

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



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding to address the issue and impact of unsubmitted sexual assault kits (SAKs) at law enforcement agencies. This program furthers the Department's mission by improving: 1) state and local jurisdictions' capacities to respond to violent crime; and 2) the functioning of the criminal justice system, including the investigation and prosecution of cases related to SAKs' evidence and the collection of lawfully owed DNA.

## **National Sexual Assault Kit Initiative (SAKI) FY 2018 Competitive Grant Announcement**

**Applications Due: April 30, 2018**

### **Eligibility**

Eligible applicants for Purpose Areas 1, 2, 3, and 4 are state law enforcement agencies, units of local government, and federally recognized Indian tribal governments (as determined by the Secretary of the Interior), as well as governmental non-law enforcement agencies acting as their fiscal agents, and prosecutor's offices.

For Purpose Area 2, eligible applicants are limited to small law enforcement agencies with less than 250 sworn officers **or** consortia of small law enforcement agencies.

An applicant who previously received an award under the National Sexual Assault Kit Initiative (SAKI) is eligible to apply for funding under all purpose areas included in this solicitation. However, the applicant must:

- Clearly justify the need for additional funding support and detail how additional funding will enhance or expand its ability to address the issues associated with unsubmitted SAKs in its jurisdiction.
- Summarize progress and deliverables achieved under its current SAKI grant to date.
- Include in its application the plan and budget to complete an expanded inventory to include partially tested SAKs, if this has not already been done.

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

State or local crime laboratories may partner with the law enforcement agency or prosecutor's office that serves as the lead applicant but are not eligible to be lead applicants for this award.

**Crime labs seeking funding solely for DNA backlog elimination resources are encouraged to apply for the applicable grants managed by the National Institute of Justice (NIJ).** <https://www.nij.gov/topics/forensics/lab-operations/evidence-backlogs/Pages/backlog-reduction-program.aspx>.

BJA 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 and managing the entire program. The lead applicant must demonstrate the ability and commitment to establish and lead a multidisciplinary effort to successfully address the issues with unsubmitted sexual assault kits (SAKs) in their jurisdiction. 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.

## 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 April 30, 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, in order to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

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

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

## Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 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 a day, 7 days a week, except on federal holidays.

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline may email the BJA contact identified below **within 24 hours after the application deadline** to request approval to submit its application. Additional information on reporting technical issues appears under "Experiencing Unforeseen Grants.gov Technical Issues" in the [How To Apply](#) section.

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

For assistance with any unforeseen Grants.gov technical issues beyond an applicant's control that prevent it from submitting its application by the deadline, or any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center: toll-free at 800-851-3420; via TTY at 301-240-6310 (hearing impaired only); email [grants@ncjrs.gov](mailto:grants@ncjrs.gov); fax to 301-240-5830; or web chat at <https://webcontact.ncjrs.gov/ncjchat/chat.jsp>. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

Grants.gov number assigned to this solicitation: BJA-2018-13622

Release date: March 13, 2018

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# National Sexual Assault Kit Initiative (SAKI) CFDA #16.833

## A. Program Description

### Overview

SAKI supports the Department's criminal justice priorities of reducing violent crime and supporting law enforcement officers and prosecutors by: (1) providing jurisdictions with resources to address sexual assault kits (SAKs) in their custody that have not been submitted to a forensic laboratory for testing with Combined DNA Index System (CODIS)-eligible DNA methodologies; and (2) improving investigation and prosecution in connection with evidence and cases resulting from the testing process. In addition, SAKI will provide investigators with assistance in how to more effectively question subjects, which could provide stronger investigative leads and build stronger prosecutorial cases, which in turn could help solve more crimes.

In addition to unsubmitted SAKs, SAKI includes partially tested SAKs as defined below. This program is not directed at untested kits that have been submitted to forensic labs for testing with CODIS-eligible DNA methodologies but are delayed for testing for longer than 30 days, e.g., as a result of a backlog of work in the laboratory. These are separate and distinct issues, and a separate program supports laboratory backlogs and capacity.<sup>2</sup>

**Statutory Authority:** Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2018. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution"; no full-year appropriation for the Department has been enacted for FY 2018.

### Program-specific Information

SAKI, administered by BJA, is a competitive grant program that will provide funding to support multidisciplinary community response teams to inventory, track, and test previously unsubmitted SAKs (as defined below); produce necessary protocols and policies in support of improved coordination and collaboration among laboratories, police, prosecutors, and victim service providers; provide resources to address the sexual assault investigations and prosecutions that result from evidence and CODIS Hits produced by tested SAKs; and optimize victim notification protocols and services.

The causes of unsubmitted SAKs in the custody of law enforcement agencies can be attributed to a wide range of factors, including poor evidence tracking, outdated and ineffective investigation practices, misunderstanding of crime lab case acceptance policies, and lack of understanding among law enforcement entities about the value of testing kits in various types of cases.<sup>3</sup> Research identified the need for more trained investigative and prosecutorial resources

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<sup>2</sup> For more information on resources related to untested kits, see:

<http://nij.gov/topics/forensics/evidence/dna/pages/welcome.aspx>.

<sup>3</sup> Strom, Kevin J., Jeri Roper-Miller, Shelton Jones, Nathan Sikes, Mark Pope and Nicole Horstmann, The 2007 Survey of Law Enforcement Forensic Evidence Processing (pdf, 82 pages), Final Report,

to deal with the increased number of investigations and prosecutions resulting from testing a high number of previously unsubmitted SAKs, as well as the importance of linking victims to needed services. Thus, the critical needs around this issue extend well beyond testing kits and increasing crime lab capacity; SAKI also addresses the investigative and prosecutorial aspects of sexual assault cases that result from the testing of kits and the enhancement of the provision of victim services.

### **Definitions**

For purposes of this solicitation, the following are defined:

- A. **Sexual Assault Kit (SAK):** A set of items used by medical personnel for the preservation of physical evidence collected from a person, living or deceased, following an allegation or suspicion of sexual assault.
- B. **Unsubmitted SAKs:** SAKs that have not been submitted to a forensic laboratory for testing and analysis using CODIS-eligible DNA methodologies.
- C. **Inventory:** A detailed and descriptive list of articles or items (for purposes of this solicitation, SAKs) containing information such as, but not limited to: item identifiers, quantity, and location of the item.
- D. **Tracking:** The monitoring and accounting of SAKs through the course, or path, of their movement from collection through final disposition.
- E. **Reporting:** Delivering a written, detailed report to the appropriate entity within the prescribed time period and with the applicable data provided.
- F. **Lawfully owed DNA from convicted offender:** A DNA sample from a qualifying offender who should have their sample in CODIS (based on the type and time of the offense in relation to applicable state law), but from whom a sample has never been collected or submitted to a lab for testing.
- G. **Arrestee DNA:** DNA collected from an individual following arrest or charging.
- H. **ViCAP:** The Violent Criminal Apprehension Program (ViCAP) is a unit of the United States Federal Bureau of Investigation responsible for the analysis of serial violent and sexual crimes, organizationally situated within the Critical Incident Response Group's (CIRG) National Center for the Analysis of Violent Crime (NCAVC).
- I. **Partially Tested SAK:** A SAK that has only been subjected to serological screening, or that has previously been tested with non-CODIS eligible DNA methodologies (e.g. RFLP or DQAlpha). Partially tested kits are within the scope of the required inventory for SAKI.

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Washington, DC: U.S. Department of Justice, National Institute of Justice, October 2009, 228415; and Harvard Kennedy School Webinar: Taking on the Challenge of Unsubmitted Sexual Assault Kits, October 31, 2014.

