

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



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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is seeking applications for the Firearm Inquiry Statistics (FIST) Program, 2018-21. As the primary source for criminal justice statistics in the United States, BJS is responsible for the collection, analysis, publication, and dissemination of statistical information on the operations of criminal justice systems at all levels of government. This program furthers the Department's mission of reducing violent crime and promoting public safety by providing a comprehensive summary of firearm background check data, national estimates of the total number of firearm purchase applications received and denied, and reasons for denial.

## **Firearm Inquiry Statistics (FIST) Program, 2018-21 Applications Due: July 9, 2018**

### **Eligibility**

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

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

BJS welcomes applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees).<sup>1</sup> The applicant must be the entity that would have primary responsibility for carrying out the award, including administering the funding and managing the entire project. 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.

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

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

## 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 July 9, 2018.

To be considered timely, an application must be submitted by the application deadline using Grants.gov, and the applicant must have received a validation message from Grants.gov that indicates successful and timely submission. OJP urges applicants to submit applications at least 72 hours prior to the application due date, to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

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

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

## Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at <https://www.grants.gov/web/grants/support.html>, or at [support@grants.gov](mailto:support@grants.gov). The Grants.gov Support Hotline operates 24 hours 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 must email the BJS contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline. Additional information on reporting technical issues appears under “Experiencing Unforeseen Grants.gov Technical Issues” in the [How To Apply](#) section.

For assistance with any other requirements of this solicitation, contact Connor Brooks, BJS Statistician, by telephone at 202-307-0765, or by email at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include “FIST 2018” in the subject line.

Grants.gov number assigned to this solicitation: BJS-2018-14400

Release date: May 23, 2018

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# Firearm Inquiry Statistics (FIST) Program, 2018-21 (CFDA #16.734)

## A. Program Description

### Overview

The Bureau of Justice Statistics (BJS) seeks applications for the administration of the Firearm Inquiry Statistics (FIST) Program, which will cover 2018-21 calendar years as reference years. Consistent with the Attorney General's stated commitment to reducing violent crime and promoting public safety, the FIST program provides national estimates of the total number of firearm purchase applications received and denied pursuant to the Brady Act and state laws. FIST collects counts of firearm transfer applications and permit checks conducted by state and local agencies and combines them with FBI National Instant Criminal Background Check System (NICS) transaction data. The program also collects information on reasons for denials, appeals of these denials, and law enforcement actions the FBI and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) take against denied persons.

FIST is an annual data collection. This award will be based on a 52-month project period and will initially collect data, in separate collection cycles, for 2018, 2019, 2020, and 2021 reference years. The project tasks outlined in this solicitation are designed to support the core activities BJS would expect the recipient of funds to conduct as part of an annual data collection. BJS anticipates that it will make one award of up to \$1,600,000, in the form of a cooperative agreement, for a 52-month project period, beginning October 2018.

**Statutory Authority:** Under section 302 of the Omnibus Crime Control and Safe Streets Act, BJS is authorized to "make grants to, or enter into cooperative agreements or contracts with public agencies, institutions of higher education, private organizations, or private individuals" for purposes of collecting and analyzing criminal justice statistics. BJS is authorized to issue this solicitation under 34 U.S.C. § 10132.

### Program-Specific Information

BJS began the FIST program in 1995 to provide national estimates of the total number of purchase applications and denials resulting from the Brady Act and state laws. Approximately 1,300 federal, state, and local agencies conduct background checks on persons who apply to purchase a firearm or who apply for a permit that may be used to make a purchase. More information on the FIST program and the variations in federal and state procedures for determining firearm possession eligibility is available at <https://www.bjs.gov/index.cfm?ty=dcdetail&iid=246>.

