

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



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications to obtain a collection agent through a cooperative agreement to administer the fourth National Inmate Survey (NIS-4) 2019-20 - Jails, for a period of 48 months beginning January 1, 2019. As the primary source for criminal justice statistics in the United States, BJS is responsible for collecting, analyzing, publishing, and disseminating statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This program furthers the Department's mission by fulfilling data collection and analysis requirements of the Prison Rape Elimination Act of 2003 (P.L. 108-79). The project will provide data necessary for the annual statistical review and analysis of incidents and effects of rape. It will provide a list of local jail facilities according to the prevalence of sexual victimization.

## **National Inmate Survey (NIS-4) 2019-20 - Jails**

### **Applications Due: June 14, 2018**

#### **Eligibility**

Eligible applicants are national, regional, state, or local public and private entities; for-profit and nonprofit organizations (including tribal for-profit and nonprofit organizations); faith-based and community organizations; institutions of higher education (including tribal institutions of higher education); federally recognized Indian tribal governments as determined by the Secretary of the Interior; and units of local government that support initiatives to improve the functioning of the criminal justice system.

Foreign governments, organizations, and institutions of higher education are not eligible to apply.

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

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

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<sup>1</sup> For additional information on subawards, see "Budget and Associated Documentation" under Section D. Application and Submission Information.

BJS may elect to fund applications submitted under this fiscal year 2018 solicitation in future fiscal years, dependent on, among other considerations, the merit of the applications and on the availability of appropriations.

## Deadline

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 14, 2018.

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.

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

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

## Contact Information

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

For assistance with any other requirements of this solicitation, contact Jessica Stroop, BJS Statistician, by telephone at 202-307-0765 or by email at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include “NIS-4 Jails” in the subject line.

Grants.gov number assigned to this solicitation: BJS-2018-14106

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# National Inmate Survey (NIS-4) 2019-20 - Jails (CFDA # 16.739)

## A. Program Description

### Overview

The Prison Rape Elimination Act of 2003 (PREA; P.L. 108-79; henceforth “the Act”) was enacted on September 4, 2003. The Act requires the Bureau of Justice Statistics (BJS) to “carry out, for each calendar year, a comprehensive statistical review and analysis of the incidence and effects of prison rape.” The Act further instructs BJS to collect survey data: “the Bureau shall...use surveys and other statistical studies of current and former inmates...” The law was passed, in part, to overcome a shortage of available research on the incidence and prevalence of sexual violence in correctional facilities.

To implement the Act, BJS developed the National Prison Rape Statistics Program, which includes four separate data collection efforts: the Survey of Sexual Victimization (SSV, formerly Survey of Sexual Violence), National Inmate Survey (NIS), National Survey of Youth in Custody (NSYC), and National Former Prisoner Survey (NFPS).

Each of these collections is independent, and, while not directly comparable, they provide measures of the prevalence and characteristics of sexual assault in correctional facilities. The SSV collects information about incidents of sexual violence reported to and investigated by adult and juvenile correctional authorities and characteristics of substantiated incidents. The NIS collects allegations of sexual assault self-reported by inmates in correctional facilities. The NSYC gathers self-reported sexual assault data from youth in juvenile correctional facilities. The NFPS measures allegations of sexual assault experienced during a person’s last incarceration, as reported by former inmates under community active supervision.

The award resulting from this solicitation will provide funding, through a cooperative agreement, for a collection agent to administer the fourth round of the NIS (NIS-4) in jails. The NIS is an audio computer-assisted self-interview (ACASI) instrument administered to inmates in correctional facilities to measure the prevalence of sexual assault at the facility level. Project activities include drawing a national sample of local and privately operated jail facilities; administering the survey to sampled inmates in these facilities; and conducting all data collection, analyses, and reporting activities.

BJS anticipates making one initial award for a 48-month period (January 1, 2019, to December 31, 2022). The initial award may be supplemented depending on available funding and performance.

**Statutory Authority:** BJS is authorized to issue this solicitation under 34 U.S.C. § 10132(c) and 34 U.S.C. § 30303.

### Program-Specific Information

The NIS gathers data on the prevalence and incidence of sexual assault in jails, as reported by inmates. The inmates use ACASI technology with a laptop touchscreen and an audio feed to maximize inmate confidentiality and minimize literacy issues. A short paper and pencil (PAPI) questionnaire is made available to inmates unable to complete the ACASI survey.

The first NIS (NIS-1) was conducted in 2007, the second (NIS-2) in 2008-09, and the third (NIS-3) in 2011-12. The NIS-3 was conducted in 233 state and federal prisons, 358 local jails, and 15 special confinement facilities operated by Immigration and Customs Enforcement (ICE), the U.S. military, and correctional authorities in Indian country. A total of 92,449 inmates, age 18 or older, participated in NIS-3, including 38,251 prisoners, 52,926 jail inmates, 573 ICE detainees, 539 inmates in military facilities, and 160 inmates in Indian country facilities. The survey was also administered to 527 youth, ages 16 to 17 held in state prisons and 1,211 youth, ages 16 to 17, in local jails. The first report from NIS-3 was *Sexual Victimization in Prisons and Jails Reported by Inmates, 2011-12* (NCJ 241399, BJS web, May 2013).

Findings from NIS-3 included the following:

- In 2011-12, an estimated 3.2% of jail inmates reported experiencing one or more incidents of sexual victimization by another inmate or facility staff during the past 12 months or since admission to the facility, if less than 12 months.
- Using the same methodology since 2007, the rate of sexual victimization among jail inmates remained unchanged—3.2% in 2007 and 3.2% in 2011-12.
- About 1.6% of jail inmates (11,900) reported an incident with another inmate, 1.8% (13,200) reported an incident with staff, and 0.2% (2,400) reported both an incident by another inmate and staff.
- From 2007 to 2011-12, reports of “willing” sexual activity with staff (excluding touching) declined in jails, while reports of other types of sexual victimization remained stable.
- Patterns of inmate-on-inmate sexual victimization during 2011-12 were consistent with patterns in past surveys. Rates reported by jail inmates were higher among females, whites, and inmates with a college degree compared to males, blacks, and those who had not completed high school.
- Variations in staff sexual misconduct rates were also similar across surveys. Rates reported by inmates were higher among male inmates, black prisoners and inmates, and inmates age 35 or older compared to female inmates, white inmates, and inmates ages 20 to 24.
- Inmates held for violent sexual offenses reported higher rates of inmate-on-inmate sexual victimization (3.9% in jails) than inmates held for other offenses.
- An estimated 3.6% of jail inmates who reported serious psychological distress reported inmate-on-inmate sexual victimization, compared to 0.7% of inmates with no indication of mental health problems.
- Rates of serious psychological distress in jails (26.3%) were substantially higher than the rate (3.0%) in the U.S. noninstitutionalized population age 18 or older.

BJS published survey findings in December 2007 (NIS-1), August 2010 (NIS-2), and May 2013 (NIS-3). Each publication provided information on sampling of facilities, selection of inmates, weighting and nonresponse adjustments, and facility-level estimation. The ACASI sexual

victimization questionnaires are available at <https://www.bjs.gov/index.cfm?ty=dcdetail&iid=278#Questionnaires>.

Data collected in NIS-1, NIS-2, and NIS-3 were used to develop national- and facility-level estimates of sexual assault. Data from the surveys were included in three previous reports from the Attorney General, which were submitted to Congress, the Secretary of the U.S. Department of Health and Human Services, and the Department of Justice (DOJ) Review Panel on Prison Rape, as specified under the Act. The reports provided detailed results from the surveys, including facility rankings and summary findings. They identified facilities with the highest and lowest rates of sexual violence, which the Review Panel on Prison Rape used to solicit testimony from correctional administrators of these facilities.

During 2017, BJS issued two reports using NIS-3 data: *Drug Use, Dependence, and Abuse Among State Prisoners and Jail Inmates, 2007-2009* (NCJ 250546, BJS web, June 2017), and *Indicators of Mental Health Problems Reported by Prisoners and Jail Inmates, 2011-12* (NCJ 250612, BJS web, June 2017). These reports addressed significant issues in corrections that otherwise could not have been addressed without in-depth NIS data.

NIS-4 will build on past surveys. During 2016, BJS undertook a comprehensive assessment to examine the substantive gaps in the NIS-3 sexual assault questionnaires, and BJS intends to obtain more details on specific incidents in the NIS-4. This assessment also included a review of the NIS-3 survey protocol, sampling methodologies, and analytical products to develop an optimal design to provide reliable facility-level estimates for jail facilities. NIS-4 will include new measures with special emphasis on the nature and circumstances surrounding staff sexual misconduct and boundary violations, collusion among inmates and staff surrounding victimization, impact on victims, and other factors related to facility climate, institutional culture, and correctional leadership. In addition, BJS intends to improve the measurement of facility characteristics that may covary with sexual victimization.

The NIS-4 will mark the first time the survey is conducted separately in prisons and jails. In 2017, BJS issued a competitive solicitation and made an award for a data collection agent to administer the NIS-4 in prisons. The NIS-4 in jails will incorporate the recommendations from the NIS-3 assessment to (1) achieve greater efficiency and cost savings and (2) maximize data quality and minimize burden on sampled facilities. A draft sampling plan is attached to this solicitation (Attachment 1). The applicant must demonstrate how the sampling plan will be finalized to meet the precision desired for the funded level of the award.