### ***Essential Elements of a SAKI BJA Model***

Based on research findings and the recommendations of subject matter experts (SMEs), BJA implemented a national response model to address the issue of unsubmitted SAKs. The three essential elements of a comprehensive model to address the issues that underlie the problem of unsubmitted SAKs are as follows (hereafter referred to as the “BJA model”):

- 1. Inventory all unsubmitted SAKs** in the jurisdiction’s possession (as defined above) regardless of where they are stored (police evidence facility, hospital, and other relevant locations). Track their progress from testing through final adjudication. Partially tested SAKs (as defined above) must be included in the inventory. It is important for sites to capture all SAKs in their jurisdiction that have never been subjected to testing with CODIS-eligible DNA methodologies.
- 2. Create a multidisciplinary working group** that convenes regularly to address and identify the individual, organizational, and systemic factors that lead to high numbers of unsubmitted SAKs in the jurisdiction. Develop a comprehensive strategy to address the issue. This working group should be comprised of law enforcement (including superior officers and officers that respond to and investigate sexual assault complaints), forensic medical personnel (including sexual assault forensic examiners), forensic laboratory personnel, prosecutors, victim advocates (both system and community-based), and victim treatment providers. (Some jurisdictions may already have Sexual Assault Response Teams [SART] in place that could form the basis of the working group.)
- 3. Designate a site coordinator** who will serve as the central point of contact for the SAKI team, with the full support of the host agency. This individual and the host organization will be responsible for fostering and coordinating communication among the team members and ensuring that the team is meeting its milestones. The site coordinator must also demonstrate a willingness and commitment to institutionalize systems, policies, and protocols developed by the working group to address the backlog of unsubmitted SAKs and prevent the problem from reoccurring. The site coordinator must be a strong and knowledgeable leader who can work closely with the lead agency to ensure a coordinated effort amongst all SAKI team members, and is able to leverage the skills of their organization to support the work. They must be able to foster solid working relationships and hold all entities accountable for their role within the SAKI effort. The site coordinator does not need to be a sworn law enforcement officer, but prior experience working with law enforcement agencies, prosecutors, and victim advocates will be highly advantageous.

Site-based applicants should be aware that the SAKI National Training and Technical Assistance (TTA) Program provides direct assistance to jurisdictions that receive funding through SAKI, as well as other jurisdictions engaged in reform efforts. The TTA provider is charged with assisting jurisdictions in establishing sustainable change in practices, protocols, and policies, as they relate to untested SAKs and sexual assault response. While each jurisdiction encounters unique challenges and circumstances, common issues are identified across all site grantees. BJA collaborated with the TTA provider to produce an online toolkit and resource guide to provide assistance and a centralized source of evidence-based practices and relevant TTA resources that can be leveraged by all jurisdictions grappling with the challenge of untested SAKs: <https://sakitta.org/>.

### ***Program Requirements***

Applicants under Purpose Areas 1 and 2 will be required to track inventoried SAKs throughout the course of the award as part of their programmatic reporting requirements. Specifically, it will be expected that agencies will utilize an automated information technology system to track each SAK using an assigned unique identifier. The applicant must also identify the date upon which the state, tribe, or unit of local government would be barred by the applicable statute of limitations from prosecuting the person.

Grantees must attend the annual 2-day SAKI workshops for all recipient sites that will take place in the Washington, DC area. Key site team personnel (up to 3 representatives per site) will be expected to attend each annual meeting during the course of the grant period starting in 2019. The workshops will focus on the elements of a successful project and key issues around DNA and unsubmitted SAK evidence.

Applicants must clearly delineate the amount of funding requested for SAK testing and associated review and certification activities. As this grant program is intended to assist jurisdictions in developing a comprehensive approach to the issue of unsubmitted SAKs and sexual assault case response, BJA does not anticipate funding projects that propose allocating more than 50 percent of their grant funds to SAK testing.

All DNA analyses conducted as a result of this program must be performed by a laboratory (government-owned or fee-for-service) that is accredited and currently undergoes external audits not less than once every 2 years. These audits must demonstrate that the laboratory maintains compliance with the DNA Quality Assurance Standards established by the Director of the Federal Bureau of Investigation. All eligible DNA profiles obtained with funding under this program must be entered into CODIS and, where applicable, uploaded to the National DNA Index System (NDIS).

BJA suggests that no profiles generated during the testing portion of this program be entered into any non-governmental DNA database.

All DNA analyses conducted and profiles generated during the testing portion of this program must be maintained pursuant to all applicable federal privacy requirements, including those described in 34 U.S.C. § 12592(b)(3).

### ***ViCAP***

Effective FY 2018, successful applicants must also enter all “criteria cases” into ViCAP (before the end of the grant period) to increase the chances of identifying and apprehending violent serial offenders who pose a serious threat to public safety. Grantees should budget for 20 minutes per ViCAP entry, plus additional time for personnel to conduct searches for matches, follow-up on leads, etc. Funding for this activity can be supported under SAKI grants but must not exceed more than 10 percent of the total budget. Sites with high volumes of cases, who estimate requiring more than 10 percent of their award amount to meet this requirement, may be permitted by BJA to prioritize entry of cases into ViCAP based on the nature of the offender.



BJA has partnered with ViCAP, and ViCAP staff are available to assist sites in gaining entry into the system; provide training on optimal use of the database; and conduct crime analysis on specific offenders/cases upon request. Additionally, ViCAP has a designated SAKI analyst to directly assist our sites. For more information about ViCAP, including the definition of “criteria cases,” please refer to: <https://www2.fbi.gov/hq/isd/cirg/ncavc.htm#vicap>.

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

Funding under this solicitation is intended to help law enforcement and prosecutors address all of the challenges associated with unsubmitted SAKs and reduce the number of unsubmitted SAKs in their jurisdictions. This will give them the evidence and tools to solve and reduce violent crimes associated with sexual assault, while achieving the long-term goal of improving the criminal justice response to cases of sexual assault. The goal of SAKI is the creation of a coordinated community response that ensures just resolution to these cases, whenever possible, through a victim-centered approach and to build jurisdictions’ capacities to prevent the development of conditions that lead to high numbers of unsubmitted SAKs. This holistic program provides jurisdictions with resources to address their unsubmitted SAKs issue, including support to inventory, test, and track SAKs; create and report performance metrics; access necessary training to increase effectiveness in addressing the complex issues associated with these cases and engage in multidisciplinary policy development, implementation, and coordination; and improve practices related to investigation, prosecution, and victim engagement and support in connection with evidence and cases resulting from the testing process.

### **PURPOSE AREA 1: Comprehensive Approach to Unsubmitted Sexual Assault Kits. Competition ID: BJA-2018-13982**

Applicants must propose to implement a comprehensive approach to unsubmitted SAKs that includes all three elements of the BJA model, as outlined above. Funds may be requested to support other activities, as determined by the needs of the applicant’s jurisdiction. However, regardless of the proposed use of funds, applicants **must describe how their project will include all three** of the [BJA model](#)’s elements in their program plan.

#### **1. The inventory must:**

- Capture the following information (where possible):
  - Total number of SAKs and the locations where SAKs are currently stored.
  - Verification that all SAKs have been counted, not just particular categories of SAKs (e.g., those dating back a certain amount of time or housed in a particular location).
  - A written summary of the process used to conduct the inventory.
  - Specific types of information associated with each SAK:
    - The overall range of dates for which SAKs have been in the site’s possession (e.g., 02/12/1974 – 12/15/2013)
    - The age of the victim
    - The date of the offense
    - The date of SAK collection
    - The law enforcement incident number (or other unique identifier)
- Identify SAKs that may soon be affected by statute of limitations.