### Brady Act provisions

The Brady Handgun Violence Prevention Act of 1993 (Pub. L. No.103-159, 107 Stat. 1536 (1993), codified as amended at 18 U.S.C. Section 921 et seq.) mandates a criminal history background check on any person who attempts to purchase a firearm from a Federal Firearms Licensee (FFL). The permanent provisions of the Brady Act established the NICS, which is accessed by the FBI or a state point of contact (POC) prior to transferring a firearm. The NICS

is a system that collects and stores data on persons who are prohibited from purchasing or possessing a firearm under the Brady Act or under state law.

As amended, the Brady Act prohibits transfer of a firearm to a person who—

- is under indictment for, or has been convicted of, a crime punishable by imprisonment for more than one year
- is a fugitive from justice
- is an unlawful user of, or addicted to, a controlled substance
- has been adjudicated as a mental defective or committed to a mental institution
- is an illegal alien or has been admitted to the United States under a nonimmigrant visa
- was dishonorably discharged from the U.S. armed forces
- has renounced U.S. citizenship
- is subject to a court order restraining him or her from harassing, stalking, or threatening an intimate partner or child
- has been convicted of a misdemeanor crime of domestic violence
- is under age 18 for long guns or under age 21 for handguns.

### Overview of the NICS

Prospective firearm purchasers undergo a NICS check that has been requested by a dealer, or the applicant must present a state permit that the ATF has qualified as an alternative to the point-of-transfer check.

ATF-approved permits are those that—

- allow an applicant to possess, acquire, or carry a firearm
- were issued no more than 5 years earlier by the state where the transfer will take place, after an authorized government official verified that possession of a firearm by the applicant would not be a violation of law.

All permits issued since November 29, 1998, must have included a NICS check. Many state-qualifying permits may be used for multiple purchases while valid. State laws often provide that a permit will be revoked if the holder is convicted of an offense or otherwise becomes ineligible. Prior to transferring a firearm under the permanent Brady provisions, an FFL is required to obtain a completed Firearm Transaction Record (ATF form 4473) from the applicant.

An FFL initiates a NICS check by contacting either the FBI or state POC. In 2002, the FBI added E-Check to allow FFLs to request a check electronically. The FBI or POC queries available federal, state, and local systems and notifies the FFL that the transfer may proceed, may not proceed, or must be delayed pending further review of the applicant's record. An applicant who is denied may appeal to the FBI or POC. A denied person who submitted a false application or has an outstanding warrant may be subject to arrest and prosecution under federal or state laws. In addition to checks on new and renewed applications, rechecks may also be conducted on current permit holders. Beginning in 2015, NICS can be accessed by a law enforcement agency for a Disposition of Firearms (DOF) background check. Law enforcement may conduct a DOF check prior to returning a firearm to an individual whose firearm was removed because a protection order has been issued, after such an order expires.

### *State and Local NICS Participation*

Each state government determines the extent of its involvement in the NICS process.

Three levels of state involvement currently exist:

- The state operates as a full POC and requests a NICS check on all firearm transfers originating in the state.
- The state operates as a partial POC and requests a NICS check on all handgun transfers. FFLs in the state are required to contact the FBI for NICS checks for long gun transfers.
- The state is not a POC, and FFLs are required to contact the FBI for NICS checks on all firearm transfers originating in the state.

As part of the scope of work, the award recipient must keep up to date on relevant state policies, procedures, and NICS participation to ensure the questionnaire is appropriate for the intended recipient.

For additional background information on the history of the FIST program, applicants are encouraged to review past publications on BJS's website (<https://www.bjs.gov/index.cfm?ty=dcdetail&iid=246>) and related work published at the National Criminal Justice Reference Service (<https://www.ncjrs.gov/>).

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

The FIST program aims to provide reliable national estimates of the total number of purchase applications and denials resulting from the Brady Act and similar state laws.