## Scope of Work

### Task 1. Project management

The recipient of funds must manage the NIS-4 data collection in an efficient manner that fosters communications with the BJS project manager (PM) and staff, other project staff, and stakeholders.

#### Subtask 1.1. Post-award meeting and project schedule

Within 2 weeks of the award, the recipient's project director (PD) and key staff will attend a post-award "kick-off" meeting with the BJS PM and BJS key staff in Washington, DC. The initial meeting should focus on a review of the overall project goals and tasks and

discuss areas of concern related to the proposed project scheduling plan, staffing plan, and other management requirements. This meeting will provide an opportunity for BJS staff to share project experience and materials with the recipient. Within 2 weeks of the post-award meeting, the recipient should submit an updated version of the project schedule to BJS for review and comment. The BJS PM will review the schedule and provide comments. Subsequent revisions to the schedule will be done, as needed, and will be submitted after the BJS PM and recipient agree on the changes.

The recipient of funds must develop and maintain a schedule for each task. The schedule must identify start dates for each task and subtask, and expected completion dates for all deliverables shown in the table under [Section D. Application and Submission Information](#). After the BJS PM has agreed to the timetable, all work is expected to be completed, as scheduled, unless the BJS PM is consulted and approves any changes.

#### Subtask 1.2 Project calls and meetings

The recipient of the funds will establish a routine method for updating the BJS PM and project staff on the status of the project, which will include at least one conference call every 2-3 weeks. The recipient will work with BJS to develop the agendas for these calls. The BJS PM and the recipient will establish other regular communication vehicles, as needed.

#### Subtask 1.3 Quarterly reports

The recipient will submit to the BJS PM quarterly progress reports that include (1) all activities performed during the quarter, (2) problems encountered and proposed or enacted solutions, (3) plans for the upcoming quarter, (4) a brief discussion of the expenditure of funds and a statement that indicates the percentage of funds that have been expended and breakdown of total hours worked and expenses for all team personnel, and (5) a statement as to whether the project will be completed according to the time frame specified in the schedule and within the budgeted amount.

### Task 2. Survey management

#### Subtask 2.1 Develop and finalize self-report survey instruments

NIS-4 will consist of up to four questionnaires: (1) a survey of sexual victimization designed for inmates through ACASI, (2) a PAPI for inmates unable to respond through ACASI, (3) an alternative survey designed for a 10% randomly selected sample of inmates in each selected facility, and (4) a facility survey administered concurrently to each sampled facility. The NIS-3 ACASI and PAPI instruments are available on the BJS website at <https://www.bjs.gov/index.cfm?ty=dcdetail&iid=278>.

BJS will deliver to the recipient draft versions of the NIS-4 sexual victimization survey and alternative survey questionnaires in English and Spanish. BJS will also provide Spanish language questionnaires from NIS-3 and the Spanish translation for NIS-4 prison items that will be duplicated in the NIS-4 jails. The recipient will provide translation for any additional items.

A cognitive test of the English language items has been completed and the cognitive test report will be made available to the recipient. The recipient of funds is expected to complete a limited cognitive test of the Spanish language items and to make any needed revisions to individual questionnaire items.

#### Subtask 2.2 Develop ACASI mode of survey administration

The recipient will develop an ACASI application of the questionnaires after receiving the cognitively tested version. The final ACASI instruments will be created from nonproprietary software commonly available to government and industry, in compliance with the government's desire for portability in applications. BJS retains all rights to the source code used to produce the instruments. Authoring software must be capable of producing a hard-copy version of the ACASI interview instruments and associated audio files.

The recipient will perform a full and sufficient beta test of the programmed ACASI instrument. An electronic file (log) will be provided to the BJS PM demonstrating the date(s) tests were performed, any errors encountered, and document the resolution of issues. This beta test will include a double verification of items that rely on skip pattern programming. Any errors encountered that require reprogramming will be tested again, in a similar double verification process, to ensure accuracy of the ACASI instrument delivered to the BJS PM. This log will be consulted should any variables require reprogramming or imputation once data collection is completed.

The recipient will provide the BJS PM with draft English and Spanish versions of the ACASI instrument (installed on a field laptop) for evaluation before conducting a pilot test. The recipient will deliver a final version of each ACASI instrument to the BJS PM for evaluation and testing 3 months prior to the national field collection.

#### Subtask 2.3 Test ACASI survey instruments and case management protocols

The recipient will conduct a pilot test of the final ACASI instruments (in English and Spanish) and case management protocols. The pilot test will be conducted in up to four facilities with up to 50 English- and 50 Spanish-speaking respondents. The recipient will work with the BJS PM to recruit facilities and obtain Office of Management and Budget (OMB) clearance. The recipient will be responsible for testing all aspects of the final collection and case management protocols and will deliver a pilot test report to the BJS PM within 30 days of completing data collection.

#### Subtask 2.4 Update the PAPI instrument

The BJS PM will provide the recipient with updated PAPI survey forms. The forms will contain condensed items from the English and Spanish versions of the ACASI instrument, and they will have language specific for male and female respondents. BJS anticipates only minor changes from the NIS-3 PAPI instruments. The PAPI instruments will be administered to inmates who are unable to complete the survey in the ACASI mode.



### Subtask 2.5 Test PAPI instrument and case management protocols

The recipient will conduct a small pilot test of the male and female versions of the updated PAPI instrument(s) in English and Spanish (if feasible) and case management protocols for 25 respondents. The recipient will work with the BJS PM to identify and recruit facilities and obtain OMB clearance. The recipient will be responsible for testing all aspects of the PAPI administration and protocols and will deliver a summary report of the test to the BJS PM within 30 days of completing data collection.

The recipient will produce a more robust protocol for PAPI administration designed to maximize its use in facilities where jail inmates are unable to be physically present for an ACASI interview. The protocol must be designed in conjunction with input from the field so as to achieve maximum utilization while ensuring interviewer safety and facility security.

### Subtask 2.6 Develop and test data collection form—facility questionnaire

The NIS-4 also collects data on facility staff, staff turnover, inmate management philosophy, staff testing and training, housing characteristics, crowding, inmate intake and screening, and other facility characteristics. BJS and the recipient will collaboratively develop the facility questionnaire. The recipient will solicit comment from experts and stakeholders and cognitively test the facility survey. The recipient will work with the BJS PM to identify and recruit the field experts. The facility survey will be pilot tested in the same facilities recruited for the pilot test of the ACASI survey. The facility form will contain a maximum of 30 items with multiple response options. The reporting burden is expected to be 45 minutes per response on average. The recipient is expected to finalize the instrument and mode of administration (web or PAPI) and provide it to the BJS PM and project staff for review and approval 3 months prior to national field collection.

## Task 3. Sampling—Update sampling frame and execute sample design

BJS will provide the recipient of funds with a draft sample design that addresses the key analytic goals of the NIS-4. The Act requires a sample of at least 10% of jails across the nation, with at least one jail in each state. The NIS-4 aims to measure the impact of the changes that have occurred since the NIS-3. As such, the analytic goals of the NIS-4 will include (1) estimating the 2019 overall sexual victimization rates with similar or better precision to past NIS studies, (2) determining whether sexual victimization rates have changed since the NIS-3 collection, (3) estimating sexual victimization rates among female inmates with similar or better precision than past NIS studies, and (4) enabling the estimation of sexual victimization rates by facility characteristics (e.g., facility size, staffing levels) with reasonable precision. A description of past designs is available at <https://www.bjs.gov/content/pub/pdf/svpjri1112.pdf>.

As with past designs, the universe for the surveys consists of the inmates residing in the nation's jail facilities, including all publicly and privately operated jail facilities as identified in the Census of Jail Inmates (most recently completed in 2013) with information supplemented from prior rounds of the NIS. The universe is restricted to local jails with six or more inmates as of December 31, 2013, and will not include ICE, tribal, or military facilities.

For purposes of expected workload, the recipient should use the attached sample design simulations to select a multistage stratified design with a range of 150 to 300 selected facilities at the first stage. The recipient shall provide an estimated number of sample facilities anticipated and appropriate justification for how the proposed sample will achieve maximum precision to allow primarily for the ranking of jail facilities and the ability to measure change in three domains: the overall level of sexual victimization, inmate-on-inmate victimization, and staff-on-inmate victimization. The recipient will work collaboratively with the BJS PM and staff to finalize the number of facilities and will be responsible for drawing the sample based on the agreed specifications from the BJS PM within the specified amount of this award. Attached to this solicitation is a more detailed description of the potential sample designs and levels of precision.

Prior to drawing the sample, the recipient will update the sampling frame, in collaboration with the BJS PM. The recipient may be required to make contact with jail administrators to further update fields if necessary or impute characteristics from more recent jail studies to ensure a full enumeration before drawing the final sample. The recipient and BJS will obtain OMB clearance before initiating contact with facilities for the purposes of updating the frame.