- Supplanting is not permitted. Site inventories **cannot** include any SAKs that were collected **after** the application date for this solicitation.

2. The **multidisciplinary working group** must meet regularly to:

- **Eliminate or reduce the existing number of unsubmitted SAKs** through increased testing initiatives and effect changes in practice, protocol, and organizational culture necessary to prevent unsubmitted SAKs from accumulating again in the future.
- **Improve training** to include cross-disciplinary training among group members to ensure all participants and disciplines are prepared to respond to the evidence emerging from unsubmitted SAKs in a victim-centered manner and improve the quality of responses to future reports of sexual assault. Such training should include instruction on the probative value of forensic evidence typically contained in SAKs, including its utility in developing investigatory leads, identifying suspects, and increasing the likelihood of successful prosecution of the case.
- **Implement and/or establish evidence-based, victim-centered protocols** and policies that address SAK evidence collection, testing, and tracking as well as victim engagement, notification, and support, including implementation of the National Protocol for Sexual Assault Medical Forensic Examinations (SAFE Protocol). Address the potential trauma to victims in reopening historic sexual assault cases to prevent re-victimization. Protocols should address the root causes that led to unsubmitted kit accumulation.
- **Strengthen victim advocacy resources** within the law enforcement agency and/or community-based advocacy organizations. This may include the creation of a victim advocate position within the agency, dedicated to victim engagement and notification, who can work with investigators as they pursue leads associated with evidence from previously unsubmitted SAKs. It could also include enhancing the crisis center's capacity to serve an increased number of victims with the unique advocacy and justice needs that arise when previously unsubmitted SAKs are tested.
- **Enter all "criteria cases" into ViCAP** to increase the chances of identifying and apprehending violent serial offenders who pose a serious threat to public safety.
- **Identify and allocate resources** (laboratory review, investigatory, prosecutorial, and advocacy) required to produce and follow up on all valid evidence resulting from the testing process.
- **Establish or implement processes** that prioritize the investigation and adjudication of SAKI cases.
- **Establish evidence tracking, case management, and victim notification** mechanisms that enhance accountability, transparency, and information sharing among different system users. These systems must enhance the jurisdiction's ability to manage and monitor the progress of kits through the evidence collection and testing process; provide enhanced case management capabilities that assist in case assignment, tiered supervisory review, and electronic case tracking; and provide victims with access to information about their cases.

BJA's minimum requirements for a tracking system are:

- Current number of SAKs collected in the jurisdiction, by calendar year.
- Unique SAK identification number, if available, from the SAK manufacturer.

- Law enforcement incident or case number associated with each kit.
- Current location of each kit (e.g., in evidence storage, at the crime laboratory, at another investigating agency, etc.).
- Submission and testing status of each kit (this should include dates of submission, to whom it was submitted, and whether testing is in progress or completed yes/no).
- Results of testing: DNA profile obtained, CODIS eligible Y/N, uploaded to CODIS (date of upload), CODIS hit returned, date and type of hit (to offender, to another case).
- Current status of the investigation case (open/active, closed, cleared by arrest, exceptional clearance) associated with each kit.
- **Leverage the data** gathered from the comprehensive testing process to improve the understanding of the nature and extent of the sexual assault problem in the community and to inform the creation of policy and programmatic interventions needed to respond.

3. The **site coordinator** must work on a regular basis with the BJA training and technical assistance (TTA) provider assigned to the site. The SAKI National TTA Program provides direct assistance to jurisdictions that receive funding through SAKI.

Applicants may also request funds in support of the following activities:

1. **Testing of SAKs**, to include outsourcing kits for testing and technical review of data/results, as well as tracking and reporting of performance metrics. If an applicant has already tested more than 75 percent of its SAKs, funding may be used to perform additional DNA testing including:
  - Y-STR testing for samples that fail to yield a CODIS-eligible profile but where male DNA was detected and a known suspect sample is available for direct comparison; complex mixtures where known suspect samples are available for direct comparison; or where a jurisdiction has already implemented a local Y-STR suspect database.
  - Testing of secondary evidence linked to SAKs that fail to yield probative results. This may include bedding, clothing, objects, and weapons.
2. **Identifying the challenges** related to outsourcing, technical review of data, and CODIS uploads of results produced by private labs, current in-house standard operating procedures that contribute to deficiencies in the DNA screening and testing process, and determining solutions to promote greater efficiency.
3. **Providing additional assistance** (not including laboratory equipment) that should include support for public labs' implementation of sustainable, automated, and streamlined SAK processing procedures to ensure long-term capacity and efficiency.
4. **Supporting personnel costs**, including hiring and overtime, to allow adequate follow up for investigations and prosecutions that result from evidence related to testing SAKs. This may include the establishment of cold case or sexual assault investigation units and the hiring of specialized victim advocates or victim treatment providers to engage in victim-centered notification, communication, and support activities.

5. **Purchasing of SAK evidence tracking systems, case management systems, or other technology** (not including laboratory equipment) to enhance investigation and/or prosecution capacity in relation to these cases as part of a holistic approach, as well as training on the new systems.
6. **Renovation of existing SAK storage facilities** (e.g., installing temperature and/or humidity controls) to ensure optimal preservation of evidence. Funding for this component must not exceed \$200,000.
7. **Addressing issue of expiration of statute of limitations** on SAKs; testing protocols; investigation practices; and policies and procedures related to previously closed cases that are subsequently reopened as a result of new evidence obtained through the SAK testing process.
8. **Supporting crime/intelligence analysis activities** and resources to help identify perpetrators. Funding may be used for overtime of existing departmental crime/intelligence analysts to support SAKI-related investigations or fee for service/outsourcing of crime analysis. Crime analysis activities under this program must be performed for the primary purpose of suspect identification. For example, investigations may benefit, when DNA profiles of either persons with a single or serial offenses yield no CODIS Hits, by using crime analysis to leverage the non-forensic information that is available (such as suspect physical description, geographical locations of the sexual assaults, and timeline of serial or related offenses) that could help identify the suspect(s). As previously stated, award recipients must enter all "criteria cases" into ViCAP by the end of the grant period and should budget accordingly.
9. **Establishing and supporting formal partnerships with researchers** to assess the data, support strong implementation fidelity, and evaluate the implementation process and outcomes associated with the jurisdiction's SAKI project. Such evaluation activity may focus on, but is not limited to, examination of the underlying causes of the jurisdiction's unsubmitted sexual assault kit issue; the effect of improved training for law enforcement, prosecution and victim advocacy professionals on case clearance rates, prosecution outcomes, and victim participation and satisfaction with the criminal justice process.

## **PURPOSE AREAS 1 and 2**

### ***Initial Planning and Inventory Period and Special Withholding Condition***

Each award recipient will have an initial period to complete its inventory; plan for testing, tracking, and uploading to CODIS; and devise a strategy to use the evidence in investigation and prosecution. The SAKI working group must identify what contributed to, and continues to drive, the volume of unsubmitted SAKs, and work with all relevant entities to develop and implement new policies and procedures to eliminate the issues.

Award recipients will have access of up to 25 percent of the funds during the initial planning phase. (Note: additional funds may be released under special circumstances for this phase but will require further documentation and BJA review and approval.) It is expected that the inventory will be completed within the first 6 months of the grant being awarded.

Certification of having completed the inventory must be approved by BJA (in consultation with the TTA provider) in order for award recipients to gain access<sup>4</sup> to the remainder of grant funds. Award recipients will have the opportunity to provide additional feedback, clarification, and data regarding their inventory and plans, if requested by BJA and/or the TTA provider. However, applicants should be aware that if, after a reasonable exchange of information and feedback, an inventory is not completed or the overall implementation plan for the SAKI strategy may not receive BJA approval, award recipients may not receive access to the remaining grant funds or an extension of their grant award.