Applicants should describe how they would accomplish each objective and address each deliverable discussed below in the timeframe specified and should estimate the costs associated with each. This should include the (1) specific strategies or approaches that would be used to meet each objective and address each deliverable, (2) capabilities and demonstration of the expertise necessary to meet each objective and address each deliverable, and (3) cost estimates for each objectives. Additionally, the proposal should describe the applicant's familiarity with the challenges and complexities associated with the firearm application background check system at national, state, and local levels; developing survey instrumentation; developing a comprehensive survey frame; achieving adequate response rates to produce reliable national estimates; and supporting the dissemination of findings.

Key target dates for the 52-month award of the FIST 2018-21 Program are—

- active award date: October 2018–January 2023
- reference years of collection: calendar years 2018-2021
- award kickoff: October 2018
- data collection begins: June 2019 (2018 collection), May 2020 (2019 collection), April 2021 (2020 collection), March 2022 (2021 collection)
- preparation of draft publication materials: April 2020 (2018 collection), February 2021 (2019 collection), January 2022 (2020 collection), December 2022 (2021 collection)
- archive data: May 2020 (2018 collection), March 2021 (2019 collection), February 2022 (2020 collection), January 2023 (2021 collection).

The FIST data collection is conducted on an annual basis. This project covers the work associated with completing data collection and analysis for reference years 2018 through 2021 as separate collection years. The planned project start date is October 1, 2018. The FY 2019 award will cover a 52-month project period. During the award, BJS intends to move the FIST collection cycle to earlier in the year to promote more timely data reporting. The table below summarizes a possible timeframe for the 2018-2021 collections.

Reference year	Award start date	Data collection	Finish data processing and release report	Archive data
2018	October 2018	June–Nov 2019	April 2020	May 2020
2019	(continuation)	May–Oct 2020	February 2021	March 2021
2020	(continuation)	Apr–Sep 2021	January 2022	February 2022
2021	(continuation)	Mar–Aug 2022	December 2022	January 2023

Proposals for this solicitation should include a plan that details the activities to complete the collection annually. Proposals should describe how the applicant could move the BJS collection to the schedule summarized above.

The budget for this project should include details for all tasks associated with the 2018-2021 reference year collections. This budget should demonstrate productivity gains and cost efficiencies in processing FIST data. Subsequent collections should be more cost efficient. For example, survey development should require fewer expenses than in the previous year, and procedures for such as data processing should be completed in a shorter timeframe.

### *FIST Objectives and Deliverables*

1. **Project management.** Develop and maintain a project schedule outlining specific tasks and project phases.

1.1. Within the first month of the project, the award recipient will attend a kickoff meeting with BJS (in person or by phone) to discuss proposed tasks, deliverables, and timeline. The recipient of funds will then develop and propose for BJS approval a detailed timetable outlining the dates for completing each task, deliverable, and scheduled meeting.

The entire proposal should be designed to complete the 2018-2021 data collection and tasks within the 52-month project period and be designed with an annual collection cycle in mind.

1.2. Maintain regular communication with BJS through meetings and status reports.

1.2.1. Throughout the project, the award recipient will provide monthly progress reports to the BJS project manager, detailing project status, progress on deliverables, expenditures, response rates, collection issues, and other important items as designated by BJS. BJS will provide a project progress report template. (See [General Information about Post-Federal Award Reporting Requirements.](#))

1.2.2. During the data collection phase, the award recipient will conduct biweekly update calls with BJS to discuss project tasks, deliverables, response rates, and

costs. The recipient of funds will provide written agendas and minutes for these meetings. Outside the data collection phase, the award recipient should provide BJS with biweekly status updates outlining similar information via email.

*Deliverables:* (1) a written timeline for the entire project (all tasks) with the design and project tasks fully specified (this should be one timeline covering all collection cycles (2018-2021)); (2) monthly progress reports due 15 business days after the end of each month or at a time determined mutually between BJS and the award recipient; and (3) meeting agendas and minutes for biweekly calls or written biweekly updates.