#### Task 4. Institutional Review Board (IRB) approvals/OMB clearances/human subjects protocols

##### Subtask 4.1 Obtain IRB and other research board approvals

The recipient will obtain approval from an IRB for the NIS-4 instruments and survey, and for field management protocols. BJS will accept the recipient's IRB certification if all appropriate documentation is provided. In addition, the recipient must obtain approval from any additional IRBs or review panels that may be required in sampled jail jurisdictions.

The recipient will provide the BJS PM with copies of all IRB requirements, submissions, and final certifications.

##### Subtask 4.2 Submit OMB clearance packages and obtain approval

The recipient will prepare a draft of all OMB clearance packages necessary to complete NIS-4 activities. The recipient and the BJS PM will collaborate in finalizing each package, and BJS will submit the package. Together, the recipient and the BJS PM will respond to all OMB passback questions and assist with public comments. OMB clearance is required prior to conducting any data collection activities, including contacting jail administrators to notify them of selection, gaining cooperation, and coordinating the visits. BJS anticipates at least three rounds of submissions to OMB in the approval process:

- The first OMB clearance package will be submitted under BJS's generic clearance provisions. It is required prior to any further frame development and any cognitive test or systems test of the PAPI and ACASI instruments. A determination will be made at a later date to submit a separate or combined clearance for the testing activities in English and Spanish.

- The second package will also be submitted under BJS's generic clearance provisions. It is required prior to any pilot test of the ACASI or facility instruments.
- The third submission will be a full clearance package. The recipient will submit a draft of the clearance package to the BJS PM at least 1 month before the final clearance package is transmitted to OMB.

The final OMB clearance package will be submitted at least 6 months prior to the initial contact with the sampled jurisdictions and facilities. The NIS-4 instruments, survey management and field protocols, sample design, and survey administration plan will be finalized before submitting the clearance package to OMB.

## Task 5. Recruitment and training prior to data collection

### Subtask 5.1 Recruit field representatives (FRs)

The recipient will ensure and certify that every new or returning field representative has completed and passed a full criminal background check, including a search of state and federal criminal records. A new background investigation will be conducted, as needed, for all FRs entering the selected facilities. In addition to normal background clearance procedures, selected facilities may have specific clearance requirements for entry and contact with inmates. On request, the recipient will update background checks or provide information on field representatives to facility authorities to meet specific entry requirements. The recipient must ensure that transfer of such information to facility authorities is secure.

The recipient will have sufficient field representatives who are fluent in Spanish to administer the survey in Spanish when needed. The recipient will have a sufficient number of staff to complete the data collection on time. Before fielding the survey, the recipient will provide a staffing plan for review and approval.

### Subtask 5.2 Develop training materials and train staff

The recipient will develop all training materials for the data collection staff and deliver such materials to the BJS PM for review and approval. These materials include instructor manuals, trainee workbooks, exercises, slides, other materials needed before field training starts, and additional materials developed during data collection to address issues experienced in the field. The BJS PM and other BJS staff will participate in at least one training session prior to the start of data collection.

The recipient will ensure that all staff assigned to the project successfully complete the training program, have nondisclosure agreements in place, comply with all facility regulations, and pass required background checks. In addition, the recipient will ensure that staff receive additional guidance and training, if necessary, for new methods or procedures instituted in response to experiences in the field after data collection has started.

### Subtask 5.3 Develop a facility recruitment manual

The recipient will develop a facility recruitment manual that addresses all requirements for study implementation. The manual will be completed and delivered to BJS before facility recruitment activities begin. At a minimum, the manual should provide instructions for—

- identifying facility liaisons
- identifying IRB requirements and other research requirements
- identifying external counseling resources (i.e., ensuring that both internal and external counseling services will be available to survey participants)
- determining logistical procedures, such as required security clearance, special requirements for entry into the facility, and any restrictions on schedule, space, or staffing
- determining procedures for obtaining inmate rosters and specifying data elements and procedures for transferring information from the rosters, depending on the nature of consent required.

The recipient will maintain a facility recruitment tracking system that allows the recruitment progress to be recorded and updated. This system will include a record of all contact between project staff and the facility contacts. It will be made available to the BJS PM on request.

## Task 6. Fielding the survey

### Subtask 6.1 Develop a survey administration plan

The recipient will develop a detailed survey administration plan and deliver it to the BJS PM for review and approval prior to data collection. The plan should describe procedures the recipient will develop and implement to field the NIS-4 and complete data collection on time. It should address procedures that will minimize field costs and achieve a response rate of at least 65% for all inmates.

### Subtask 6.2 Maintain real-time tracking reports

The recipient will maintain an electronic system to generate summary reports on the status of the collection, including facility response rates, comparison of the overall response rates with the targeted responses, reasons for facility nonparticipation (e.g., facility closed, out of scope, refusal to participate), and individual nonresponse disposition codes (e.g., lack of consent, staff refusal for inmate, inmate refusal, language problem). The recipient will continuously update this information and provide summary information to the BJS PM every 2 weeks during the collection period in a manner that does not disclose inmate personally identifiable information (PII).

### Subtask 6.3 Collect administrative data

The recipient will develop a detailed plan for conducting the facility survey and deliver it to the BJS PM for review and approval prior to data collection. The plan should describe procedures the recipient will develop and implement to field the NIS-4 facility survey and

complete data collection on time. The plan should address procedures that will minimize field costs, while achieving a nearly 100% response rate.

## Task 7. Post-survey adjustments and analytic files

### Subtask 7.1 Data processing for NIS-4, ACASI collection

All data will be collected and stored in a manner consistent with what is discussed in this solicitation under [“Goals, Objectives and Deliverables”](#) and [“Information System Security and Privacy Requirements.”](#)

The recipient will deliver to the BJS PM a status report on data editing, including a description of how many errors were resolved during this phase (e.g., inappropriate skips, out-of-range values, input errors). The recipient will maintain the records and results of data editing and corrective actions for the BJS PM. These records will be delivered on request. The status report on data editing will be provided within 3 months after data collection ends. It will include summary statistics on the number of problems detected and procedures used to take corrective actions. A plan for data edit checks will be submitted to the BJS PM for review and comment.

The recipient will process and verify data according to BJS standards, which includes implementing BJS-approved coding, editing, and verification procedures. These processing activities will be performed during data collection and analysis and will be completed by the time the recipient delivers the analytic files to BJS.

### Subtask 7.2 Data processing for NIS-4, facility collection

The recipient will review data records for completeness and for any problems that may have occurred when the survey was conducted. The recipient will identify problems and take appropriate corrective actions.

### Subtask 7.3 Unit and item nonresponse assessment and response plan

In collaboration with the BJS PM, the recipient will conduct an analysis in conjunction with the unit nonresponse analyses and make recommendations to BJS about imputation strategies. BJS will approve the final data imputation strategies. The imputed data and appropriate imputation flag variables will be included in all data files delivered to the BJS PM. The approach will include a proposal for evaluating the effect of imputation on data estimates. The recipient will deliver a description of the approach to the BJS PM soon after data collection begins to obtain agreement on an approach before data collection ends. Results from the analyses will be delivered to BJS soon after data collection ends; they will be discussed in detail in the methodology report (subtask 9.1) and summarized in the data file user's guide (subtask 8.4).

### Subtask 7.4 Assess reliability and validity of inmate self-reports

In collaboration with the BJS PM, the recipient will develop and implement a plan for assessing the reliability and validity of inmate self-reports. In previous NIS collections, interviews were assessed for extreme or internally inconsistent response patterns. Interviews with response patterns considered unreliable were excluded from the

calculations. For the NIS-4, prior to the final weighting, the recipient should consider additional checks, including assessment of time stamps, in-depth review of response patterns, and use of respondent and FR debriefing items.

Applicants should describe their approach to assessing reliability and validity of self-report victimization and discuss additional measures that could be introduced into the NIS-4 instrumentation and protocols to enhance reliability and validity.

#### Subtask 7.5 Facility- and national-level weights

The recipient will develop and submit a weighting plan to the BJS PM for review and comment no later than 60 days after the data collection begins. A draft of this weighting plan should be submitted once the sampling design is complete.

The plan will discuss what the weights will represent and procedures for development and evaluation. The recipient will develop weights for data collected as necessary to provide facility- and national-level estimates. The weights will be integrated into all data files delivered to the BJS PM. The weights will incorporate nonresponse adjustments and rely on administrative records from the facility survey and information from sampled facility rosters, when available. Once data collection begins, the weighting plans may be revised in close collaboration with the BJS PM.

The weighting procedures at the facility level will follow those used in the NIS-3 as closely as possible. Weights at the national level will reflect each facility's initial probability of selection and then adjust for variations in eligibility and nonresponse. (For more information on the NIS-3 weighting, visit <https://www.bjs.gov/content/pub/pdf/svpjri1112.pdf>.)

The recipient will work collaboratively with the BJS PM to finalize the weighting plan before data collection ends. The weights will be described in detail in the methodology report and included in the data file user's manuals.