During review of the implementation plan, award recipients will have an opportunity to address any issues or concerns in the revised implementation strategy. In this strategy, award recipients must ensure that the core elements of SAKI are in place; that they have collected appropriate data; and that there is a strong research or evidence base for proposed place-based programs or interventions.

If an unsubmitted SAK inventory has already been completed by the applicant jurisdiction, the applicant must provide information regarding the results of the inventory in the proposal and request funding for the tracking, multidisciplinary team, and site coordinator, as necessary. If an applicant has already completed an inventory of existing unsubmitted SAKs, certification of this inventory will be required prior to the release of additional funds. This certification requirement may be met through the inclusion of a certification letter signed by the applicant's chief executive officer. The certification letter should detail the results of the inventory and be included as an attachment with the application. BJA reserves the right to impose special conditions requiring revisions to the inventory and plan before approval and release of all funds.

### ***Program Requirements***

Award recipients must, on a monthly basis, report the number of SAKs reviewed and catalogued by working group members—including local, state, federal, and tribal law enforcement partners—to BJA via the TTA provider. BJA also encourages award recipients to make their aggregate inventory and tracking data available to the public to increase the transparency of their SAK testing and disposition processes.

### **PURPOSE AREA 2: SAKI for Small Agencies. Competition ID: BJA-2018-13983**

Under Purpose Area 2, applicants are expected to achieve the overall goals of SAKI but do not require extensive funding to support the three elements of the [BJA model](#). Applicants seeking funding under Purpose Area 2 **must** demonstrate efforts to form or maintain a multidisciplinary approach to addressing the SAK-related issues in their jurisdiction; establish partnerships where possible; ensure the coordination function is completed; and discuss how funding will help provide a sustainable solution to the problems associated with unsubmitted SAKs in the jurisdiction.

Applicants will need to establish:

- A point of contact (POC) who will coordinate activities with all key stakeholders.

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<sup>4</sup> Funds are withheld via a special condition on the award. Once BJA approves the implementation plan in writing, a Grant Adjustment Notice (GAN) will be processed in GMS to formally release the grant funds.

- A small working group comprising of a prosecutor, investigator, and community advocate (at a minimum).

To qualify for SAKI funding, applicants must propose to implement a comprehensive sexual assault response program plan that includes all three elements of the [BJA model](#): (1) inventory; (2) creation of a multidisciplinary working group; and (3) designated site coordinator. Funds may be requested to support the three major elements or for specific and discrete elements as determined by the applicant jurisdiction's needs. However, regardless of the proposed use of funds, applicants **must describe how their projects will include all three** of the BJA model's elements in their program plan, even if some will be addressed with other resources. For example, sites may request funding to:

- Complete an inventory
- Test kits
- Enhance an evidence tracking system
- Provide victim advocacy and victim centered notification
- Training
- Support overtime for investigators

See [additional information on planning and a special withholding condition](#).

**PURPOSE AREA 3: Expansion of DNA Databases to Assist with Sexual Assault Investigations and Prosecutions: Collection of Lawfully Owed DNA from Convicted Offenders and Arrestee DNA Collections. Competition ID: BJA-2018-13984**

In accordance with applicable state law and for the purpose of resolving sexual assault cases associated with previously unsubmitted SAKs, Purpose Area 3 addresses the identification, collection, and DNA profiling of samples from convicted offenders who should have samples in CODIS, but from whom samples have never been collected or submitted to a lab for testing.

BJA views the expansion of DNA databases as Phase 2 of a comprehensive approach to addressing sexual assault. As such, Purpose Area 3 should be undertaken only after a jurisdiction has made significant progress in eliminating its backlog of unsubmitted SAKs and made other significant policy and programmatic improvements. Specifically, applicants must provide certification that an inventory has been completed and documentation that the testing of previously unsubmitted kits identified in their jurisdictions has been completed or is near completion.

Applications are solicited to support activities associated with the collection of lawfully owed DNA samples (see definition above). DNA collection must be targeted to offenders who have a likelihood of being linked to cases associated with the jurisdiction's previously unsubmitted SAKs. For example, such individuals may have prior convictions for sex offenses or may have sex-related crimes documented in their criminal history. Upon completing the census of convicted offenders from whom DNA has not been collected, award recipients should review each person's criminal history and prioritize collection from any individual previously arrested, convicted, or subject to investigation for crimes related to sexual assault.

An expanded DNA database enables law enforcement to better identify persons convicted of violent and sex offenses who are involved in unsolved crimes, and who may reoffend after release.<sup>5</sup> Typically, eligible convicted offenders from whom DNA can lawfully be collected include those arrested, facing charges, or convicted of murder, sexual abuse, kidnapping, or other qualifying state offenses (see, e.g., The DNA Analysis Backlog Elimination Act of 2000: H.R. 4640, 34 USCA § 40701 et seq.). While it is crucial that unsubmitted SAKs are tested and all eligible profiles uploaded to CODIS, cases will remain unsolved unless the evidence profiles can be matched against convicted offenders' profiles. The absence of lawfully owed DNA samples in CODIS will likely result in missed opportunities to identify the perpetrators of crimes, including sexual assaults. For example, Michigan demonstrated the importance of lawfully owed DNA collections in 2011 when its Department of Corrections collected samples from 5,000 prisoners who had slipped through the cracks. As a result, subsequent DNA hits in CODIS were linked to 74 crimes, including 5 murders, 23 rapes, and 3 armed robberies.

For sites that have existing arrestee DNA collection laws, SAKI funds can be used to review, improve, and implement optimal collection protocols to ensure sample collection policies are being adhered to and that samples are being obtained from all eligible individuals for the purposes of CODIS upload.

**An applicant does not have to be an existing SAKI award recipient.** But the applicant must clearly demonstrate that its jurisdiction requires resources to support collection of lawfully owed DNA from convicted offenders and/or arrestees to facilitate the resolution of unsolved sexual assault cases linked to previously unsubmitted or untested SAKs.

An applicant's proposed plan under this purpose area must include the following elements:

- **Census of Convicted Offenders:** Applicants must commit to the performance of a census to identify eligible convicted offenders who could be linked with the jurisdiction's previously unsubmitted SAKs and who should have samples in CODIS, but from whom samples have never been collected or submitted to a lab for testing. Determining if a convicted person has a qualifying event that will allow his or her DNA profile to be uploaded to CODIS hinges on when the person was convicted, for what charge, and whether a DNA sample was required from the person on the date of conviction. Collection of DNA from convicted offenders under SAKI must be done in accordance with state law, including any relevant state statutes of limitations on collection, and award recipients must identify an attorney from the Attorney General's Office, District Attorney's office, or Criminal Justice Agency familiar with the state's DNA collection laws to provide legal advice for the project. If the award recipient also wishes to upload DNA from deceased convicted offenders to CODIS, it will need to cross-reference conviction information from the time of an inmate's or parolee's death with the law at the time of their death, and a court order may be required.

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<sup>5</sup> The focus of this program differs from NIJ's DNA Capacity Enhancement and Backlog Reduction Program, which funds states and units of local government with existing crime laboratories that conduct DNA analysis to process, record, screen, and analyze forensic DNA and/or DNA database samples, and to increase the capacity of public forensic DNA and DNA database laboratories to process more DNA samples, thereby helping to reduce the number of forensic DNA and DNA database samples awaiting analysis.