**2. Instrumentation.** Assess and revise the current FIST survey instruments as necessary.

2.1. As discussed below, BJS has Office of Management and Budget (OMB) approval to conduct the 2018 collection and does not expect to deviate from the accepted methodology for that collection. Currently, the FIST survey is tailored to respondents' office types and the types of background checks, permits, or other regulations surrounding firearm transfers under which they operate. BJS plans to continue using its current notification practices. With any revision of the survey instruments, the award recipient will continue to make them relevant to the respondents to reduce respondent burden.

The award recipient will review the current FIST survey instruments with BJS and propose enhancements or revisions for the 2019 and subsequent collections.

2.2. The award recipient will develop both a paper and a web-based version of the survey instruments. The web survey should—

- have a user-friendly interface that minimizes respondent burden, provides simple modes of data submission, has a less than 2-second response time, and supports concurrent users
- work with Internet Explorer, Firefox, Safari, and Chrome browsers
- provide respondents with clear instructions and the key content areas of the instrument
- allow respondents to download a copy of the paper version for reference
- allow respondents to easily save information when they cannot complete the questionnaire in one sitting and return to the point where they stopped on subsequent visits
- allow respondents to update or revise data within the data collection period
- provide respondents a summary of answers for verification before final submission
- provide a final summary of answers for respondents' records
- easily export all data elements to Excel and CSV formats
- ensure internal validity of answers (for example, the web form should enforce item skip patterns)
- ensure privacy of submitted questionnaires
- be designed to enhance item response rate and internal validity of answers.

*Deliverables:* (4) assessment of the current FIST instruments with recommendations; (5) paper version of all survey forms (the respondent should provide a copy of every version of instrument for BJS records) for each collection year; (6) programmed web version of survey



forms; and (7) testing documentation of online instrument for the 2018 collection and any changes made to that instrument for the 2019 and subsequent collections.

3. **Universe and frame development.** The award recipient will review, update, and maintain the FIST universe to establish reliable national- and state-level estimates of firearm transfer applications, denials, and (where available) reasons for denial.

- 3.1. BJS will provide the most current listing of agencies eligible to participate in the 2018 FIST survey. The data collection agent will review the FIST universe and complete frame maintenance activities to ensure completeness and accuracy.

- 3.2. Using the current FIST sampling parameters, the award recipient will develop a strategy to collect data on firearm transfer applications and denials from the state agency reporters, enumerated local checking agencies, and sampled local checking agencies. The award recipient should redraw the sample of local checking agencies in those states where these agencies are not enumerated. The sampling plan should provide both national- and state-level estimates. BJS currently has clearance to conduct the 2018 data collection and does not expect to deviate from the approved sampling strategy.

*Deliverables:* (8) complete FIST universe and sampling plan for 2018 collection; and (9) complete FIST universe and sampling plans for 2019-2021 collections.

4. **OMB clearance.** As needed, the award recipient will work in collaboration with BJS to prepare OMB clearance package materials for approval to conduct the FIST collection.

BJS currently has clearance to conduct the 2018 data collection (control number 1121-0314), provided respondent burden and survey methodology do not change. BJS must apply for OMB clearance to conduct the data collections for 2019 and beyond.

Materials the recipient of funds will work with BJS to prepare for OMB clearance may include (but are not limited to) 30- and 60-day notices for public comment, form 83i, supporting statements, justification memoranda, and copies of all survey instruments, including questionnaires, instructions, cover letters, follow-up documents, telephone scripts, and, if needed, a plan for a nonresponse bias study. BJS will provide sample documents as needed. Applicants should plan on a period of 7 months to obtain clearance, including BJS internal review.

*Deliverables:* (10) materials for OMB clearance.

5. **Survey administration and data collection procedures.** The award recipient will effectively administer the 2018-2021 FIST data collections.

- 5.1. Develop a survey administration plan.

