crosswalk between records of crime and criminal records.

As always, BJS staff are available to assist you in planning for the upcoming year and preparing your application. Please feel free to contact Gerard Ramker, Chief, National Criminal History Improvement Programs, with any questions, comments or suggestions at Gerard.Ramker@usdoj.gov.

Again, thank you for your continued support and participation in this very important national effort to improve public safety.

Lawrence A. Greenfeld
Director
Bureau of Justice Statistics

National Criminal History Improvement Program

The Bureau of Justice Statistics (BJS) is publishing this notice to announce the continuation of the National Criminal History Improvement Program (NCHIP) in Fiscal Year 2005, identify the program priorities, and provide information on application requirements. Copies of this announcement can also be found on the Internet at <http://www.ojp.usdoj.gov/bjs/>.

Program goals

The goal of the NCHIP grant program is to improve the Nation's safety and security by enhancing the quality, completeness, and accessibility of criminal history record information and by insuring the nationwide implementation of criminal justice and noncriminal justice background check systems. Achieving this goal is contingent upon accomplishing four objectives:

- providing direct financial and technical assistance to the States to improve their criminal records systems and other related systems to support background checks;
- ensuring the infrastructure is developed to connect each State's records systems to FBI records systems and, in turn, to connect each States' background check databases to one another;
- providing the training and technical assistance to States needed to insure that records systems are developed and managed to conform to FBI standards and the most appropriate technologies and that States adhere to the highest standards of practice with respect to privacy and confidentiality; and,
- assessing and measuring through systematic evaluation and standardized performance measurement and statistics, the extent of progress in implementing improvements in state-level and national records holdings and background check systems.

The NCHIP program serves as an umbrella for various records improvements activities and funding streams each of which has unique goals and objectives. BJS strongly encourages States, as a basic principle of this program, to ensure the integrated functioning of records improvements initiatives, regardless of the funding source.

Authorizing legislation

For 2005 the appropriation for the NCHIP program was made pursuant to the Crime Identification Technology Act of 1998, and the procedures for applying for NCHIP grants reflect the provisions of that Act. In particular, State matching funds are required for NCHIP applications. The NCHIP program implements the grant provisions of

- the Crime Identification Technology Act of 1998 (CITA), Pub. L. No. 105 251, 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
- 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).

Program history

The NCHIP program was initiated in 1995 and has encompassed evolving efforts to support State activities for the establishment of records systems and the collection and use of criminal history and related records. Since 1995 direct awards under the basic NCHIP (including awards to "priority" States and awards under the Advanced State Award program (ASAP)) totaled over \$438 million. In addition, \$6 million was transferred to the FBI for implementation of the National Instant Criminal Background Check System (NICS) and nearly \$18 million was awarded to provide direct technical assistance to States, to evaluate the program, and to collect statistics and research data on presale firearm checks.

The National Sex Offender Registry Assistance Program (NSOR-AP) was added to NCHIP in FY 1998, with a \$25 million appropriation having the goal of assisting States in upgrading sex offender registries consistent with Federal and State standards and providing data to the FBI's National Sex Offender Registry. Starting in FY 1999, funding for State sex offender registries has been covered under the general NCHIP.

As part of the Violent Crime Control Act, the Violence Against Women Act of 1994 authorized a total of \$6 million for fiscal years 1996 through 1998 to improve processes for entering data on stalking and domestic violence into local, State, and national databases. The funds were incorporated into, and awarded under, the NCHIP program during those years. This program was re-authorized by the Violence Against Women Act of 2000 (Pub. L. No. 106-386, Section 8) at \$3 million per year for fiscal years 2001 through 2005 and funding was re-instituted in FY 2002.

To date, all States, the District of Columbia, and 5 U.S. Territories have received funds under NCHIP.

Accomplishments

NCHIP has provided support to States for:

- **Record improvement and support for courts.** All States have received funds under NCHIP to upgrade the quality of criminal history record systems. Funds have been awarded for acquisition of advanced equipment, development of software, and conversion of manual records to an automated format which permits instant access and linkage. Automated criminal records permit immediate access for law enforcement and other purposes such as background checks. At yearend 2003, it is estimated that the States and the FBI maintain criminal history records on nearly 68 million individuals. Of these, over 50 million records were available for interstate background checks. Since the inception of NCHIP in 1995, the national number of criminal history records increased 35%. Over the same period, the number of records available for sharing under the FBI's Interstate Identification Index (III) climbed nearly 97%.
- **Participation in the Interstate Identification Index (III).** To ensure compatibility, all record enhancements funded under NCHIP are required to conform to FBI standards for III participation. III participation is critical since it constitutes the primary system through which the FBI accesses state-held data for NICS checks. In 1989 only 20 States were members of the FBI's III system which permits instant access to out-of-state data. By yearend 1993, 26 States were participants. As of December 2004, 47 States are members of III meeting the rigorous standards of the FBI for participation.
- **Automation of records and fingerprint data.** Funds have been used by States to establish automated fingerprint identification systems (AFIS) and to purchase livescan equipment for State and local agencies. AFIS systems enable States to conduct automated searches for records based on fingerprint characteristics and to interface with the FBI's Integrated Automated Fingerprint Identification Systems (IAFIS). As of December 2004, 48 States, the District of Columbia, and 3 territories (American Samoa, Guam, and the U.S. Virgin Islands) participate in IAFIS, which became operational in July 1999. In addition

to ensuring that records are properly matched to the correct offender, AFIS minimizes the time and manpower required for searching fingerprint databases, which facilitates matching of latent prints obtained at a crime scene. Livescan equipment permits law enforcement to take fingerprints without use of inkpads or other similar procedures and to electronically transfer fingerprints to the State's AFIS for comparison and matching against State and FBI held prints. Almost all States have received NCHIP funds to use in connection with fingerprint automation systems.

- **National Instant Criminal Background Check System.** The Brady Act requires that a background check be conducted using the FBI's NICS to identify potential purchasers who are prohibited from purchasing firearms. The effectiveness of the system is dependent on the extent to which complete records are available in response to system inquiries. NCHIP funds have been used to increase the number of records which are accessible to the system and to fund the development of court systems to ensure that records include final dispositions.

The NICS is now supporting nearly 8 million checks annually at the presale stage of firearms purchases. Since the inception of the permanent provisions of the Brady Act on November 30, 1998 to December 31, 2003, over 53 million applications for firearm transfers were subject to background checks. Approximately 1,102,000, or 2.1% of all applications, were rejected, primarily for the presence of a prior felony conviction history but also, in a growing proportion of checks, for nonfelony prohibiting background factors enumerated in the 1968 Gun Control Act as amended. State and local agencies maintain a significant role in background checks, having conducted checks on almost half of the applications for firearm transfers or permits in 2003, while the FBI was responsible for the remainder.