#### Subtask 7.6 Standard error calculations and adjustment factors

The recipient will prepare a plan for measuring sampling errors and submit it to the BJS PM for review and comment no later than 60 days after data collection begins for national estimates. A draft of this plan should be submitted once the sampling design is complete. The recipient will describe in detail methods for calculating standard errors from small samples and estimates close to 0%, as with facility-level estimates in the NIS-4. Small samples use the traditional standard error to construct the 95% confidence interval, which may not be reliable for this project. Therefore, the recipient will provide a plan using an alternative method (such as the Wilson method) to construct the confidence intervals for facility-level estimates. The analytic data files delivered to the BJS PM (subtask 8.2) and archive data files delivered to the BJS PM (subtask 8.4) will contain data elements necessary to support the calculation of direct variance estimation for complex survey designs. The recipient can perform these calculations by commonly used statistical software packages such as SUDAAN, SAS, SPSS, Stata, and R.

The recipient will collaborate with the BJS PM to finalize the standard error plan within 30 days after data collection ends. The recipient will describe in detail the methods used

to generate variances in the methodology report and the data file user's manuals. This will allow users to apply the data elements and associated software to calculate the variances, and it will provide an example of the methods and use of the available software.

## Task 8. Data files and documentation

### Subtask 8.1 Produce constructed variables and documentation

The analytic data files will include calculated variables. BJS expects that this file will contain responses to all of the items on the ACASI survey and the PAPI surveys. Key measures include characteristics of reported sexual victimization, (to include demographic variables), circumstances surrounding the victimization, and perpetrator characteristics.”

### Subtask 8.2 Produce analytical files for BJS internal use

Within 6 months after data collection ends, the recipient will deliver to the BJS PM a copy of all analytic data files, supporting documentation, and all code and data necessary to replicate the creation of the derived variables, weights, and standard error adjustments in accordance with BJS specifications and requested formats. These data files will be used to prepare data for release in BJS statistical tables and special reports. Data files will include both reported and imputed data, imputation flag variables, sample weights, and data elements necessary for direct variance estimation.

### Subtask 8.3 Develop and implement a data disclosure plan

The recipient will undertake a disclosure review for each data collection (i.e., sexual victimization and facility survey) and each derived file. To assist with this effort, the recipient will convene an internal panel of experts to assess risks and propose appropriate actions to minimize them. The plan will identify variables that may identify a respondent in the NIS-4 survey and propose methods to mitigate the disclosure risk through actions such as data swapping, data suppression, and data combination. The case characteristics between the public- and restricted-use data files must agree so that analysts using both types of files generate consistent results.

The recipient will identify and implement methods to limit the risk of disclosure of PII for all NIS-4 archived data files, including files designated for public use and restricted-use only. After data collection has been completed, the recipient will submit a data disclosure plan to the BJS PM for review and approval.

The recipient will work collaboratively with the BJS PM to finalize the disclosure plan within 90 days after data collection ends. Once the BJS PM agrees to the solutions to protect against data disclosure, the recipient will execute the plan and incorporate the data changes from the disclosure analyses into the archived data files.

### Subtask 8.4 Produce restricted- and public use data files and documentation

The recipient will create and submit to BJS electronic files of the NIS-4 data and documentation, including codebooks, for archiving at the National Archive of Criminal

Justice Data (NACJD) or the OJP designated data archiving agent. All of the archive data files will be created from the analytic data files delivered to the BJS PM. All files will contain all data adjustments for nonresponse, base weights and national weights, sampling information needed to generate standard errors, and calculated variables for analysis. The recipient will work with the archiving agent to resolve any issues or requests that need to be fulfilled before data can be completely archived.

The recipient will archive six data files:

- The first file will be provided to the designated archiving agent within 60 days after the release of the second BJS special report. The file will be a restricted file for Enclave<sup>2</sup> access only and will provide the final data from the sexual victimization survey.
- The second file will be provided to the designated archiving agent within 90 days after the release of the second BJS special report. This file will be an unrestricted public use file and provide the final data from the facility survey.
- The third file will contain data from the NIS-4 addendum, a supplemental survey based on a 10% random sample of inmates. This file will be an unrestricted public use file, and the recipient will provide it to the archiving agent within 120 days of the release of the first BJS special report.
- The fourth file will contain data items on inmates common to the core NIS-4 (90%) and the NIS-4 addendum (10%). This file will be an unrestricted public use file, and the recipient will provide it to the archiving agent within 120 days of the release of the first BJS special report.
- The fifth file will contain all facility-level data that combines data from the sexual victimization and facility surveys and calculated facility-level data derived from the sexual victimization survey. These files will be restricted files for Enclave access only, and the recipient will provide it to the designated archiving agent within 90 days after the release of the second BJS special report.
- The sixth file will contain individual-level data items on facility- and individual-level correlates of sexual victimization. This file will be a restricted file for Enclave access only, and the recipient will provide the concatenated data from the core and facility surveys.

All of the archived data files will be accompanied by a user's manual that provides sufficient detail on how to properly use the data files. The manual will include, but not be limited to, the following:

- a section describing the sample design
- a section describing data collection procedures
- a section that reports the facility and inmate response rates by characteristics and describes the nonresponse rates for facilities and inmates by type of nonresponse and characteristics
- a description of how the data file is organized

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<sup>2</sup> Enclave refers to the physical data enclave on site at ICPSR in Ann Arbor. Data in the enclave contain highly sensitive personal information. A user looking to access data in the enclave must submit a [Confidentiality Agreement](#) signed by the investigator, obtain approval from the relevant Institutional Review Board, and follow strict guidelines regarding any equipment that may enter the facility, or any notes, output, or materials that may leave the facility. For more information see <https://www.icpsr.umich.edu/icpsrweb/content/ICPSR/access/restricted/enclave.html>



- a description of data editing procedures
- a section that reports on the results of the unit and item nonresponse analyses and discusses imputation methods
- a section that provides a general overview and instructions for testing statistical significance of differences
- a description of the weights available on the file and how to use them (i.e., which types of weight would be appropriate for specific analyses)
- a description of the method(s) that could be used to generate standard errors, including instructions and illustrations to help users calculate variances based on the different methods
- frequencies for at least 200 key variables, including imputed and calculated variables
- programming code to create all calculated variables
- the questionnaires

The recipient will be required to follow existing protocols and standards for this collection related to data management, file formats, and naming conventions.

#### Task 9. Production of statistical products and analytic support

##### Subtask 9.1 Produce methodology report

The recipient will prepare a methodology report that provides a detailed description of—

- (1) sample design and outcomes
- (2) data collection procedures and outcomes
- (3) first- and second-stage response rates and the variation of response rates by characteristics
- (4) editing and coding procedures
- (5) assessment of reliability and validity
- (6) nonresponse bias assessment, including types of nonresponse at the first and second stage of selection and the variation by characteristics; impact of unit and item nonresponse; methods of imputation and data quality; and other results from the nonresponse bias analysis
- (7) weighting schemes for facility- and national-level estimation
- (8) methods that may be used to generate standard errors, including appropriate code for calculations using SUDAAN, WestVars, SPSS, SAS, and R
- (9) documentation of constructed variables used in the analyses.

A draft report will be delivered to the BJS PM for review and comment within 6 months after the data collection ends. A final report will be delivered prior to the completion of the first BJS special report.

##### Subtask 9.2 Produce three BJS special reports

The recipient will work closely with the BJS PM and staff to prepare three BJS special reports. The first report, *Sexual Victimization in Jails Reported by Inmates, 2019-20*, will contain tables similar to those in the previously published reports. The recipient will ensure that measures are comparable. The report will contain facility- and national-level estimates for the purposes of ranking facilities. The report will also examine any observed changes in victimization rates, by type of incident, and explore factors that may

account for these changes. Recipients will be responsible for producing the tables and verifying them in compliance with BJS verification standards.

Draft tables for this report will be provided on a flow basis. However, all draft tables will be submitted within 4 months after data collection ends. For the report, recipients will also be responsible to review draft text and final text provided by BJS staff.

The second report will be an analysis of risk factors, circumstances, measures, and covariates of staff-on-inmate and inmate-on-inmate sexual victimization. Recipients will be responsible for producing the tables and verifying them in compliance with BJS verification standards.

Draft tables for this report will be provided on a flow basis. However, all draft tables will be submitted within 9 months after data collection ends. For the report, recipients will also be responsible for reviewing draft and final text provided by BJS staff.

The third report will be *Facility- and Individual-level Correlates of Sexual Victimization in Jails, 2020*. Working closely with the BJS PM and staff, the recipient will assess the facility-level correlates of inmate sexual victimization and identify significant individual characteristics that may be predictive independent of facility-level covariates.

#### Subtask 9.4 Analytic support

BJS may ask the recipient to conduct a short turnaround, basic descriptive analysis of NIS-4 data to address specific information requests. These analyses will typically involve generating special tabulations, including a profile of facilities identified as “high rate” and tabulations as needed to respond to inquiries about data published in the BJS reports. On a per request basis, this work generally will require no more than 8 hours. The recipient will expect to respond to no more than 10 special requests.

#### Task 10. Delivery of all project materials

All data and source code generated by this project belong to BJS. BJS retains all rights to exclusive use of data until BJS releases the public use data file, which will be available at the NACJD at [www.icpsr.umich.edu/icpsrweb/NACJD](http://www.icpsr.umich.edu/icpsrweb/NACJD) or the OJP designated archiving agent.