- **Census Details:** The census may cover the applicant’s specific jurisdiction, the state, or other defined area, but the scope and process of the census must be detailed as follows:
  - Identify the specific and appropriate agency that will conduct the census. This agency may be the state level Department of Corrections or Bureau of Prisons, Crime Laboratory, State or Local Criminal Justice Agency, or other entity with the appropriate authority, expertise, and data access.
  - Provide an estimated timeframe for the completion of the census, as well as describe how the agencies will coordinate their participation in this DNA collection initiative.
  - Describe the census methods that will be used to collect this information, the data resources that will be used to inform the census, and the demographic and offense-related data to be collected as part of the census process.
  
- **DNA Collection Plan:** In coordination with a legal advisor, applicants must formulate a DNA collection plan that will target the collection of DNA from convicted offenders who have a high likelihood of being linked to cases associated with the jurisdiction’s unsubmitted SAKs. As stated above, applicants should prioritize collection from offenders previously arrested, convicted, or subject to investigation for crimes related to sexual assault and from whom “owed” DNA samples have not been collected. The DNA collection plan should further describe how the site will prioritize collection efforts among offenders in prisons and jails, offenders under community supervision, others residing in the community with no supervision, and in rare cases, deceased individuals who might be linked to cases associated with previously unsubmitted SAKs. The plan should also describe the process for ensuring that the collection of DNA from each individual is authorized under existing law.
  
- **Existing Policies and Protocols:** Applicants must describe any existing protocols, or describe plans for developing a protocol, for notifying victims if and when lawfully owed DNA collected from convicted offenders identifies a potential suspect or links their case to others, and provide support and services to victims.
  
- **Identification of the SAKI Convicted Persons DNA Collection Coordinator:** The applicant must designate a specific individual as the SAKI convicted persons DNA collection coordinator and describe how this individual will work with the existing SAKI working group, local SART, etc. to ensure coordination of efforts, plan and perform DNA collections from convicted offenders to inform investigations and prosecutions of cases resulting from evidence provided by previously unsubmitted SAKs, and access criminal records and other sensitive law enforcement records. The collection coordinator will be responsible for overseeing all aspects of the project, including the census of convicted offenders; coordination with sexual assault investigators to prioritize convicted persons DNA collections; coordination of convicted persons DNA testing and CODIS upload; monitoring law enforcement agencies’ adherence to protocol(s) related to victim notification; coordinating victim services; tracking status of CODIS Hits and subsequent investigations and prosecutions that result; and reporting performance measures to BJA.



- **Prior Backlog Data:** Applicants should include data related to previous SAK backlog elimination efforts **or** if they currently have a SAKI project, include the number of SAK-related CODIS Hits in relation to the number of CODIS-eligible profiles uploaded to CODIS in total from tested SAKs, as well as information related to indictments or prosecutions associated with the SAKI project activities (where applicable). Please note that eligible applicants for Purpose Area 3 are not excluded from also applying to Purpose Areas 1 or 2 under this solicitation.
- **Arrestee DNA Collection Assessment:** For sites that have existing arrestee DNA collection laws, SAKI funds can be used to review, improve, and implement optimal collection protocols to ensure sample collection policies are being adhered to, and that samples are being obtained from all eligible individuals for the purposes of CODIS upload. Applicants seeking funds for these activities must provide information regarding current policies and protocols; estimated numbers of samples that are not being collected on an annual basis due to inadequacies with protocols, staffing, and resources; and a commitment from key stakeholders to address and correct these issues. Such stakeholders should include: law enforcement, booking station personnel, local/state crime laboratory, and prosecutors.

Applicants can also request funds in support of the following activities:

- Establish memoranda of understanding, subcontracts, or other required agreements with relevant participant agencies and organizations to execute the lawfully owed DNA collection initiative.
- Collect, test, and upload to CODIS lawfully owed DNA samples from those convicted offenders who are confirmed as not in CODIS and who could be connected with the applicant's unsubmitted and untested SAKs, including offenders currently incarcerated, collection from parolees, and testing of autopsy samples and exhumations as needed for deceased offenders (with proper court orders/authorizations). Award recipients will need to separately track the number of CODIS Hits that occur for convicted person DNA profiles.
- Support training, travel, and overtime for relevant personnel related to the collection and testing of convicted persons' DNA samples. For example, such costs might include travel to prisons throughout the state or travel to collect DNA from parolees.
- Support modification of the SAK evidence tracking system for arrestees' and/or convicted persons' samples. It is expected that some applicants may need to modify their existing SAKI/SAK evidence tracking systems for the purposes of tracking the collection, testing, CODIS upload, CODIS Hits, and subsequent investigations and prosecutions. Applicants must detail the necessary modifications for their tracking systems and the estimated cost and time frame for completion.

The testing of arrestees' and/or convicted persons' samples may be outsourced to an accredited laboratory or tested by the award recipient's local or state lab.

Award recipients must also work with BJA's SAKI TTA provider, which will provide assistance with regard to conducting the census and performing lawfully owed DNA collections and/or optimization of arrestee DNA collection protocols. The TTA provider will work with Purpose Area 3 award recipients to compile and issue a final summary report pertaining to the achieved outcomes.

**PURPOSE AREA 4: Investigation and Prosecution of Cold Case Sexual Assaults.  
Competition ID: BJA-2018-13985**

Applications are solicited to support the investigation and prosecution of high volumes of sexual assault cases that have resulted from testing backlogs of previously unsubmitted SAKs.

This funding is intended as enhancement funds for applicants that can clearly demonstrate their jurisdictions have previously addressed, or are currently effectively addressing, the major issues associated with unsubmitted SAKs. **Applicants do not have to be existing SAKI award recipients.**

Sites can apply to fund the following:

- **Personnel costs**, including hiring and overtime, to allow adequate follow up for investigations and prosecutions that result from evidence related to testing SAKs (including investigators, prosecutors, crime analysts, and administrative personnel).
  - This may also include the establishment of cold case or sexual assault investigation units and the hiring of specialized victim advocates or victim treatment providers to engage in victim-centered notification, communication, and support activities.
- **Training** in relation to sexual assault evidence collection, DNA technology, victimization and trauma response, and other related topics to improve the quality and outcomes of sexual assault investigations and prosecutions.
- **Enhancing victim services** and support for past and current victims of sexual assault, as well as the provision of mechanisms through which victims can easily access updated information about the status of their SAK or associated investigation and/or prosecution.
- **Travel costs** associated with victim engagement and/or suspect interviews or apprehension.

Under Purpose Area 4, applicants must establish partnerships where possible.

Sites will need to establish:

- A point of contact (POC) who will coordinate activities with all key stakeholders.
- A small working group comprised of a prosecutor, investigator, and community advocate (at a minimum).

If an unsubmitted SAK inventory has already been completed by the applicant jurisdiction, the applicant must provide information regarding the results of the inventory in their proposal. BJA reserves the right to place a special condition on awards where additional refinements or additions need to be made to inventory before release of funding.

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.

## **Evidence-based Programs or Practices**

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

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

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

The OJP CrimeSolutions.gov website at <https://www.crimesolutions.gov> is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

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

The Department of Justice 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 may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and sub-recipients 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**

BJA expects to make:

- Up to nine awards of up to \$3,000,000 each under Purpose Area 1
- Up to six awards of up to \$500,000 each for Purpose Area 2
- Up to five awards of up to \$1,000,000 each under Purpose Area 3
- Up to five awards of up to \$1,000,000 under Purpose Area 4

The total estimated amount awarded is up to \$40,000,000. BJA expects to make awards for a 3-year period of performance to begin on October 1, 2018.