- **Sex Offender Registry.** Beginning in FY 1998, NCHIP funds have been provided to assist States in developing and enhancing the operation of State sex offender registries that include information on convicted sex offenders. These funds have been used for purchase of equipment, training, and development of procedures required to ensure that released offenders are registered with proper authorities and that State systems are capable of interfacing with the FBI's National Sex Offender Registry system. The FBI's permanent National Sex Offender Registry became operational in July 1999. As of December 2004, all 50 States, the District of Columbia, Guam, Puerto Rico, and the U.S. Virgin Islands were contributing to the system which has more than 370,000 records.
- **Domestic violence records/protection orders.** NCHIP has put special emphasis on ensuring that domestic violence-related offenses are included in criminal records. The Federal Gun Control Act as amended prohibits sales of firearms to persons subject to a qualifying domestic violence related protection order or convicted of a qualifying domestic violence misdemeanor. Funds have

specifically been awarded for development of State protection order files that are compatible with the FBI's national file so as to permit interstate enforcement of protection orders and the denial of firearm transfers to prohibited persons subject to a protection order. As of December 2004, 45 States, the District of Columbia, and the U.S. Virgin Islands submit data to the National Crime Information Center (NCIC) Protection Order File, which became operational in May 1997 and includes over 894,000 records of protection orders.

Records Quality Index (RQI)

In order to help quantify the impact of NCHIP funds, BJS initiated the creation of a Records Quality Index (RQI). The purpose of the RQI is to measure the performance of criminal history record systems and to help BJS to: (a) assess the status of records quality at both the State and national levels; (b) identify critical records improvement activities by pinpointing areas of deficiency; and (c) help BJS target specific State- and local-level problems and deficiencies in NCHIP program announcements.

The index is a composite of different outcome and process measures including:

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|---|--|
| Automation of records | Electronic data submission to FBI files |
| Response to III inquiries | Transmission of dispositions to the repository |
| Automated transmission of arrests to the repository | Authorized access to State files |
| Criminal history database flagging | NFF State and Compact signing status |
| Transmission of criminal fingerprints to IAFIS | Timeliness of case processing |
| Transmission of applicant fingerprints to IAFIS | Completeness of disposition reporting |

Similar to how the Dow Jones Industrial Average may be used to gauge the performance of the overall stock market, the criminal history Records Quality Index, based on a small set of key measures, characterizes the performance of the States' criminal history record systems toward achieving the goals of the Federal records improvement programs.

Structured Decisions Corporation (SDC), on behalf of BJS and in cooperation with State central repositories of criminal history information, has compiled RQI reports for each State. Individual State reports, which allow comparisons to national results, as well as other information about the RQI can be found on the SDC website at <http://www.sdcorp.net/RQI/cycle1results.jsp>.

The National RQI (NRQI) is a weighted average of the individual State RQIs where the weights reflect the number of criminal history records in each State as a proportion of the total. Between 1993 and 1997, the NRQI grew from 54.9 to 103.8. It increased to 199.5 in 2001. In other words, the National RQI doubled during each of the four-year intervals. It is clear that improvement strategies supported with NCHIP funds are having the desired effect on record quality.

Program priorities

(1) Commitment to establishing the infrastructure to support full implementation of the National Instant Criminal Background Check System (NICS), including commitment to full participation in the Interstate Identification Index (III)

Consistent with the Brady Act, the FBI's NICS became operational in November 1998 and provides instant background checks to determine if a potential firearm purchaser is a convicted felon or otherwise prohibited from purchasing a firearm under Federal or State statute. The effectiveness of NICS depends on the extent to which the most accurate and complete records of Federal and State criminal offenses and records in other prohibiting categories are instantly available in response to inquiries from firearms dealers.

To ensure that checks are made against the most current and complete records, the NICS configuration encourages States to serve as a "Point of Contact" (POC) interfacing between firearm dealers and the FBI's national record system. NCHIP recognizes the national benefits which accrue from States serving as POC's and encourages States to serve in this role by allowing funds to be used to cover costs associated with establishment of the capability to serve as a POC.

Since inception, and as currently authorized under CITA, NCHIP is designed to assist States in developing the infrastructure which will support operation of the NICS. Accordingly, the program does not cover operating costs associated with NICS participation. States are encouraged, however, to use NCHIP funds to develop systemic solutions to minimize delays in instant responses to NICS inquiries (for details, see Allowable costs section below). Use of funds to enhance the database by including missing dispositions would, for example, be appropriate in pursuing this priority funding topic as described in the following section, Commitment to support court efforts.

The underlying system supporting FBI responses to NICS inquiries is the III. At present, 47 States participate in the system. Full participation in III is a key goal of NCHIP, and States which are not participating must include in their NCHIP applications a discussion of their III status and plan for future participation.

(2) Commitment to support court efforts relating to development of record systems

Whenever a criminal history record shows an arrest without a disposition, there is the potential for delay in responding to presale firearm inquiries under the NICS, since disqualification, in most cases, is dependent upon a finding of a conviction rather than a simple arrest. In addition, immediate access to protection orders on an interstate basis is vital for protection of victims of stalking and domestic violence.

For this reason, all applications are required to demonstrate that court needs have been considered. If no funds for upgrading court systems capable of providing disposition data are requested, applicants must include a letter from the State court administrator or

Chief Justice indicating that the courts have been consulted in connection with the application. The category of allowable costs has been expanded to cover costs of implementing all court system enhancements which will result in improved disposition availability and linkage with the State criminal history record system.

In addition, all States must specifically discuss the technical and policy issues which limit the State's ability to provide disposition data in response to NICS inquiries within the required NICS timeframe of three business days. The application should also describe procedures which will be followed to ameliorate this problem both in the long term and within the current grant period and the extent to which NCHIP funds will be used for this purpose, including, where appropriate, the allocation of some portion of NCHIP funds to court or county clerks, or other relevant agencies, to cover costs of accessing dispositions and adding such dispositions to the State automated database. (For further guidance, refer to sections, Allowable costs and Application requirements, below.)

(3) Including mental health records in background check systems

The 1968 Gun Control Act as amended indicates that persons who are adjudicated as mentally defective or have been involuntarily committed to a mental institution are ineligible to purchase a firearm. Some POC States include a check of such records during the course of a presale background check.