The recipient will not release or disclose any data collected through this cooperative agreement without BJS's prior written approval. This includes, but is not limited to, presentations at professional conferences and meetings, press releases, and grant applications. Unauthorized release of data by the recipient or its associates may result in the immediate commencement of termination or suspension proceedings in accordance with 28 C.F.R. Part 18. The recipient will implement procedures to ensure that all data are maintained securely and that all data security procedures comply with 28 C.F.R. Part 22. At BJS's request, the agent will provide a copy of the data security procedures and copies of forms signed by staff indicating their compliance with 28 C.F.R. Part 22. Applicants should demonstrate the capacity to meet this requirement.

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

This solicitation aims to identify a data collection agent to implement the NIS-4. Under a cooperative agreement, the activities and deliverables specified in this solicitation are designed to meet PREA requirements. Specifically, the Act requires BJS to conduct surveys of current

residents in adult correctional facilities to determine the incidence and prevalence of sexual victimization at the facility level. The surveys are to be used to develop facility- and national-level estimates of sexual assault by type.

As specified under the Act, the surveys must identify facilities with the highest and lowest rates of sexual violence. The Review Panel on Prison Rape will use this information to solicit testimony from correctional administrators of these facilities. In meeting these goals, the recipient is required to address 14 objectives that correspond to the tasks and subtasks enumerated in the Scope of Work. This project aims to—

1. adapt the sexual victimization instruments and alternative survey instrument for an ACASI mode of collection
2. develop the facility survey
3. conduct pilot tests and systems tests of ACASI surveys, as needed
4. update the sample frame and implement the sample design for sexual victimization surveys
5. obtain OMB clearances and IRB and other research board approvals prior to data collection
6. develop all appropriate protocols for internal and external counseling and procedures for mandatory reporting when required or as needed for participants
7. recruit, hire, and train data collection staff
8. develop appropriate training materials necessary
9. provide data collection services for the ACASI and facility surveys
10. develop methods and statistical models for assessing the reliability and validity of self-reported sexual assaults by inmates
11. develop methods for nonresponse adjustment
12. develop facility- and national-level weights
13. produce analytical files for BJS internal use
14. develop and implement a disclosure analysis plan
15. produce restricted-use and public use data files and documentation
16. produce statistical products, methodological reports, and three BJS special reports.

In meeting these objectives, the recipient will produce the following deliverables:

- project schedule
- quarterly progress reports
- draft and final versions of ACASI instruments on a laptop
- draft and final versions of the PAPI instrument
- draft and final versions of the facility questionnaire
- updated sample design based on most recent census data and list of selected facilities
- copies of all IRB and other research board submissions and final certifications
- draft OMB clearance under the BJS generic clearance for cognitive testing
- draft OMB clearance under the BJS generic clearance for pilot testing
- draft OMB clearance under a full clearance for full field collection
- all staff training materials in draft and final forms
- certification of state background clearances for all field staff
- facility recruitment manuals
- records of all contacts between project staff and facility liaisons, in electronic form, on request

- final administration plan for the ACASI sexual victimization survey, 10% addendum and facility survey
- summary reports, every 2 weeks, from the real-time tracking system during the data collection period
- draft and final plans for data editing and imputation
- draft and final plans for nonresponse adjustment and weighting
- analytical data files and supporting documentation for BJS internal use
- data disclosure analysis plan and certification, on completion
- four data files for submission to NACJD, or the OJP designated data archiving agent, with study documentation and user's manual
- methodology reports for ACASI surveys and facility survey
- three BJS special reports, including tables and methodological support
- analytic support, as requested following release of the special report, until the end of the cooperative agreement
- interim and final progress and financial reports (see [Section B. Federal Award Information](#)).

Applicants should describe in the project narrative how data collected as part of the BJS-funded activities will be delivered to BJS, including in what format and at what anticipated frequency. On award, award recipients will be required, following consultation with and direction by the BJS Program Manager, to provide the specific data structure documentation to BJS as a final deliverable. At minimum, the data documentation structure must include the expected names, formats, and allowable values for each data element. The data structure documentation is a required final deliverable and shall be subject to review and approval by BJS's Technology and Data Management Unit.

Award recipients and subrecipients that collect, receive, handle, maintain, transfer, process, store, or disseminate directly identifiable information (e.g., names, SSNs, last known address, or FBI, state, or DOC ID numbers) in conjunction with the BJS-funded activities must—

- Maintain a Security Program Management Plan that prescribes the reporting of and response to security incidents involving directly identifiable information including, but not limited to, system compromise, unauthorized access from both internal and external parties, data leakage, and loss of technology assets. This policy shall be in accordance with the OMB and Department of Commerce Cybersecurity Policy, Presidential Directives, and [National Institute of Standards and Technology](#) (NIST) best practices
- Complete data security and confidentiality training(s), as applicable
- Provide BJS with a signed copy of their Security Program Management Plan within 90 days of accepting the award, and with all updated versions throughout the life of the project period
- Notify BJS within one hour of any security incidents that impact a [Federal Information Security Modernization Act](#) (FISMA)-defined information system used to support award activities.

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

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed in [Section D. Application and Submission Information](#), under Program Narrative.

### **Information Regarding Potential Evaluation of Programs and Activities**

The DOJ has prioritized the use of evidence-based programming and deems it critical to continue to build and expand the evidence informing criminal and juvenile justice programs to reach the highest level of rigor possible. Therefore, applicants should note that the Office of Justice Programs (OJP) may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and subrecipients will be expected to cooperate with program-related assessments or evaluation efforts, including through the collection and provision of information or data requested by OJP (or its designee) for the assessment or evaluation of any activities and/or outcomes of those activities funded under this solicitation. The information or data requested may be in addition to any other financial or performance data already required under this program.

## **B. Federal Award Information**

BJS expects that it will make one award for an estimated total of \$7 million. BJS expects to make the award for a 48-month performance period, to begin on January 1, 2019.

BJS may, in certain cases, provide additional funding in future years to awards made under this solicitation, through continuation awards. In making decisions regarding continuation awards, OJP will consider, among other factors, the availability of appropriations, when the program or project was last competed, OJP's strategic priorities, and OJP's assessment of both the management of the award (e.g., timeliness and quality of progress reports) and the progress of the work funded under the award.

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 [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of what may constitute substantial federal involvement.

### **Financial Management and System of Internal Controls**

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>3</sup>) must, as described in the Part 200 Uniform Requirements<sup>4</sup> as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is

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<sup>3</sup> For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards is listed under [What an Application Should Include](#), Section 4c of this solicitation.

<sup>4</sup> The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor [the recipient’s (and any subrecipient’s)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected PII and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand the applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available at <https://ojpfgm.webfirst.com/>. (This training is required for all OJP award recipients.)

Also, applicants should be aware that OJP collects information from applicants on their financial management and systems of internal controls (among other information), which is used to make award decisions. Under [Section D. Application and Submission Information](#), applicants may access and review a questionnaire—the [OJP Financial Management and System of Internal Controls Questionnaire](#)—that OJP requires **all** applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

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

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

Recipients and subrecipients who operate as BJS data collection agents that collect, receive, handle, maintain, transfer, process, store, or disseminate directly identifiable information in conjunction with the BJS-funded activities must have and maintain the appropriate administrative, physical, and technical safeguards in place to ensure that information systems are adequately secured and protected against unauthorized disclosure.

Specifically, BJS data collection agents are required to, as applicable—

- follow the [DOJ IT Security Rules of Behavior for General Users](#), which pertain to the use, security, and acceptable level of risk for DOJ systems and applications
- assess and secure information systems in accordance with [FISMA](#) (P.L. 107-347), which appears as Title III of the [E-Government Act of 2002](#) (P.L. 107-347)
- adhere to [NIST](#) guidelines to categorize the sensitivity of all data collected or maintained on behalf of BJS
- once the system has been categorized, secure data in accordance with the Risk Management Framework specified in [NIST SP 800-37 Rev. 1](#)
- employ adequate controls to ensure data are not comingled with any other dataset or product without written consent from BJS
- reduce the volume of directly identifiable information collected, used, or retained to the minimum necessary
- limit access to identifiable data to only those individuals who must have such access
- limit use of identifiable data to only the purposes for which it was approved
- log all computer-readable data extracts from databases holding sensitive information, and ensure each extract including sensitive data has been erased within 90 days or its use is still required
- ensure all contracts involving the processing and storage of PII comply with DOJ policies on remote access and security incident reporting
- complete data security and confidentiality trainings
- employ formal sanctions for anyone failing to comply with DOJ policy and procedures, in accordance with applicable laws and regulations.

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

## **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.

For additional information on cost sharing and match, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.3b.htm>.

### **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 page 2



of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

### **Limitation on Use of Award Funds for Employee Compensation; Waiver**

With respect to any award of more than \$250,000 made under this solicitation, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.<sup>5</sup> The 2018 salary table for SES employees is available on the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/exec/html/ES.aspx>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with nonfederal funds. (Nonfederal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

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

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

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

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at <https://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm>. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

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<sup>5</sup> OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed in Appendix VIII to 2 C.F.R. Part 200.



### **Costs Associated with Language Assistance (if applicable)**

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the “Civil Rights Compliance” section under [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#) in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

## **C. Eligibility Information**

For eligibility information, see the title page.