As stated above, BJA does not anticipate funding projects under Purpose Areas 1 or 3 that propose allocating more than 50 percent of their grant funds to SAK and/or convicted persons

DNA testing. However, BJA's TTA provider will work with award recipients to attempt to secure additional non-BJA resources for the SAK testing component, if needed.

BJA 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 (for example, 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**

BJA expects to make any award under this solicitation in the form of a grant. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

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

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>6</sup>) must, as described in the Part 200 Uniform Requirements<sup>7</sup> as set out at 2 C.F.R. 200.303:

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

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<sup>6</sup> For purposes of this solicitation, the phrase "pass-through entity" includes any recipient or subrecipient that provides a subaward ("subgrant") to a subrecipient ("subgrantee") to carry out part of the funded award or program.

<sup>7</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.

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.

## **Budget Information**

### **Cost Sharing or Matching Requirement**

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

### **Pre-Agreement Costs (also known as Pre-award Costs)**

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

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs **before** submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on the title page of 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>8</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

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<sup>8</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.

greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal 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 Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the Budget Narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

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

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

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

[www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](http://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.

#### **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 title page.

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

## D. Application and Submission Information

### What an Application Should Include

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

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the application elements that BJA has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJA has designated the following application elements as critical: Program Abstract and Narrative, Budget Detail Worksheet and Budget Narrative, certification of and findings resulting from a completed unsubmitted SAK inventory, if applicable, and Letters of Commitment.

*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.
- Clearly state the SAK- and/or lawfully owed DNA-related issues in the jurisdiction; the need for funding; and a brief outline of the timeline and plan to resolve these issues. Identify the lead agency and any key partners. List names and positions of key staff, if known.

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

## 3. Program Narrative

The program narrative must respond to the review criteria in the order given. Applications are peer reviewed and scored on answers to the [review criteria](#).

The program narrative should be double-spaced, using standard 12-point font (Times New Roman is preferred) with 1-inch margins, and should not exceed 15 pages. Number pages "1 of 15," "2 of 15," etc. If the program narrative fails to comply with these length-related restrictions, BJA 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>9</sup>

- a. Statement of the Problem
- b. Project Design and Implementation, including goals and deliverables
- c. Capabilities and Competencies

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<sup>9</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. Plan for Collecting the Data Required for this Solicitation's Performance Measures

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award (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. The application should describe the applicant's plan for collection of all of the performance measures data listed in the table below under "Data Recipient Provides."

Post award, recipients will be required to submit quarterly performance metrics through BJA's online Performance Measurement Tool (PMT), located at [bjapmt.ojp.gov](http://bjapmt.ojp.gov). Applicants should review the complete list of BJA Sexual Assault Kit Initiative performance measures at: [https://bjapmt.ojp.gov/help/BJASAKIMeasures2\\_NOV2016.pdf](https://bjapmt.ojp.gov/help/BJASAKIMeasures2_NOV2016.pdf).

BJA has developed specific measures that will be made available to award recipients, and purpose Areas 2 and 4 recipients will only have to complete PMT questions that pertain to the activities that area funded under SAKI.

BJA does not require applicants to submit performance measures data with their application. Performance measures information is included as an alert that BJA will require successful applicants to submit performance data as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

#### **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/Explore/SolicitationRequirements/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 non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a *subaward* or is instead a procurement *contract* under an award. 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 over \$150,000)**

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (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 non-competitive approach for the procurement. An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition.

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. 200.318-320, 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 Grant Adjustment Notice (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 additional eligibility requirements, please see Part 200 Uniform Requirements, as set out at [https://www.ecfr.gov/cgi-bin/text-idc?node=se2.1.200\\_1414&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idc?node=se2.1.200_1414&rgn=div8).

**6. Tribal Authorizing Resolution (if applicable)**

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should include appropriate legal documentation, as described above, from all tribes that would

receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

## **7. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. 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).

## **8. 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”).

## 9. Additional Attachments

### a. Unsubmitted SAK Inventory Certification (if applicable):

If an unsubmitted SAK inventory has already been completed by the applicant jurisdiction, the applicant must provide a certification letter signed by the applicant’s chief executive officer. The certification letter should detail the results of the inventory.

### b. Letters of Commitment

Applicants to **all** purpose areas must submit signed letters of commitment from the agency or agencies that possess unsubmitted SAKs, the crime laboratory that provides DNA services to the law enforcement agency (not required if outsourcing to a private lab), the prosecutor’s office, and a community-based victim services organization stating its commitment to the project as presented in the application. Applicants applying under Purpose Area 3 must include a letter of support from the Department of Corrections or Bureau of Prisons, or Probation Office, medical examiner/coroner (as applicable) or other agency in their jurisdiction or state whose participation will be required to successfully implement a lawfully owed convicted persons DNA collection initiative. The letters **must** be included in the application to be considered for funding.

### c. Applicant Disclosure of SAK Testing Projects

All applicants must disclose all existing federal grant-funded SAK testing projects (including any funding the crime lab may receive from NIJ that may be used for the purposes of testing or processing of SAK evidence) and must explain why additional funding is necessary. Throughout the course of the project, applicants must continue to document how the SAKI funding will be coordinated, tracked separately from any other funding (including NIJ’s DNA Capacity Enhancement and Backlog Reduction Program), and not duplicate other current grant funded projects.

### d. Timeline

Include a comprehensive timeline that identifies milestones, numerically listed deliverables, and who is responsible for each activity (provide title and agency). Please note, as applicable, that any inventory activity is expected to be completed within 6 months of the grant funding being made available to award recipients.

### e. Position Descriptions and Résumés

Include position descriptions and résumés for key project personnel and multidisciplinary team members.

### f. 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 any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above 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

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

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 in this application.”

**g. 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 must 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.

#### **h. 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 or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or

invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

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

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

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

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

### **How To Apply**

Applicants must register in and submit applications through Grants.gov, a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <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 a 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 has been phased out and 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.

## Registration and Submission Steps

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

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.** All applicants for OJP awards (other than individuals) 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>.
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 16.833 titled National Sexual Assault Kit Initiative," and the funding opportunity number is BJA-2018-13622.
- 6. Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.

Purpose Area 1: Comprehensive Approach to Unsubmitted Sexual Assault Kits.

Competition ID: BJA-2018-13982

Purpose Area 2: SAKI for Small Agencies.

Competition ID: BJA-2018-13983

Purpose Area 3: Expansion of DNA databases to Assist with Sexual Assault Investigations and Prosecutions: Collection of Lawfully Owed DNA from Convicted Offenders and Arrestee DNA Collections.

Competition ID: BJA-2018-13984

Purpose Area 4: Investigation and Prosecution of Cold Case Sexual Assaults.

Competition ID: BJA-2018-13985

- 7. Access Funding Opportunity and Application Package from Grants.gov.** Select "Apply" under the "Actions" 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.
- 8. 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 April 30, 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 contact identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties, and must include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s).

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

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or Grants.gov in sufficient time (SAM registration and renewal can take as long as 10 business days to complete. The information transfer from SAM to Grants.gov can take up to 48 hours.)
- Failure to follow Grants.gov instructions on how to register and apply as posted on its website
- Failure to follow each instruction in the OJP solicitation
- Technical issues with the applicant's computer or information technology environment, such as issues with firewalls or browser incompatibility.

**Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP Funding Resource Center 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, with different weight given to each based on the percentage value listed after each individual criterion. For example, the first criterion, "Statement of the Problem," is worth 15 percent of the entire score in the assessment of the application's technical merit.

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

For the relevant purpose area, describe generally the need for funding, including available resources and gaps.