NCHIP encourages applicants to consider incorporating mental health data checks into their own background check systems. NCHIP also encourages applicants to transmit such records, or a notice of the existence of such records, to the FBI NICS Index. This will ensure that prohibiting mental health records are available when the FBI and POC States are conducting background checks regardless of the State in which the record originated.

(4) Facilitating NICS checks

Denied persons files

Another potential area for funding is the development and transmittal of records to the NICS Index Denied Persons File. The Denied Persons File is a file of federally disqualifying records that are not otherwise entered into NCIC, or III. This includes misdemeanor crimes of domestic violence, warrants that do not meet the criteria for entry into NCIC, active protection orders not available in NCIC, and non-fingerprint supported criminal history records. If under State law, a criminal justice agency is prohibited from providing mental health records to the NICS Index mental health file, NCHIP funds may be used to enter the names of persons prohibited under the mental health prohibition into the Denied Persons File (this file allows records to be entered that do not identify someone as a mental defective). This file is an important resource for improving both the timeliness of NICS checks and the efficiency that comes from avoiding unneeded record research.

Addressing "open arrests" in older records

Researching open arrests has become a very time consuming and burdensome activity for localities. A more coordinated approach to building the national identification infrastructure will help rectify this problem. The FBI conducted a study of a week's worth of failed instant checks to learn more about the characteristics of the problem of open arrests. The study demonstrated that about three quarters of the problem records had the last arrest prior to the initiation of NCHIP and more than half had the last arrest occurring before 1984. In other words, open arrest problems are most often occurring when an older record is being checked. Better development through NCIC, III, and use of denied persons files should avert recurring research on checks of the same person.

(5) Developing record systems for protection order files and records of domestic violence

The Federal Gun Control Act prohibits sales of firearms to persons subject to a qualifying protection order related to domestic violence and persons convicted of a qualifying domestic violence misdemeanor. Complete records in each of these categories must promptly be made accessible to the POC and the FBI to ensure that NICS checks identify persons covered by these prohibitions. The time-sensitivity and differences of protection orders issued by different courts increase the complexity of developing a protection order system which is complete and up-to-date.

Establishment of accessible files of domestic violence related misdemeanor convictions is complicated since misdemeanor data have not traditionally been fingerprint-based and/or maintained at the State-level. Also, it is sometimes difficult to determine if a particular misdemeanor qualifies as a domestic violence offense. In light of the complexity associated with efforts in this area, and the importance of these data to protecting public safety, NCHIP strongly encourages States to focus on the development of these record systems and to ensure that such systems meet the needs of those agencies which have been charged with responsibility relating to domestic violence.

NCHIP funds may be supplemented for a State that certifies that it has or intends to establish a program that enters into the National Crime Information Center:

- warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence;
- arrests or convictions of persons violating protection orders or charged with domestic violence; and
- protection orders for the protection of persons from stalking, domestic violence, or other reasons.

Applicants must include documentation showing: (a) the need for grant funds and that State or local funding does not already cover these operations; (b) intended use of grant funds including a plan of action to increase record input and statewide coverage; and (c) an estimate of expected results from the use of the funds.

(6) Strengthening records to improve national security standards and avert terrorism

The need to ensure the security of government facilities and records has put substantial strain on the manpower and resources of most States. As the Nation develops strategies to prevent future terrorist events, it is clear that access to accurate and complete records and the availability of automated fingerprint identification systems are critical to support the wide variety of background checks necessary to protect public safety.

NCHIP will focus on initiatives, using criminal records, to support anti-terrorism. Concerns about the adequacy of redundant and backup records systems, building better ties between immigration and criminal records, and better coordination with homeland defense and emergency management agencies within the States are all matters on which States may wish to focus interest. However, it is important to reiterate that all of these efforts must center on the development of better criminal records systems or towards the improvement of accessibility or utility of criminal records systems.

(7) Promoting enhanced access to criminal records for noncriminal justice purposes, including implementation of the National Crime Prevention and Privacy Compact

The demand for criminal record background checks on persons seeking positions involving national security, fiscal responsibility, and responsibility for children, the elderly, the disabled and other vulnerable populations has increased markedly in recent years, reflecting changes in technology and the increased dependence on available information wherever it may be held. In keeping with the provisions of CITA, NCHIP recognizes the need to facilitate such background checks, consistent with applicable limitations of State and Federal law and policy.

To support the accessibility of information on an interstate basis, the Interstate Crime Control and Privacy Compact was enacted in 1998 as part of CITA. As of December 2004, 21 States have enacted the compact. Seven States have started implementation of the National Fingerprint File (NFF) which constitutes the technological basis for implementation of the Compact.

The Compact provides the framework for exchange of criminal record data, using the III system, in response to fingerprint-based inquiries for noncriminal justice purposes. NCHIP supports State efforts to establish the technology and policies necessary for participation in the Compact and encourages States to consider protocols, including

funding for necessary equipment, training, and outreach, to assist organizations engaged in activities involving vulnerable populations to meet the requirements for interstate background checks.

(8) Implementing National Instant Criminal Background Check System record-keeping and reporting requirements.

Pursuant to National Instant Criminal Background Check System rules 28 CFR 25, effective July 20, 2004, State agencies that act as a Point of Contact (POC) for the NICS, must transmit certain electronic NICS transaction determination messages to the FBI. State POC's may apply for NCHIP funds to cover expenses for necessary changes in programming or operations to comply with these rules.

Appropriation

The FY 2005 NCHIP appropriation under CITA is \$24.7 million, with an additional \$2.9 million appropriated for the purposes described in the Violence Against Women Act of 1994 and the Violence Against Women Act of 2000 relating to protection/restraining order initiatives aimed at addressing domestic violence and stalking issues. Consistent with the legislative goal of CITA, and with the ongoing NCHIP policy, NCHIP allows States to determine task areas they expect will most improve operations of the criminal justice system and will result in maximum benefits to the citizens of the applicant State.

Eligibility requirements

An award will be made to each eligible applicant State with funds from the FY 2005 appropriation. The NCHIP application must be submitted by the agency designated by the Governor to administer the NCHIP program. States may choose to submit applications as part of a multi-state consortium or other entity. In such cases, please contact your BJS program manager for further information.

Review criteria

States should understand that full funding may not be possible for all proposed activities.