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

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

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

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJS has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative, and résumés/curriculum vitae of key personnel. For purposes of this solicitation, “key personnel” means principal investigator and any co-principal investigators.

**NOTE:** OJP has combined the Budget Detail Worksheet and Budget Narrative in a single document collectively referred to as the Budget Detail Worksheet. See “Budget Information and Associated Documentation” below for more information about the Budget Detail Worksheet and where it can be accessed.

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

Please review the “Note on File Names and File Types” under [How to Apply](#) to be sure applications are submitted in permitted formats.

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

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

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. On the SF-424, current OJP award recipients, when completing the field for "Legal Name" (box 8a), should use the same legal name that appears on the prior year award document (which is also the legal name stored in OJP's financial system.) Also, these recipients should enter the Employer Identification Number (EIN) in box 8b exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter its official legal name in box 8a, its address in box 8d, its EIN in box 8b, and its Data Universal Numbering System (DUNS) number in box 8c of the SF-424. A new applicant entity should attach official legal documents to its application (e.g., articles of incorporation, 501(c)(3) status documentation, organizational letterhead, etc.) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the [How to Apply](#) section for more information on SAM and DUNS numbers.

**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 program narrative should not exceed 40 double-spaced pages in 2-point font with 1-inch margins. If included in the main body of the program narrative, tables, charts, figures, and other illustrations count toward the 40-page limit for the narrative section. The project

abstract, table of contents, appendices, and government forms do not count toward the 40-page limit.

If the program narrative fails to comply with these length-related restrictions, BJS may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative:<sup>6</sup>

a. Statement of the Problem

- Discuss the goals and purposes of BJS's PREA-related surveys and how the NIS-4 will assist BJS in meeting congressional mandates.
- Demonstrate an understanding of the substantive issues that the NIS-4 will address and how the NIS-4 builds on past NIS collections.
- Demonstrate an understanding of the challenges associated with interviewing inmates.
- Demonstrate an understanding of the challenges in managing a complex data collection program with multiple interrelated surveys, from planning through dissemination of findings and survey data.

b. Project Design and Implementation

- Provide a project timeline that identifies project tasks and deliverables.
- Provide a set of plans and contingency plans to enhance the probability of successfully completing all aspects of the project.
- Demonstrate an awareness of potential pitfalls of the proposed tasks and challenges underlying the related deliverables, and the feasibility of proposed actions to minimize or mitigate them.
- Include plans to address nonresponse bias, missing data, weighting strategies, and standard error provisions for facility-, state-, and national-level estimation.
- Demonstrate an understanding of the array of estimates and different issues to be addressed in analytical reports.

c. Capabilities and Competencies

Demonstrate experience and success in—

- conducting surveys in custodial facilities and, in doing so, achieving high response rates, obtaining high quality data, and collecting and maintaining data confidentiality
- conducting an ACASI mode of data collection and demonstrated ability to develop efficient case management systems
- conducting an online mode of data collection in combination with a paper questionnaire for collecting administrative data from facilities to ensure high participation rates and low item nonresponse
- working with IRBs, research review committees, and the OMB to conduct data collections from human subjects.

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<sup>6</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#).

- d. Demonstrate experience and success in developing and implementing a data disclosure plan to ensure confidentiality of sensitive data collected under this project.

Within these sections, the project narrative should address—

- project goals and objectives
- review of relevant literature, including the PREA legislation and past NIS reports published by BJS
- management plan and organization
- data management plan.

All BJS-funded research requires the development of a data management plan that guides data management activities throughout the agreement and ensures the timely release of data and derived products after the project or task is completed. Applicants must include a preliminary (4-page limit) data management plan that explains how data products will be developed, documented, formatted, and delivered to BJS in a manner that ensures optimal utility. The recipient will coordinate with the BJS PM and an identified BJS data steward to develop a comprehensive data management plan that will be periodically reviewed and enhanced as the project progresses.

The data management plan for this project is expected to address the following, at a minimum:

- roles, rights, and responsibilities of all project participants
- expected data (as detailed in the tasks and deliverables) and metadata
- data formats, organization, and dissemination approach
- data retention and release timelines
- data security, confidentiality protection, and other policy requirements
- data archiving and preservation of access.

At project completion, all data and complete metadata descriptions must be provided to the BJS PM and BJS data steward. As detailed among the tasks and deliverables, BJS requires the recipient of an award under this solicitation to submit to the NACJD or data archiving agent (through the BJS PM) all datasets that result in whole or in part from the work funded by BJS. These submissions must include all associated files and any documentation necessary to allow others to reproduce the project's findings and extend the scientific value of the datasets through secondary analyses. In addition to the delivery of specific datasets and documentation detailed in the tasks and deliverables, all remaining datasets and necessary documentation should be submitted 60 days before the project period ends.

For more information, see the "Program Narrative" section of [What an Application Should Include](#). For information that BJS has previously agreed not to make publicly available for a period of time or that is undergoing review or may never be released due to data disclosure determinations, data will be placed in a secure area until the period of exclusivity or review has expired.

The application should include a statement certifying the applicant's understanding of and agreement to adhere to BJS's Data Management and Data Security Requirements.

- e. Plan for Collecting 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 (see “[General Information about Post-Federal Award Reporting Requirements](#)” in [Section F. Federal Award Administration Information](#)). 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](http://www.ojp.gov/performance) to view the specific reporting requirements for this grant program.

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.

| Objective   | Performance Measure(s)   | Data Recipient Provides   |
|---|--|---|
| Conduct survey management activities                                  | <p>Provides effective management as measured by the achievement of significant interim project milestones, meeting of final deadlines, and keeping costs within approved limits</p> <p>Number of deliverables completed on time</p> <p>Number of deliverables that meet expectations</p> | <p>A detailed project schedule</p> <p>Quarterly progress reports</p> <p>Provide documentation (approval from all appropriate IRBs and the OMB) that research has regulatory clearances to engage human subjects and conduct data collection</p> <p>Provide documentation to demonstrate staff training and that all appropriate protocols have been developed and tailored to facility/state requirements</p> |
| Develop ACASI instruments for inmate self-reports and facility survey | Develops instruments that are efficient, enhance participation, and minimize measurement error   | <p>An ACASI application that averages 30 minutes in length</p> <p>Instruments with fully functioning audio/text synchronization</p> <p>An online collection form that allows respondents to pause and submit, minimizes item nonresponse, and provides help screens as needed</p>   |

| Objective  | Performance Measure(s)   | Data Recipient Provides   |
|--|--|---|
| <p>Field the NIS-4 sexual victimization and addendum surveys and companion facility survey</p> | <p>Provide data that are comprehensive and accurate</p> <p>Achieve a 65% response rate for the NIS-4 sexual victimization file</p> <p>Achieve a 100% response rate for the NIS-4 facility survey</p> <p>Achieve a 95% item response rate for NIS-4 collections</p> | <p>An NIS-4 sexual victimization file that yield a minimum unit response rate of 65%</p> <p>An NIS-4 facility survey that yields a 100% response rate from facilities participating in the NIS-4 sexual victimization survey</p> <p>Data elements in all NIS-4 collections that meet a minimum item response rate of 95% or higher</p>  |
| <p>Deliver analytical data files and supporting documentation</p>                              | <p>Percentage of deliverables that meet expectations</p> <p>Percentage of deliverables completed on time</p>   | <p>Number of deliverables, as outlined in the deliverables section, that meet BJS's expectations for completeness, quality, and precision</p> <p>Number of deliverables, as outlined in the deliverables section, completed on time</p> <p>Completes the NIS-4 data collection within a target period of 18 months and all post-survey adjustments, calculated variables, and documentation for the sexual victimization survey within 3 months following data collection</p> |

| Objective  | Performance Measure(s)   | Data Recipient Provides   |
|--|--|---|
| Deliver other statistical products and analytical reports                                | <p>Percentage of deliverables that meet expectations</p> <p>Percentage of deliverables completed on time</p> <p>Percentage of data sources or elements that are shared</p> <p>Number of times BJS data are used or referenced in academic journals, publications and mass media outlets</p> <p>Content of reports is related to 1) the ranking of facilities, 2) the ranking of the states, 3) the listing of all publishable rates from participating facilities</p> <p>Ensure that the survey meets the data requirements of the Prison Rape Review Panel.</p> | <p>Number and percent of tables in three special reports that meet BJS's expectations for content, accuracy, and precision (without major revision)</p> <p>Of the statistical products and analytical reports delivered, the number that are shared</p> <p>Number of times BJS data are used or referenced in academic journals, publications and mass media outlets (BJS provides this data point)</p> <p>Content of reports ensures that the PREA statistical data requirements are met.</p> <p>Completes draft tables of reports within 4 months following data collection and release of first report as coauthors within 2 months after finalizing tables</p> <p>Analytical support for all statistical products and use of data files through end of the 48-month project</p> <p>Upon request, provides additional tables for high rate facilities while ensuring data confidentiality.</p> |
| Deliver data and documentation to the NACJD or other OJP designated data archiving agent | <p>Percentage of deliverables that meet expectations</p> <p>Percentage of deliverables completed on time</p>   | <p>Data disclosure analysis plans and implementation are completed on time and fully address disclosure risks</p> <p>All documentation to the NACJD or other OJP designated data archiving agent fully complies with</p>  |

| Objective | Performance Measure(s) | Data Recipient Provides   |
|-----------|------------------------|---|
|           |                        | archival standards, is complete, and requires minimal corrections on submission |

- f. Appendices (not counted against the program narrative page limitation) include—
- bibliography/references
  - any tools/instruments, questionnaires, tables/charts/graphs, or maps pertaining to the proposed project that are supplemental to such items included in the main body of the narrative
  - curriculum vitae or resumes of the principal investigator and all co-principal investigators. In addition, curriculum vitae, resumes, or biographical sketches of all other individuals (regardless of “investigator” status) who will be significantly involved in substantive aspects of the proposal (including, for example, individuals such as statisticians, survey methodologists, or analysts serving as consultants to conduct the proposed data collection and analyses).