For Purpose Area 1, provide an overview of the current nature and extent of unsubmitted SAKs, and the history and causes of this problem. Discuss the gaps in current processes and protocols that the applicant intends to address with a grant to inventory, track, test previously unsubmitted SAKs, and implement the elements of the [BJA model](#). As part of the application, provide information regarding the extent of unsubmitted evidence that has yet to be submitted to a crime laboratory in as great detail as possible.

For Purpose Area 2, provide an overview of the current nature and extent of unsubmitted SAKs, as well as current efforts and resources to address the problem. Describe generally the need for resources among local jurisdictions in an effort to achieve results as described in this grant announcement. Describe and provide information regarding the extent of unsubmitted evidence that has yet to be submitted to a crime laboratory in as great detail as possible. Describe how need, capacity, and scope may differ from the [BJA model](#) that informs the applicant's proposed approach.

For Purpose Area 3, provide an overview of the current need for lawfully owed DNA collections from qualifying offenders (arrestee and/or convicted) and how the applicant intends to utilize grant funds to conduct a census of, track, and test previously uncollected convicted person samples. In particular, the applicant must describe the current issues associated with uncollected convicted offender samples impacting the ability to resolve untested SAK cases in their jurisdiction. The applicant must also describe any existing policies related to lawfully owed DNA collections, and detail partnerships necessary to ensure the initiative's success.

Provide information regarding the extent of uncollected DNA samples in as great detail as possible. The applicant must describe the existing legislation and policies governing the lawfully owed DNA collection process, and clearly describe how the project will adhere to and operate within the constraints of current state legislation. The applicant must also outline the categories of eligible convicted offenders from whom it could legally collect DNA for the purposes of CODIS upload.

Applicants must provide performance metrics or empirical data that illustrate this activity's anticipated positive impact on sexual assault case investigations and prosecutions in the jurisdiction, as well as documentation of the legislative and statutory authorities that will authorize and guide the project's implementation. Such information might include documentation of an existing time gap between the date of enactment of the jurisdictions' governing convicted persons DNA collection laws and the date on which the jurisdiction's unsubmitted SAKs were collected; a data-based estimate of the number of CODIS Hits projected as a result of lawfully owed DNA collection activities; performance data collected from their ongoing SAKI project that illustrates that a high number of SAKs have been tested but have yielded a low number of CODIS Hits; the estimated number of convicted offenders currently incarcerated, paroled or deceased, and from whom DNA has not been collected; and the number of CODIS-eligible profiles obtained from previously backlogged/unsubmitted SAKs and the number of CODIS Hits achieved as a result.



For Purpose Area 4, provide an overview of the current issues with investigating and prosecuting cases associated with sexual assault and generally describe the need for funding in an effort to achieve results. Describe and provide information regarding the extent of sexual assault cases that are yet to be investigated or prosecuted due to resource issues. Document how the applicant's jurisdiction has already addressed or prevented any issue related to untested SAKs.

## **2. Project Design and Implementation (40 percent)**

For Purpose Area 1, applicants must detail how they will address the three required elements of the [BJA model](#). The holistic project design must include detailed information on the applicant's plan to inventory, track, and test previously unsubmitted SAKs; produce necessary protocols and policies in support of improved coordination and collaboration among laboratories, police, prosecutors, and victim service providers in response to emergent evidence and casework; prioritize SAK testing and results, taking into consideration statute of limitations issues; describe the resources required to comprehensively address the sexual assault investigations and prosecutions that result from evidence and CODIS Hits produced by tested SAKs; and support and optimize victim notification protocols and services.

Applicants must clearly detail the expected or established structure of the multidisciplinary working group; include a list of key team members from each participating agency (one from each agency); and describe the role of each team member. Applicants should identify the lead agency for this effort and outline its role and the plan for coordination among agencies. The applicant must identify and delineate the role and activities of the site coordinator who will serve as the central point of contact for the working group.

Applicants must detail how they will implement the deliverables listed in the [Program-specific Information](#) section. Applicants should detail how they will work with specific law enforcement entities, victim advocacy organizations, and other stakeholder groups within their jurisdictions to ensure new policies and procedures are implemented that prevent future reoccurrence of unsubmitted SAKs and that focus on a victim-centered approach to sexual assault evidence collection, testing, investigation, and prosecution.

For Purpose Area 2, applicants must detail how funding will be used to address targeted activities associated with unsubmitted SAKs; how they will develop a multidisciplinary approach to address current issues; and how they will prevent unsubmitted SAKs-related issues from occurring in the future.

Applicants must detail how they will address the three required elements of the [BJA model](#) in order to implement a holistic victim-centered approach to the current issues associated with unsubmitted SAKs in their jurisdiction, with modifications to address local need, capacity, and scope. The project design must include information on the applicant's plan to inventory, track, and test previously unsubmitted SAKs; any protocols and policies in support of improved coordination and collaboration among laboratories, police, prosecutors, and victim service providers in response to emergent evidence and casework; any plans to prioritize SAK testing and results, taking into consideration statute of limitations issues;

resources to support sexual assault investigations and prosecutions that result from evidence and Combined DNA Index System (CODIS) Hits produced by tested SAKs; and victim notification protocols and services. BJA encourages innovative approaches and collaborations across jurisdictions to maximize capacity and fidelity to the [BJA model](#) while making refinements to reflect local differences.

Applicants must clearly detail the partners and their specific roles, as well as the lead agency for this effort and outline its role, and the plan for coordination among agencies. The applicant must identify and delineate the role and activities of the point of contact who will serve as the central point of contact for the working group. This person may be funded part or full time, or in kind.

Applicants must detail which of the activities and deliverables listed in the [Program-specific Information](#) section will be addressed with this proposal for funding. Overall, the proposal and related policies, procedures, and activities implemented must prevent future reoccurrence of unsubmitted SAKs and focus on a victim-centered approach to sexual assault evidence collection, testing, investigation, and prosecution.

For [Purpose Area 3](#), applicants must briefly detail how they have addressed or are currently addressing the three required elements of the [BJA model](#) in order to implement a holistic victim-centered approach to the current issues associated with unsubmitted SAKs in their jurisdictions.

Applicants must detail the need for lawfully owed DNA collections in their jurisdiction and/or improvement of Arrestee DNA protocols, and how such efforts would help increase the chances of providing resolution to unsolved sexual assault cases linked to previously unsubmitted or untested SAKs.

Applicants must detail how they will implement the deliverables listed in the [Program-specific Information](#) section. Applicants should detail how they will work with specific law enforcement entities, Department of Corrections or Bureau of Prisons, and other stakeholder groups within their jurisdictions to ensure new policies and procedures are implemented that ensure timely collection and upload to CODIS of DNA samples, and that also prevent future reoccurrence of the problem.

The applicant must determine if the convicted persons DNA collection coordinator must be a sworn law enforcement officer, based upon agency operational and legislative requirements. This role could be filled by one of the existing SAKI working group members; if this is the case, the application must detail how the designated individual will perform all relevant SAKI-related tasks. The applicant must detail how the convicted persons DNA collection coordinator will work with the SAKI working group to identify convicted offenders from whom DNA should be collected.

In presenting their project's implementation plan, applicants must outline the current state legislation and policies governing lawfully owed DNA collection from convicted individuals; identify an individual who will act as the SAKI convicted persons DNA collection coordinator;

and commit to conducting a comprehensive census of convicted persons to inform their collection strategy, including:

1. Modification of SAK/SAKI evidence tracking system for samples collected:
  - a. It is expected that applicants modify their existing SAK/SAKI evidence tracking system for the purposes of tracking the collection, testing, CODIS upload, CODIS Hits, and subsequent investigations/prosecutions.
  - b. Applicants must detail the necessary modifications that will be made to their tracking systems and the estimated timeframe for completion.
2. Timeline for performing census, collections, testing, and upload to CODIS.
3. How resultant CODIS Hits will be handled and leads investigated, particularly those hits pertaining to evidence from SAKs tested under SAKI. Applicants must detail how the collection coordinator will work with the SAKI working group to coordinate these efforts.
4. How the collection coordinator and the SART/SAKI working group will develop new policies and procedures to ensure this problem does not occur again.