BJS will prepare an estimated allocation for each state to be used as a guide for funding requests. Final awards will insure that each eligible state receives funding, if requested, for activities consistent with NCHIP priorities and which address the following factors:

- (1) support/enhance participation in NICS, III, the National Sex Offender Registry, the NCIC Protection Order File, the National Crime Prevention and Privacy Compact, and other related Federal and State systems;
- (2) the extent to which improvements in the State system, by virtue of record numbers, levels of technical development, or operating procedures, will have a

major impact on availability of records throughout the national system;

- (3) the proposed use or enhancement of innovative procedures which may be of value to other jurisdictions;
- (4) the technical feasibility of the proposal and the extent to which the proposal appears reasonable in light of the State's current level of system development and statutory framework;
- (5) the total amount already awarded under previous NCHIP and NSOR-AP program announcements;
- (6) the extent to which the State has fulfilled goals of previous NCHIP awards, including NSOR-AP awards, expended funds in previous awards, and demonstrated a commitment to criminal history record improvement through activities under the program;
- (7) State 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 history records and the National Sex Offender Registry;
- (8) reasonableness of the budget;
- (9) evidence of State progress in meeting record improvement and background check goals as measured in terms of audits, and meeting data collection goals relating to presale firearm checks and background checks on persons seeking positions involving children, the elderly, and the disabled;
- (10) appropriate focus on criminal history data improvement regarding protection orders and crimes against children, the elderly, and the disabled;
- (11) nature of the proposed expenditures;
- (12) the extent to which the application recognizes the role of the courts in ensuring complete records; and
- (13) the reasonableness of the relationship between the proposed activities and the current status of the State system, in terms of technical development, legislation, current fiscal demands, and future operating costs.

Another key consideration will be the trend in the State's Records Quality Index (RQI) and the likelihood that proposed activities will positively affect the process and outcome measures which comprise it.

Allowable costs

Allowable expenses are detailed below. All expenses are allowable only to the extent that they directly relate to programs described in the application's program narrative.

1. **Participation in III.** This is a key goal. Covered costs include, but are not limited to, costs associated with automation of the database, synchronization of records between the State and the FBI, and development of necessary software and hardware enabling electronic access on an intrastate or interstate basis.
2. **Database enhancement.** Improving the quality, completeness, and accuracy of criminal history and sex offender and protection order records is a key goal of the NCHIP effort with particular focus on automating the interface between the record repository and prosecutors, courts, and corrections.

Allowable costs include the costs associated with implementing improved criminal history record capture procedures (including complete arrest reporting and researching missing dispositions, provided that the captured data are subsequently included in the permanent automated database), establishing more effective accuracy controls, and ensuring that records of all criminal events that start with an arrest or indictment are included in the database. BJS anticipates that in many cases accomplishing this goal will entail direct transfer of funds from the designated NCHIP agency to the courts.

Funds may be used to capture data on domestic violence misdemeanor convictions and to ensure that data on persons convicted of abuse of children, the elderly, and the disabled and/or stalking and domestic violence offenses (including protection orders and violations thereof) are included in the database.

Funds may also be used to automate and/or upgrade accuracy and completeness of the State sex offender registry. Eligible costs include automating linkages between the registry and law enforcement agencies within the State, and developing and implementing procedures to transfer information to the FBI. Funds may be used to develop and implement procedures, software and training and to ensure that changes in status and offender location are accurately captured and recorded. Funds may only be used for procedures that are compatible with the National Sex Offender Registry and related systems.

States may also use funds to identify and develop access to data on other categories of persons prohibited from firearm purchase under amendments to the Gun Control Act (18 U.S.C. Section 922), as incorporated in the Brady Act. States proposing use of funds for these purposes must demonstrate in the application that necessary protections for individual privacy will be incorporated in the proposed procedures.

Funds provided to courts or prosecutors are allowable where the function to be supported can be expected to improve the capture of dispositions or other data relating to the offender record. (See Commitment to support court efforts relating to

development of record systems section, above.) This would include implementation of, or upgrades to, record systems which facilitate immediate identification of disposition records, provided the automated disposition records are accessible for State- or Federal-level criminal history inquiries.

NCHIP funds may be used to establish operational back-up systems for use in the event of failure of the primary criminal history record system.

- 3. Flagging of records.** Funds may be used to upgrade the accessibility of records through flagging for presale firearms and preemployment checks. Allowable costs include costs of flagging or algorithms used for flagging of felony records and records of persons with convictions for crimes involving children, the elderly, and/or the disabled, as well as records of persons convicted of crimes involving domestic violence and/or stalking. Costs may include the cost of technical record flagging and the costs associated with identification of records to be flagged (see [17] below regarding interface with NIBRS).

In support of the National Sex Offender Registry, funds may also be used for review of existing records to identify, flag, and transmit data on previously released offenders who qualify for inclusion in the National Sex Offender Registry. This may include a review of juvenile records where consistent with State law or practice.

- 4. Participation in the NICS.** NCHIP funds may be used to enable the State to participate in the NICS consistent with the provisions of 18 U.S.C. Section 922 (t) and funds may be used to undertake activities to improve or ameliorate any problem that is delaying instant responses to NICS inquiries. Allowable expenditures include, but are not limited to, costs necessary to enable the State to serve as a POC under the NICS system (including costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures).

Funds may not be used to cover ongoing costs of presale firearm background checks, but may be used to pay costs associated with capturing dispositions in response to a specific NICS inquiry, provided that the captured data is entered into the automated State and FBI system and serves to upgrade the permanent quality of the record systems.

- 5. Firearm permits.** NCHIP funds may be used to comply with Brady Act provisions pursuant to permits ATF has found qualify as NICS check alternatives and to develop and implement procedures to review the currency of such firearm permits and/or to provide appropriate notification when the permits are revoked.
- 6. Prosecution of firearm sale denials.** NCHIP funds may be used to study the extent to which persons denied a firearm pursuant to a presale background check are prosecuted at the State or local level. Allowable costs include both costs associated with the design and implementation of a research/statistical study and

costs associated with establishing and implementing a protocol for regular collection of data on this issue. Funds may also be used to develop software to enable States to transfer records of denied firearm purchasers to the FBI or to State or local offices for prosecution.

7. **Record enhancement and support of anti-terrorism and national security systems.** Support for the national effort to improve homeland security is a critical goal of NCHIP and record managers are encouraged to develop appropriate liaisons with State homeland security leaders. To support these efforts, funds may be used to coordinate State criminal records with other record systems, including immigration records, and to develop protocols for record exchange and linkage. Funds may also be used to enhance the utility of criminal records by facilitating access to records for purposes of background checks on persons seeking sensitive positions. Funds may only be used, however, for activities which focus on improving the development of complete, accessible, and useful records which provide support for the national systems administered by the FBI.
8. **Protection order file.** Costs (including equipment, software, training, and procedural development) associated with development and enhancement of protection order files and with interface with the FBI's NCIC Protection Order File are covered. Protection order files supported with NCHIP funds must be compatible with the FBI file, and the application must indicate that records are presently being submitted to the FBI or indicate the date upon which that submission will commence. Funds are only allowable to support development of local protection order files where data in such files are or will become directly accessible throughout the State and available to the FBI's national system.