**Note on Project Evaluations**

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

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

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the [“Requirements related to Research”](#) webpage of the [“Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards,”](#) available through the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that webpage.

**4. Budget and Associated Documentation**

The Budget Detail Worksheet and the Budget Narrative are now combined in a single document collectively referred to as the Budget Detail Worksheet. The Budget Detail Worksheet is a user-friendly, fillable, Microsoft Excel-based document designed to calculate totals. Additionally, the Excel workbook contains worksheets for multiple budget years that can be completed as necessary. **All applicants should use the Excel version when completing the proposed**



**budget in an application, except in cases where the applicant does not have access to Microsoft Excel or experiences technical difficulties.** If an applicant does not have access to Microsoft Excel or experiences technical difficulties with the Excel version, then the applicant should use the 508-compliant accessible Adobe Portable Document Format (PDF) version.

Both versions of the Budget Detail Worksheet can be accessed at <https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm>.

**a. Budget Detail Worksheet**

The Budget Detail Worksheet should provide the detailed computation for each budget line item, listing the total cost of each and showing how it was calculated by the applicant. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee paid with grant funds. The Budget Detail Worksheet should present a complete itemization of all proposed costs.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

**b. Budget Narrative**

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the budget narrative should describe costs by year.

**c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)**

Applicants for OJP awards typically may propose to make *subawards*. Applicants also may propose to enter into procurement *contracts* under the award.

Whether an action – for federal grants administrative purposes – is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply – many of which are set by federal statutes and DOJ regulations; others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The rules determine much of what the written subaward agreement itself must require or

provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <https://ojp.gov/training/training.htm>:

- [Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients.](#)
- [Checklist to Determine Subrecipient or Contractor Classification.](#)
- [Sole Source Justification Fact Sheet and Sole Source Review Checklist.](#)

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a *subaward* for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other nonfederal purposes, labels or treats its agreement as a procurement, contract, or procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a *subaward* or is instead a procurement *contract* under an award. The substance of the relationship should be given greater consideration than the form of agreement between the recipient and the outside entity.

## 1. Information on proposed subawards

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

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the Program Narrative, Budget Detail Worksheet, and Budget Narrative as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, the applicant should (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and

federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and Budget Narrative.

## **2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts of more than \$150,000)**

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and Budget Narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. All noncompetitive (sole source) procurement contracts must meet the OJP requirements outlined at <https://ojp.gov/training/subawards-procurement.htm>. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a noncompetitive approach for the procurement. An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2 C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source GAN. Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

### **d. Pre-Agreement Costs**

For information on pre-agreement costs, see [Section B. Federal Award Information](#).

## **5. Indirect Cost Rate Agreement (if applicable)**

Indirect costs may be charged to an award only if:

- (a) the recipient has a current (unexpired), federally approved indirect cost rate; or

- (b) the recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (unexpired) federally approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the Office of the Chief Financial Officer (OCFO) Customer Service Center at 1-800-458-0786 or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <https://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the “de minimis” rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both-- (1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The “de minimis” rate may no longer be used once an approved federally negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the “de minimis” rate.) For the “de minimis” rate requirements (including on eligibility to elect to use the rate), see the Part 200 Uniform Requirements, at 2 C.F.R. 200.414(f).

## **6. 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. The Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process.

The Questionnaire should only be completed by financial staff most familiar with the applicant’s systems, policies, and procedures in order to ensure that the correct responses are recorded and submitted to OJP. The responses on the Questionnaire directly impact the pre-award risk assessment and should accurately reflect the applicant’s financial management and internal control system at the time of the application. The pre-award risk assessment is only one of multiple factors and criteria used in determining funding. However, a pre-award risk assessment that indicates that an applicant poses a higher risk to OJP may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, withholding of award funds, or other additional award requirements.

Among other things, the form requires each applicant to disclose whether it currently is designated “high risk” by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant’s past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk
- The date the applicant was designated high risk
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address)
- The reasons for the high-risk status, as set out by the federal awarding agency.

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered “high risk” by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

## 7. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL) posted at <https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>. An applicant that does not expend any funds for lobbying activities is to enter “N/A” in the text boxes for item 10 (“a. Name and Address of Lobbying Registrant” and “b. Individuals Performing Services”).

## 8. Additional Attachments

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

- a. A Privacy Certificate and Human Subjects Protection Certification of Compliance must be completed for each project proposed in an application.
  - **Privacy Certification.** The Privacy Certificate is a funding recipient’s certification of compliance with federal regulations requiring confidentiality of information identifiable to a private person, which is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient’s Privacy Certificate includes a description of its policies and procedures to be followed to protect identifiable information. Applicants must specify in the Privacy Certificate the specific controls used to safeguard directly identifiable information against unauthorized disclosure. All project staff, including information technology personnel, subcontractors, and/or consultants, with access to identifiable data in conjunction with the BJS-funded activities are required to sign a Privacy Certificate to affirm their understanding of and agreement to comply with the terms of access and privacy requirements. Award recipients are responsible for maintaining an updated staff list of individuals with access to identifiable information and for ensuring that new staff who gain access to such information during the project period sign a Privacy Certificate. A model certificate is located at <https://www.bjs.gov/content/pub/pdf/bjsmpc.pdf>.

- **Human Subjects Protection Certification of Compliance.** BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets the federal requirements for human subjects protections set forth in 28 C.F.R. Part 46. A model certificate, describing the necessary information to be provided by the funding recipient, is located at <https://www.bjs.gov/content/hscr.cfm>.

**b. 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. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to State agencies that will subaward (“subgrant”) federal funds).

OJP seeks this information to help avoid inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or State funding agency.

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

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant’s Legal Name



on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application.”

**c. Research and Evaluation Independence and Integrity**

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

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

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

OR

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

a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

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

OR

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

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



#### **d. Disclosure of Process Related to Executive Compensation**

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

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

Each applicant nonprofit organization must state at the time of its application (question 9c in the "OJP Financial Management and System of Internal Controls Questionnaire" located at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> and mentioned earlier) whether the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

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

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

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

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

### **How to Apply**

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

**Important Grants.gov update.** Grants.gov has updated its application tool. The legacy PDF application package was retired on December 31, 2017. Grants.gov Workspace is now the standard application method for applying for grants. OJP applicants should familiarize themselves with the Workspace option now. For complete information and instructions on using Workspace (and other changes), go to the Workspace Overview page at <https://www.grants.gov/web/grants/applicants/workspace-overview.html>.

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

OJP strongly encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation at <https://www.grants.gov/web/grants/manage-subscriptions.html>. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for updates will be automatically notified.

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

**Note on Attachments:** Grants.gov has two categories of files for attachments: “mandatory” and “optional.” OJP receives all files attached in both categories. Attachments are also labeled to describe the file being attached (e.g., Project Narrative, Budget Narrative, Other, etc.) Please ensure that all required documents are attached in the correct Grants.gov category and are labeled correctly. Do not embed “mandatory” attachments within another file.

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

| Characters         |
|--------------------|
| Upper case (A – Z) |
| Lower case (a – z) |
| Underscore ( _ )   |
| Hyphen ( - )       |
| Space              |
| Period ( . )       |

| Special Characters |                   |                       |
|--------------------|-------------------|-----------------------|
| Parenthesis ( )    | Curly braces { }  | Square brackets [ ]   |
| Ampersand (&)*     | Tilde (~)         | Exclamation point (!) |
| Comma ( , )        | Semicolon ( ; )   | Apostrophe ( ' )      |
| At sign ( @ )      | Number sign ( # ) | Dollar sign ( \$ )    |
| Percent sign ( % ) | Plus sign ( + )   | Equal sign ( = )      |

**\*When using the ampersand (&) in XML, applicants must use the “&amp;” format.**

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

All applicants are required to complete the following steps:

**Unique Entity Identifier (DUNS Number) and System for Award Management (SAM)**

Every applicant entity must comply with all applicable System for Award Management (SAM) and unique entity identifier (currently, a Data Universal Numbering System [DUNS] number) requirements. SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. More detailed information about SAM and the DUNS number is in the numbered sections below.

If an applicant entity has not fully complied with the applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

**Applying as an Individual**

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

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

**Registration and Submission Steps**

- 1. Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management Budget requires every applicant for a federal award (other than an individual) to include a unique entity identifier in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout

the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at <https://www.dnb.com/>. A DUNS number is usually received within 1–2 business days.