For Purpose Area 4, applicants must detail how funding will be used to address targeted activities associated with the investigation and prosecution of high volumes of sexual assault cases that have resulted from testing backlogs of previously unsubmitted SAKs, and how applicants will prevent similar issues from occurring in the future.

The project design must include information on the applicant's plan to investigate and prosecute sexual assault cases; any protocols and policies in support of improved coordination and collaboration among laboratories, police, prosecutors, and victim service providers in response to emergent evidence and casework; any plans to prioritize SAK investigation and prosecution, taking into consideration statute of limitations issues; as well as to support and optimize victim notification protocols and services.

Applicants must clearly detail the partners and their roles, the lead agency for this effort and outline its role, and the plan for coordination among agencies. The applicant must identify and delineate the role and activities of the coordinator who will serve as the central point of contact for the site team. This person may be funded part or full time, or in kind.

### **3. Capabilities and Competencies (25 percent)**

For Purpose Area 1, fully describe the capabilities and competencies of the staff assigned to achieve the program goals and deliverables, including the selected site coordinator and any subawardees. The applicant must demonstrate capacity to develop and implement new policies and procedures within their jurisdiction, and collaborate with various stakeholders from the forensic, law enforcement, and victim advocacy communities to improve law enforcement's management of, and response to, crimes of sexual assault.

Applicants should identify and fully describe the qualifications of the site coordinator and host agency.

For Purpose Area 2, fully describe the capabilities and competencies of the staff assigned to achieve the program goals, objectives, and deliverables. The applicant must demonstrate capacity to collaborate with various stakeholders from the forensic, law enforcement, and victim advocacy communities to improve law enforcement's management of, and response to, crimes of sexual assault.

Applicants should identify and fully describe the qualifications of the site coordinator and host agency.

For Purpose Area 3, fully describe the capabilities and competencies of the staff assigned to achieve the program goals and deliverables, including the selected site convicted persons DNA collection project coordinator. The applicant must demonstrate capacity to develop and implement new policies and procedures within their jurisdiction; collaborate with various stakeholders from the forensic, law enforcement, and corrections communities to improve law enforcement's ability to collect DNA from persons at risk for committing serious and violent crimes; and use the resulting information to help resolve cases associated with previously unsubmitted SAKs.

Applicants should identify and fully describe the qualifications of the collection coordinator and host agency.

For Purpose Area 4, fully describe the capabilities and competencies of the staff assigned to achieve the program goals and deliverables. The applicant must demonstrate capacity to collaborate with various stakeholders from the forensic, law enforcement, and victim advocacy communities to improve law enforcement's management of, and response to, crimes of sexual assault.

Applicants should identify and fully describe the qualifications of the site coordinator and host agency.

#### **4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10 percent)**

For all four purpose areas, describe the process for measuring project performance. Identify who will collect the data, who is responsible for performance measurement, and how the information will be used to guide and assess the program.

Applicants should also describe the methods they will use for tracking and reporting required information regarding unsubmitted SAKs.

For Purpose Area 3, applicants should also describe the methods they will use for tracking and reporting required information regarding collected and lawfully owed convicted persons' DNA samples.

#### **5. Budget (10 percent)**

For all purpose areas, provide a proposed budget for the entire project period that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for

project activities). Budget narratives should generally demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to the goals of the project.<sup>10</sup>

Funding should include costs for travel for BJA-required events noted in the solicitation.

Existing SAKI award recipients must provide information on current unobligated SAKI funds and detail why additional funding is needed.

For Purpose Areas 1 and 2, provide an estimate of the amount of funds that will be allocated for SAK testing to include: actual testing costs, estimated expert testimony fees, and costs associated with review of outsourced lab data and CODIS upload.

For Purpose Area 3, provide an estimate of the amount of funds that will be allocated for convicted persons DNA testing to include: actual testing costs and costs associated with review of outsourced lab data and CODIS upload.

### **Review Process**

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

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

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

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

Peer review panels will evaluate, score, and rate applications that meet basic minimum requirements. BJA 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

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<sup>10</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.

recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for BJA include geographic diversity, strategic priorities, prior performance and available funding, as well as the extent to which the Budget Detail Worksheet and Budget Narrative accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by 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, FAPIIS).

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

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

1. Applicant financial stability and fiscal integrity
2. Quality of the 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 Assistant Attorney General, who may take into account not only peer review ratings and BJA recommendations, 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 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.

### **General Information about Post-federal Award Reporting Requirements**

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

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

Award recipients must, on a monthly basis, report the number of SAKs reviewed and catalogued by working group members, including local, state, federal, and tribal law enforcement partners to BJA. It is expected that the inventory will be completed within the first six months of the grant being awarded. SAKI award recipients will also be encouraged to make their aggregate inventory and tracking data available to the public to increase the transparency of their SAK testing and disposition processes.

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 web site 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 Contacts**

For OJP Contacts, see title page.

For contact information for Grants.gov, see 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.

## Appendix: Application Checklist FY 2018 National Sexual Assault Kit Initiative (SAKI)

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 37)
- \_\_\_\_\_ Acquire or renew registration with SAM (see page 37)

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

- \_\_\_\_\_ Acquire AOR and Grants.gov username/password (see page 37)
- \_\_\_\_\_ Acquire AOR confirmation from the E-Biz POC (see page 37)

#### *To Find Funding Opportunity:*

- \_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 38)
- \_\_\_\_\_ Select the correct Competition ID (see page 38)
- \_\_\_\_\_ Access Funding Opportunity and Application Package (see page 38)
- \_\_\_\_\_ Sign up for Grants.gov email [notifications](#) (optional) (see page 36)
- \_\_\_\_\_ Read [Important Notice: Applying for Grants in Grants.gov](#)
- \_\_\_\_\_ Read OJP policy on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](https://ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm) (see page 22)

#### *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 38)
- \_\_\_\_\_ *If No Grants.gov Receipt, and Validation or Error Notifications are Received:* (see page 38)

### 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(s) of up to \$3,000,000 each for Purpose Area 1, \$500,000 each for Purpose Area 2, and \$1,000,000 each for Purpose Areas 3 and 4.

**Eligibility Requirement:** See [title page](#).

## What an Application Should Include:

_____	Application for Federal Assistance (SF-424)	(see page 23)
_____	Project Abstract	(see page 24)
_____	Program Narrative	(see page 24)
_____	Budget Detail Worksheet	(see page 26)
_____	Budget Narrative	(see page 26)
_____	Indirect Cost Rate Agreement (if applicable)	(see page 29)
_____	Tribal Authorizing Resolution (if applicable)	(see page 29)
_____	Financial Management and System of Internal Controls Questionnaire	(see page 30)
_____	<a href="#">Disclosure of Lobbying Activities (SF-LLL)</a>	(see page 30)
_____	Additional Attachments	
_____	Applicant Disclosure of Pending Applications	(see page 31)
_____	Research and Evaluation Independence and Integrity	(see page 32)
_____	Disclosure of Process related to Executive Compensation	(see page 34)
	Inventory certification (if applicable)	
	Letters of commitment	
	Applicant disclosure of SAK testing project	
	Timeline	
	Position descriptions and résumés	
_____	Request and Justification for Employee Compensation; Waiver (if applicable)	(see page 21)