NCHIP funds may be supplemented for a State that certifies that it has or intends to establish a program that enters into the National Crime Information Center (a) warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; (b) arrests or convictions of persons violating protection orders or charged with domestic violence; and (c) protection orders for the protection of persons from stalking, domestic violence, or other reasons.

Applicants must also include additional documentation showing the need for grant funds and that State or local funding does not already cover these operations, intended use of supplemental grant funds including a plan of action to increase record input; and an estimate of expected results from the use of the funds.

9. **Interface between criminal history records, sex offender registry, and civil protection order files.** To ensure that, consistent with State law, a complete data review is possible in connection with background checks for child care or other authorized purposes, funds may be used to develop software to establish protocols to permit interface between the criminal history record system, the State sex offender registry, and related protection order files including files of civil protection

orders.

10. **Uniform RAP sheet format.** The FBI has recently endorsed a format and standards for transmission of a uniform RAP sheet (text version of a person's criminal history record) among States. The format relies on the Global Justice XML Data Dictionary and reflects efforts initiated under the BJS/SEARCH Task Force on Uniform RAP Sheet Standards. Funds are available to assist States in converting State criminal history records to the standard interstate RAP sheet format or for developing electronic interchange capabilities related thereto.

11. **Compatibility with State and Federal systems.** Funds may be used to ensure compatibility with Federal record systems, such as III, and to implement statewide integrated system strategies which interface all components of the criminal justice system, including law enforcement, prosecutors, courts, and corrections, to the extent that such expenditures improve the availability of criminal record data, including protection orders.

Systems funded under NCHIP must be compatible with FBI standards for national data systems, such as NIBRS, NCIC-2000, NICS, IAFIS, the NCIC Protection Order File, and the National Sex Offender Registry. NCHIP funds may not be used to support studies, analysis, design, or development of State integrated systems strategies.

12. **Record automation.** Allowable costs include conversion of manual or other nonautomated records to electronic records. Records automated to include court dispositions, using NCHIP funds, must be accessible to State- and Federal-level criminal history inquiries.

13. **Privacy.** The advance of criminal record technology increases the availability of identifiable records and raises significant issues of privacy. NCHIP funds may be used to cover costs associated with the analysis of privacy issues and the development and implementation of privacy protocols.

14. **AFIS/livescan.** Funds may be used to purchase equipment, develop procedures, and implement protocols related to activities involving the AFIS, repository, and the operation of the registry. This may include purchase of livescan equipment for local agencies. Where funds are to be used for this purpose, the application should demonstrate that funds can be justified on the basis of geographic, population, traffic, or other related factors. Livescan can only be purchased where the State has established an AFIS and either has implemented or is implementing procedures to ensure that the AFIS is compatible with FBI standards.

15. **Participation in the NSOR.** The NCHIP program is intended to support the National Sex Offender Registry (NSOR) by assisting States to develop and enhance State registries that feed into the national system to ensure compliance with requirements set forth in State and Federal legislation (the Wetterling Act, Megan's

Law, and the Lychner Act). Allowable expenditures include costs of equipment, software, personnel training, and development and implementation of related operating and administrative procedures. Costs of regular operating expenditures are not covered under the program. Sex offender registry files supported with NCHIP funds must be compatible with the FBI file. Funds are only allowable to support development of local sex offender registries where data in such files are or will become directly accessible throughout the State and available to the FBI's national system. Funds may be used to purchase equipment and develop software to permit the disclosure of registry data in connection with background checks or other purposes as authorized by State or Federal legislation. NCHIP funds are available to create a linkage between the State data file and systems accessed by local law enforcement officers. Funds may not be used to purchase equipment for use by individual law enforcement officers.

16. **Establish mugshot identification capability.** In support of sex offender registry operations, funds may be used for the purchase of equipment and the development/implementation of procedures to include mugshots of registrants for use either within the State or for transmission to the FBI at such time as that capability becomes available. Mugshots support community notification and law enforcement use of the registry as a tool for identification and apprehension of suspects.

States requesting funds for this use must justify the location of the equipment in terms of geography, population, traffic, and demography and ensure that equipment to be used at the local or county level include the capability of transmitting images to the registry for use throughout the State. All equipment and software purchased or developed with funds under the award must be compatible with FBI standards.

17. **Interface with NIBRS.** Funds may be used to interface with any State data system that is compatible with NIBRS for purposes of identifying persons convicted of crimes against children, the elderly, or the disabled; sex offenses; crimes involving domestic violence and/or stalking; and/or identification of records involving firearm crimes for operational or research purposes. NCHIP funds are not available, however, to develop the NIBRS database.

18. **Research, evaluation, monitoring, and audits.** Costs associated with research or evaluation efforts are allowable to the extent that they are directly associated with a project approved in the application. Costs associated with monitoring State compliance with legislative or programmatic goals through ongoing or periodic audits or other procedures are allowable and encouraged. The purchase of equipment such as modems and the necessary communications and data software for storing and transmitting evaluative data between States and to BJS or other designated Federal agencies is an allowable expense.

19. **Conversion of juvenile records to the adult system.** Federal regulations allow the FBI to accept juvenile records if submitted by the State or local arresting agency.

Expenditures to interface juvenile and adult records are allowable if consistent with relevant State law and undertaken to further the goals of the NCHIP program.

20. **Missing dispositions backlog reduction.** These costs are allowable to improve the level of disposition completeness including older arrest records. States must also propose a strategy to prevent future backlogs from developing.
21. **Equipment upgrades.** Upgrade costs are allowable where related to improving availability of data and where appropriate given the level of data completeness and participation in national records systems. Replacement costs will be considered, but States are encouraged to contribute some portion of the total costs.
22. **Training and participation in seminars and conferences.** Limited funds may be used to cover costs of training and participation in State, regional, or national meetings (including travel, where necessary).
23. **Reducing cost of criminal record checks.** States may use funds to develop and implement technologies that lower the costs of conducting criminal record checks for authorized purposes.
24. **Adoption and implementation of the National Crime Prevention and Privacy Compact.** The Compact was enacted as Title II of CITA. Funds may be used to cover costs associated with State review and enactment of the Compact and with development and implementation of procedures (including purchase of equipment and development of software) necessary to facilitate operations pursuant to Compact protocols, including efforts relating to participation in the FBI's NFF.
25. **Records of approved sales.** The Consolidated Appropriations Act of 2004 (Pub. L. No. 108-199), Section 617, established new record-keeping requirements for NICS transactions in which the dealer has been given a "proceed" response by the system. Consistent with FBI procedures established to comply with this Act, POC States may utilize NCHIP funds to implement programming or operational changes in records management necessary to comply with these new requirements.