- 2. Acquire or maintain registration with SAM.** Any applicant for an OJP award creating a **new** entity registration in SAM.gov must provide an original, signed notarized letter stating that the applicant is the authorized Entity Administrator before the registration will be activated. To learn more about this process change, read the FAQs at <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/sam-update>. Information about the notarized letter is posted at [https://www.fsd.gov/answer.do?sysparm\\_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm\\_search=kb0013183](https://www.fsd.gov/answer.do?sysparm_kbid=d2e67885db0d5f00b3257d321f96194b&sysparm_search=kb0013183).

All applicants for OJP awards (other than individuals) with current registration in SAM must maintain current registrations in the SAM database. Applicants will need the authorizing official of the organization and an Employer Identification Number (EIN). An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete (2 more weeks to acquire an EIN).

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

Information about SAM registration procedures can be accessed at [www.SAM.gov](http://www.SAM.gov).

- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's unique entity identifier (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Individuals registering with Grants.gov should go to <https://www.grants.gov/web/grants/applicants/registration.html>.
- 4. Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
- 5. Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.739 titled "National Prison Rape Statistics Program," and the funding opportunity number is BJS-2018-14106.
- 6. Access Funding Opportunity and Application Package from Grants.gov.** Select "Apply for Grants" under the "Applicants" column. Enter your email address to be notified of any

changes to the opportunity package before the closing date. Click the Workspace icon to use Grants.gov Workspace.

- 7. Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24-48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on June 14, 2018.

Go to <https://www.grants.gov/web/grants/applicants/organization-registration.html> for further details on DUNS numbers, SAM, and Grants.gov registration steps and timeframes.

#### **Note: Application Versions**

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

#### **Experiencing Unforeseen Grants.gov Technical Issues**

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov Customer Support Hotline at <https://www.grants.gov/web/grants/support.html> or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> to report the technical issue and receive a tracking number. The applicant must email the BJS contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

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

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)

- Failure to follow Grants.gov instructions on how to register and apply as posted on its website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility.

**Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.**

## **E. Application Review Information**

### **Review Criteria**

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

1. Statement of the Problem (20%)
  - a. Understanding the goals and purposes of BJS's PREA-related surveys and how the NIS-4 will assist BJS in meeting congressional mandates.
  - b. Understanding the substantive issues that the NIS-4 will address and how the NIS-4 builds on past NIS collections.
  - c. Understanding the challenges associated with interviewing inmates.
  - d. Understanding the challenges in managing a complex data collection program with multiple interrelated surveys, from planning through dissemination of findings and survey data.
2. Project Design and Implementation (30%)
  - a. Recognition of the project tasks and deliverables, and development of a set of plans and contingency plans to enhance the probability of successfully completing all aspects of the project.
  - b. Awareness of potential pitfalls of the proposed tasks and challenges underlying the related deliverables, and the feasibility of proposed actions to minimize or mitigate them.
  - c. Strength of plans to address nonresponse bias, missing data, weighting strategies, and standard error provisions for facility-, state-, and national-level estimation.
  - d. Understanding of the array of estimates and different issues to be addressed in analytical reports.
3. Capabilities and Competencies (30%)
 

Demonstrated experience and success in—

  - a. conducting surveys of inmates held in custodial facilities and, in doing so, achieving high response rates, obtaining high quality data, and collecting and maintaining data confidentiality.
  - b. conducting an ACASI mode of data collection and the ability to develop efficient case management systems.



- c. conducting an online mode of data collection in combination with a paper questionnaire for collecting administrative data from facilities to ensure high participation rates and low item nonresponse.
  - d. working with IRBs, research review committees, and the OMB to conduct data collections from human subjects.
  - e. developing and implementing a data disclosure plan to ensure confidentiality of sensitive data collected under this project.
4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (5%)
- a. Extent to which data collection plans for the performance measures are built into the project design and applicant's survey management systems.
  - b. Efficiency of the performance measure data collection plan.
5. Budget: Complete, Cost Effective, and Allowable (e.g., reasonable, allocable, and necessary for project activities) (15%) – 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.<sup>7</sup>
- a. Extent to which staff resources allocated in the budget are appropriate for the project objectives, tasks, and deliverables.
  - b. Demonstrated fiscal, management, staff, and organizational capacity to provide sound project management and to ensure completion of deliverables according to project timeline.
  - c. Use of existing resources to conserve costs.

### **Review Process**

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

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

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

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<sup>7</sup> Generally speaking, a reasonable cost is a cost that, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

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

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

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by the applicant. Among other things to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, (FAPIS)).

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

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

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

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



## F. Federal Award Administration Information

### Federal Award Notices

Award notifications will be made by September 30, 2018. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official (E-Biz POC and AOR). The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial; point of contact thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning and submission of the fully executed award document to OJP.

### Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions as well as all applicable requirements of federal statutes 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.

Applicants should consult the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#), available in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds (An applicant is not required to submit these documents as part of an application.)

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

The webpages accessible through the [Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#) are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

As stated above, BJS expects that it will make any award under this solicitation in the form of a cooperative agreement. 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.

1. The project will be funded as a cooperative agreement. The basis for using a cooperative agreement is BJS’s substantial involvement in providing information, guidance, and direction relative to special data collections and the development of statistical studies. BJS will exercise general approval over the entire project.
2. The award recipient will agree that no funds provided may be used to author or prepare reports, journal articles, speeches or studies, or other publications without the prior written approval of BJS, regardless of whether data used in the publications or other releases are publicly available.
3. BJS will retain all rights to exclusive use of data until BJS releases the public use dataset or restricted-use (Enclave only) dataset, which will be available at the NACJD (or the OJP designated data archiving agent). The award recipient will not be able to release or disclose any data collected through this cooperative agreement without prior written BJS approval. This includes, but is not limited to, presentations at professional conferences and meetings, press releases, and grant applications. BJS-protected data include all data collected by BJS for which BJS has not made a public release of data.
4. The award recipient will retain nonexclusive use of any methodological findings derived by the recipient from the project subject to the following condition: Only with the prior review and written comment by BJS, which includes mutual agreement on the representation of BJS’s methodologies, may the recipient publicly disclose its or BJS’s methodologies derived from the project prior to release of the dataset. Such review and comment period shall not exceed 45 days from receipt of the proposed publication. Any such disclosure of the recipient’s or BJS’s methodologies must be public in nature and contribute meaningfully to the development and/or advancement of social science research. Public disclosure may include, but is not limited to, presentations at professional conferences and meetings, articles appearing in widely distributed publications, and Internet postings or similar outlets that constitute a broad public release of the methodological information.

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

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

Data on performance measures. In addition to required reports, each award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any award recipient, post award, to provide performance data as part of regular progress reporting. Successful applicants will be required to access OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) to view the specific reporting requirements for this grant program.

## **G. Federal Awarding Agency Contact(s)**

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

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

## **H. Other Information**

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

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

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

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

## Provide Feedback to OJP

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

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

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

## Application Checklist

### National Inmate Survey (NIS-4) 2019-20 - Jails

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

#### What an Applicant Should Do:

##### *Prior to Registering in Grants.gov:*

\_\_\_\_\_ Acquire a DUNS Number (see page 43)

\_\_\_\_\_ Acquire or Renew Registration with SAM (see page 44)

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

\_\_\_\_\_ Acquire AOR and Grants.gov Username/Password (see page 44)

\_\_\_\_\_ Acquire AOR Confirmation from the E-Biz POC (see page 44)

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

\_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 44)

\_\_\_\_\_ Access Funding Opportunity and Application Package (see page 44)

\_\_\_\_\_ Sign up for Grants.gov Email [Notifications](#) (optional) (see page 42)

\_\_\_\_\_ 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](http://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) (see page 24)

##### *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 45)

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

\_\_\_\_\_ Contact BJS Regarding Technical Difficulties (see page 45)

#### 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/index.htm>

#### Scope Requirement:

\_\_\_\_\_ The federal amount requested is within the allowable limit of \$7 million.

**Eligibility Requirement:** See cover page.

#### What an Application Should Include:

\_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 26)

\_\_\_\_\_ Project Abstract (see page 26)

\_\_\_\_\_ Program Narrative (see page 26)

\_\_\_\_\_ Budget Detail Worksheet (see page 33)

\_\_\_\_\_ Budget Narrative (see page 33)

\_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 35)

\_\_\_\_\_ Financial Management and System of Internal Controls Questionnaire (see page 36)

|  |               |
|--|---------------|
| <u><a href="#">Disclosure of Lobbying Activities (SF-LLL)</a></u>                | (see page 37) |
| ____ Additional Attachments  |               |
| ____ Privacy Certification (if applicable)                                       | (see page 37) |
| ____ Human Subjects Protection Certification of Compliance (if applicable)       | (see page 38) |
| ____ Applicant Disclosure of Pending Applications                                | (see page 38) |
| ____ Research and Evaluation Independence and Integrity                          | (see page 39) |
| ____ Disclosure of Process Related to Executive Compensation                     | (see page 41) |
| ____ Request and Justification for Employee Compensation; Waiver (if applicable) | (see page 24) |