Application submission due date

Applications may be submitted at any time after publication of this announcement. Applications must be received by April 1, 2005, to be eligible for funding in FY 2005. Awards are expected to be made by August 31, 2005.

Award period

Awards will be made for up to 12 months. Since the program builds on long term NCHIP activity, States will have the flexibility to begin funded activities immediately upon award or as late as October 1, 2005. All activities must be scheduled to be completed by September 30, 2006. FY 2005 projects may overlap with FY 2004

projects or may run consecutively.

Performance measurement

To ensure compliance with the Government Performance and Results Act (GPRA), Public Law 103-62, this program announcement notifies applicants that they are required to provide performance data used to measure the results of this program. The NCHIP program is continually assessing the status of State record-holdings and State participation in national records systems. BJS requires applicants to provide data to measure progress and achievements of the program through various mechanisms including the Records Quality Index, Survey of State Criminal History Information Systems, Firearm Inquiry Statistics data collection, and ongoing evaluation efforts.

To ensure accountability of this data, for which OJP is responsible, the following performance measures are provided:

| Program Objectives | Performance Measures | Data to be Provided by Grantees |
|---|--|--|
| <p>Improve criminal history record systems in the States and territories to support background checks for the purposes of identifying ineligible firearms purchasers, as well as persons ineligible to hold positions involving the children, the elderly, or the disabled.</p> | <p>Improve the quality, timeliness, and immediate accessibility of criminal history and related records</p> <p>Improve operations and processes of State criminal history records systems, including automation of information transition to repository, timeliness of case processing, and completeness of disposition reporting</p> <p>Enhance validity and accuracy of the identification of ineligible firearms purchasers</p> | <p>Number of criminal history records, manual and automated, in the State's criminal history file</p> <p>Number of fully automated records (records for which the master name index and entire criminal history are automated) in the State's criminal history database</p> <p>Number of records available through the Interstate Identification Index (III) System</p> <p>Number of applications for firearms transfers rejected for the presence of a prior felony conviction or other ineligibility factory</p> <p>Number of arrests reported to the repository by mail, fax, electronic and other means of submission; of these number communicated by automated interface</p> <p>Number of court dispositions reported to the repository by mail, fax, electronic and other means of submission</p> <p>Average elapsed time between arrest and final court disposition</p> <p>Number of appeals and outcomes of appeals</p> <p>Number of retrievals by ATF and/or State and local law enforcement authorities</p> |
| <p>Ensure that the infrastructure is developed to connect each State's records systems to national records and in turn, to connect each States' background check databases to one another</p> | <p>Increase State participation in FBI records system to improved completeness of records submission and achieve full reporting</p> | <p>Number of records submitted to the FBI's Integrated Automated Fingerprint Identification System (IAFIS)</p> <p>Number of records in the FBI's National Sex Offender Registry (NSOR)</p> <p>Interface between State sex offender</p> |

| | | |
|--|--|---|
| | | registry and other systems/agencies Number of records submitted to the FBI's protection order file (POF) Number of records submitted to the Denied Persons File and/or other NICS Index Files (by type) |
|--|--|---|

In developing proposed programs, applicants are strongly urged to review their State's Records Quality Index (RQI) report. The report and further information about the RQI is available on the website of Structured Decisions Corporation at <http://www.sdcorp.net/RQI/cycle1results.jsp>.

Application Requirements

The Office of Justice Programs (OJP) requires that funding applications be submitted through the OJP Grants Management System (GMS). Access through the Internet to this online application system will expedite and streamline the receipt, review, and processing of funding requests. Applications will only be accepted through the GMS online application system.

Applicants must submit the following:

- Application for Federal Assistance
- Assurances and Certificates
- Program Attachments:

Attachment #1: Budget Detail Worksheet with budget narrative

Attachment #2: Program Narrative - including accomplishments, current status of program goals, description of tasks to be funded, unexpended funds, and coordination activities.

Attachment #3: Other Program Attachments -including documentation relating to court participation, notification letter to the State Information Technology Point of Contact, and other written certifications.

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, Applicant 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)."

Budget Detail Worksheet (Attachment #1)

Applications must provide a detailed justification for all costs, including the basis for computation of these costs. For example, the detailed budget would include the salaries of staff involved in the project and the portion of those salaries to be paid from the award; fringe benefits paid to each staff person; travel costs related to the project; equipment to be purchased with the award funds; and supplies required to complete the project.

Budget narrative. The budget narrative should detail costs included in each budget category for the Federal and the non Federal (in kind and cash) share. 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. The following is provided to assist in developing the budget narrative:

a. Personnel category. List each position by title (and name of employee if available), show annual salary rate and percentage of time to be devoted to the project by the employee. Compensation paid for employees engaged in Federally-assisted activities must be consistent with that paid for similar work within the applicant organization.

b. Fringe benefits category. Indicate each type of benefit included and explain how the total cost allowable for employees assigned to the project is computed.

c. Travel category. Itemize travel expenses of project personnel by purpose (e.g., faculty to training site, field interviews, advisory group meetings) and show basis of computation. For example, "Five trips for x purpose at \$80 average cost \$50 transportation and two days per diem at \$15" or "Six people to 3 day meeting at \$70

transportation and \$45 subsistence." In training projects where travel and subsistence for trainees is included, this should be separately listed indicating the number of trainees and the unit costs involved.

(1) Identify the tentative location of all training sessions, meetings, and other travel.

(2) Travel costs are allowable as expenses by employees who are in travel status on official business. These costs must be in accordance with the Federal or an organizationally approved travel policy.

(3) Recipients may follow their own established travel rates. If a recipient does not have an established travel policy, the recipient must abide by the Federal travel policy. Subrecipients of States must follow their State's established travel policy. If a State does not have an established travel policy, the subrecipient must abide by the Federal travel rates.

d. Equipment. List each type of equipment to be purchased or rented with unit or monthly costs.

e. Supplies. List items within this category by major type (office supplies, training materials, research forms, postage) and show basis for computation. Provide unit or monthly estimates.

f. Contractual category. State the selection basis for any contract, subcontract, prospective contract or prospective subcontract. Please note, applications that include noncompetitive contracts for the provision of specific services must contain a sole source justification for any procurement in excess of \$100,000. For individuals to be reimbursed for personal services on a fee basis, list by name or type of consultant or service, the proposed fee (by day, week, or hour) and the amounts of time to be devoted to such services. For construction contracts and organization (including professional associations and education institutions performing professional services), indicate the type of service to be performed and the estimated contract cost data.

g. Other category. Includes items such as rent, reproduction, telephone, and janitorial or security services. List items by major type with basis of computation shown. (Provide square footage and cost per square foot for rent. Provide local and long distance telephone charges separately.)

h. Indirect charges category. The Agency may accept an indirect cost rate previously approved for an applicant by a Federal agency. Applicants must attach a copy of the approved rate agreement with the grant application. (If electronic copy is not available, please fax to assigned BJS State monitor.)

i. Program income. If applicable, provide a detailed estimate of the amount of program income to be generated during the grant period and its proposed application to reduce

the cost of the project or to increase the scope of the project. Also, describe the source of program income, listing the rental rates to be obtained, sale prices of publications supported by grant funds, and registration fees charged for particular sessions. If scholarships (covering, for example, registration fees) are awarded by the organization to certain conference attendees, the application should identify the percentage of all attendees that are projected as "scholarship" cases and the precise criteria for their selection.

Program Narrative (Attachment #2)

The program narrative must include the following three sections:

- (1) Background and identification of needs, including accomplishments and current status of program goals
- (2) Description of tasks to be funded
- (3) Coordination activities

States may, at their option, satisfy requirements noted below by referencing or summarizing previous NCHIP applications.

Section 1: Background and identification of needs

Accomplishments. Applicants must provide a detailed summary of the accomplishments achieved with funding under NCHIP. This section should describe, in quantifiable terms if possible, results achieved and advances made since the inception of NCHIP. Specifically address accomplishments relating to participation in each of the national databases and initiatives (i.e. III, NICS, NCIC Protection Order File, National Sex Offender Registry, IAFIS, mental health records, and livescan/AFIS capability). Where relevant, reference should be made to surveys and audits. ***Reference to the State's Records Quality Index (RQI) is especially encouraged.***

Current status of program goals. This section should include a short update of current efforts relating to improvement of criminal history records, protection order data, or sex offender registries (including efforts supported under OJP and other Federal or State funded programs) and should discuss any evaluative efforts undertaken to identify the key areas of weakness in the State's criminal record system since submission of previous NCHIP applications. The applicant should specifically describe the status of State participation in the NICS, the III, the National Sex Offender Registry, and the NCIC Protection Order File.

Please address each of the following subject areas in your application and include current number of records in each system, where applicable.

Interstate Identification Index (III). States that are not members of III at the time of

application must identify the tasks remaining to permit III participation and indicate whether available funding is adequate and the planned month and year of participation in III. If available funding is not adequate, the State is expected to apply for NCHIP funding that will permit the State to participate in III.

Mental health records availability. States should indicate whether their mental health records are checked, either by the State POC or the FBI, during a NICS check. Where mental health records are accessible, please 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, please describe factors which limit or prohibit exchange of mental health records.

Protection order files. States should indicate whether they submit information for inclusion in the FBI's NCIC Protection Order file. States that submit protection orders should indicate the number of active protection orders provided to the FBI. States that do not submit protection orders should describe the prohibiting factors and any plans to overcome them.

Note: NCHIP funds may be supplemented for a State that certifies that it has or intends to establish a program that enters into the National Crime Information Center (a) warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; (b) arrests or convictions of persons violating protection orders or charged with domestic violence; and (c) protection orders for the protection of persons from stalking or domestic violence. The Program Narrative must include documentation showing the need for these supplemental funds and that State or local funding does not already cover these operations, intended use of supplemental grant funds including a plan of action to increase record input; and an estimate of expected results from the use of the funds.

Sex offender registry. State applications should discuss the extent to which the State provides information to the FBI's NCIC Sex Offender Registry. States that do not submit sex offender information should describe the prohibiting factors and any plans to overcome them.

Denied persons file. State applications should discuss the extent to which the State provides information to the FBI's Denied Persons File in the NICS Index. States that do not submit information to this file should describe the prohibiting factors and any plans to overcome them.

NICS inquiries. The application must also discuss the extent to which dispositions requested in connection with a NICS inquiry have not been provided within the required time frame, and must identify any problems that are delaying instant responses to NICS inquiries and identify proposed solutions to these problems. Particular attention should be directed at needs of courts in connection with capture of disposition data.

Section 2: Description of tasks to be funded under NCHIP

Please describe the activities to be conducted with NCHIP funds over the project period and specifically address each of the priority areas (identified under Program priorities). States not requesting money in priority areas must indicate in the application that alternative efforts are being undertaken to achieve overall priority goals. (Reference may be made to accomplishments or current status to alleviate duplication.)

NICS. To support operation of the NICS, each application must also indicate those activities which are designed to improve the effective operation of the NICS, including in particular, the ability to capture dispositions associated with arrests identified in NICS inquiries and to promptly enter such dispositions in the appropriate automated State and FBI records. States which do not propose funding for this purpose should justify that decision by demonstrating alternative means which are, or will be, followed to ensure rapid responses to NICS inquiries.

Courts. In recognition of the importance of court reporting to the development of complete and accurate criminal records, all applications must describe tasks and indicate the level of funds that will be made directly available to the courts. (See preceding discussion under Priorities.) Where no funds are provided for court-directed disposition reporting activities, a certification by the appropriate State court official declining participation must be included with this section.

Performance measures. To permit assessment of State progress in meeting program goals, this section should set forth measurable benchmarks or goals for each proposed activity and describe audits or other evaluative efforts such as statistical analysis or comparison between computerized criminal history records and NIBRS or Uniform Crime Reporting (UCR) data. Studies relating to handgun sales or prosecution of persons rejected for firearm purchase based on a NICS check, if proposed, should be described in this section. Expectations regarding the impact on the State's Records Quality Index (RQI) are especially encouraged.

Budget. The budget should provide details for expenses in required categories (including match) and by individual task. The application should identify those agencies to receive direct funding and indicate the fiscal arrangements to accomplish fund transfer. *Applicants seeking supplemental funds in connection with protection order initiatives must also include additional documentation showing that State or local funding does not already cover these operations.*

Match. BJS is targeting a 20% cash or in-kind match in connection with the FY 2005 NCHIP program. This section should include a description of activities, with accompanying fiscal implications, which will serve as the match for activities funded under NCHIP. ***BJS will consider all documented efforts underway in the State which are designed to compliment or meet program goals, to be allowable in support of the 20% match requirement.*** BJS will work with the States to insure that they properly identify and quantify all records improvement activities being undertaken within the State so as to include, where appropriate, these improvement efforts within

the match definition. A waiver of the increased match requirement may be sought from the BJS director.

Unexpended funds. The application should describe the specific reasons that funds remain unexpended.

Compatibility with other systems. The application should describe the extent to which proposed activities are compatible with NIBRS, NCIC 2000, NICS, IAFIS, and other applicable statewide or regional criminal justice information sharing standards or plans including State anti-terrorism plans.

Section 3: Coordination

The administering NCHIP 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. NCHIP 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.

The name and address of the State POC can be obtained at 1-800-421-6770 or at the OJP Executive Council webpage <<http://www.ojp.usdoj.gov/ec/states.htm>>. A copy of the correspondence can be submitted as part of Attachment #3 (see below) or sent directly to BJS prior to fund drawdown. 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.

Other Program Attachments (Attachment #3)

The following required documents should be submitted as a single file attachment:

- letter of support/commitment from the courts (if no funds are going to the courts);
- statement/memo indicating that funds are going to the courts (including amount of funds);
- letter to the State Information Technology POC describing the current application request, as referenced above;
- as required by CITA, the authorizing legislation for the NCHIP program, a statement certifying that: (1) the State is either currently participating in the Interstate Identification Index (III) or actively working toward such membership, and, (2) has initiated, or will initiate, a comprehensive strategy for statewide

information sharing which emphasizes the integration of all criminal justice system components, including law enforcement, courts, prosecution, corrections, and probation and parole;

- NCHIP funds may be supplemented for a State that certifies that it has or intends to establish a program that enters into the National Crime Information Center (a) warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; (b) arrests or convictions of persons violating protection orders or charged with domestic violence; and (c) protection orders for the protection of persons from stalking or domestic violence. The Program Narrative must include documentation showing the need for grant funds and that State or local funding does not already cover these operations; intended use of supplemental grant funds including a plan of action to increase record input; and an estimate of expected results from the use of the funds.

Quick-Start Guide to Using the Office of Justice Programs Online Grants Management System (GMS)

Step 1. Using an established Internet account, go to www.ojp.usdoj.gov/fundopps.htm. An online Applicant Procedures handbook is available on this page, and applicants may link directly to OJP's Grants Management System (GMS), which will provide online help screens. Note: Applicants without an Internet account should call the GMS Hotline at 1-888-549-9901 for assistance.

Step 2. Click on "Logon to the Grants Management System (GMS)"

Step 3. Follow the on-screen instructions. First time users should click on "New User? Register Here." Applicants who already have a GMS password should click on "GMS Sign-in." Proceed to the FY 2005 BJS National Criminal History Improvement Program (NCHIP) Program Announcement, and begin working on it. Applicants will receive e-mail confirmation from BJS that they are eligible to submit an application within 7 days.

Plan ahead. Applicants can register at any time and are encouraged to do so as soon as possible. Please note that applicants must ensure that the information for the authorizing official and alternate contact is entered correctly. The authorizing official is the individual authorized to accept grant funds in your organization. If the individual applying online is not the signing authority, that individual must list the authorizing official's name and contact information where appropriate.

Step 4. Complete the online Application for Federal Assistance (SF-424) by providing the required information in the Overview, Applicant Information, and Project Information screens.

Step 5. Complete the application by electronically "accepting" the Assurances and Certifications and submitting the three required file attachments: Budget Detail Worksheet, Program Narrative, and Other Program Attachments. (See the Application checklist on the previous page and application requirements in the Program Announcement for detailed instructions about the information to include in each of these attachments.) Please note that applicants must upload one file per attachment. Only the most current file uploaded to the appropriate attachment will be saved as part of the application. All sections of each attachment must be completed for your application to be considered for funding.

Submit your completed application online. The GMS system will notify the applicant that the application has been received and sent to BJS and provide an application identification number for future reference.

Questions or Problems: Applicants who have questions should refer to the online handbook or access applicable help screens. If the questions cannot be addressed by accessing the online GMS reference tools, call the GMS Hotline at 1-888-549-9901.

Application Checklist

FY 2005 National Criminal History Improvement Program

All applications must be electronically submitted through the Office of Justice Programs' Grants Management System (GMS), which can be accessed at <http://www.ojp.usdoj.gov/fundopps.htm>. Please use this checklist to make sure your application is complete. Your GMS application must include:

Online Forms

___ **Application for Federal Assistance (Standard Form 424).** This form is generated by completing the on-screen Overview, Applicant Information, and Project Information screens in GMS.

___ **Assurances and Certifications.** The assurances and certifications must be reviewed and accepted electronically by the authorizing official or the designated authorizing official.

Attachments (3)

___ **Budget Detail Worksheet and Budget Summary (Attachment #1).** The Budget Detail Worksheet must present a detailed budget that itemizes all proposed costs and must include a budget narrative that provides justification for all proposed costs. A Budget Summary should also be included (with the 20% State match clearly outlined in the detail worksheet and summary).

___ **Program Narrative (Attachment #2).** The Program Narrative must include the following sections (see NCHIP Program Announcement FY 2005 for specific information that should be included in each section):

___ Accomplishments

___ Current Status of Program Goals (including involvement in FBI National Systems)

___ Description of Tasks to be funded (dollar amounts should be included for each task). Specifically address each of the Priority areas.

___ Unexpended Funds - current amount of unexpended NCHIP funds and a statement indicating when remaining funds will be spend.

___ **Other Program Attachments (Attachment #3).** All attachments must be in one file.

___ Letters of support/commitment from the courts if no funds are going to the courts.

- ___ Statement/Memo indicating funds are going to the courts (including amount of funds).
- ___ Letter to the State Information Technology Point of Contact describing current application request.
- ___ If the applicant is seeking supplemental funds for protection order initiatives – attach a certification that the State has or intends to establish a program that enters into the National Crime Information Center (a) warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; (b) arrests or convictions of persons violating protection orders or charged with domestic violence; and (c) protection orders for the protection of persons from stalking or domestic violence.

Please refer to corresponding sections in the Program Announcement to determine specific content of each of these sections.