The recipient of funds will provide a detailed survey administration for each collection year plan that includes a data collection schedule, protocols for multi-mode data collection (paper and web), quality control procedures, plans to verify data with respondents, and techniques to achieve an 85% participation rate and a 95% item response rate. This plan should include the sampling plan discussed above, a plan for

nonresponse bias assessment and adjustment, plans for documenting data edits or conversions, and data collection documentation procedures. The plans should address any difficulties experienced in the previous year's collection and proposals to ameliorate them.

## 5.2. Respondent outreach and communication program.

The award recipient will be responsible for maximizing response rates. Applicants should include plans for effective respondent outreach, which may include plans to provide respondents with reports, information, or other nonmonetary incentives to participate in the FIST program. The award recipient will manage routine mailings and electronic correspondence to data respondents.

## 5.3. Integration of external data sources.

The award recipient will use FBI NICS transaction data to create national estimates of the number of applications for firearm transfers or permits that are received and denied in the collection reference years.

Contingent on BJS securing a data sharing agreement or memorandum of understanding with the ATF Denial Enforcement and NICS Intelligence (DENI) branch, the recipient of funds will obtain, summarize, and present findings on data regarding FBI denials that are screened by DENI and referred to ATF field offices for investigation.

*Required deliverables:* (11) survey administration plan (one for each collection cycle), including verification and nonresponse procedures; (12) plans for respondent outreach, including copies of all written correspondence or scripted protocols (plans for each collection cycle); (13) estimates using NICS transaction data (per collection year); and (14) analysis of ATF DENI data, pending BJS's securing the data (per collection year).

## 6. **Final verification and dataset.** The award recipient will verify and deliver a final data package and codebook materials for each collection year.

### 6.1. Final verification procedures.

Final verification procedures should be conducted prior to delivering a final dataset to BJS. Any data issues must be reported to BJS for resolution. The recipient of funds will provide a justified approach to addressing item-specific missing or incomplete data, including any proposed data imputations or nonresponse adjustments.

These procedures should include the standard error and confidence interval calculations for the FIST national estimate and local agency estimates.

### 6.2. Nonresponse bias study.

The recipient of funds will conduct a nonresponse bias assessment for unit and item nonresponse. The analysis will include recommendations for any required weighting or imputation to account for the extent of identified nonresponse bias.

### 6.3. Final dataset and codebook delivery.

The applicant will prepare a final data file in SPSS format with complete documentation per criteria determined by BJS to archive the data. The documentation should describe the performance of the survey, any weighting or imputation, and codes to identify aspects of data quality from the collection, such as missing data and imputed values, that allow users to appropriately analyze data. The final dataset should be ready for archival in such a way that others may download the data and recreate any reports published by BJS using this dataset.

*Required Deliverables for each collection year:* (15) description of final verification procedures, data imputations, and nonresponse adjustments; (16) nonresponse bias assessment; (17) final cleaned version of dataset in SPSS format, including all weights and adjustments; and (18) codebook.

## 7. **Reports and dissemination of findings.** The award recipient will produce final documentation and results for each collection year.

### 7.1. End of study technical report.

The award recipient will prepare a final summary report for each collection that includes an assessment of participation rates, item response rates, and nonresponse error. This summary will also include any lessons learned, challenges, and solutions encountered in data collection and processing.

### 7.2. BJS style report of main data findings.

The recipient of funds will assist BJS in creating a primary public report for each collection according to BJS publication standards. This will require assisting with data analyses and providing tables, figures, and a summary of the program methodology.

The statistical tables and accompanying narrative will be consistent with those published in previous editions of the Background Checks for Firearm Transfers series. The tables will summarize the number of applications, denials, and reasons for denial for state, local, and FBI background checks as well as referrals for investigation to ATF. Appendix tables will contain data from state agency reporters on arrests, appeals, and background check functions by jurisdiction, including the description of checking agencies by permit type, participation in the NICS process, and forums for appeals and denials.

### 7.3. Responses to media inquiries.

The recipient of funds will assist BJS's outreach efforts to inform the media with key finding from the data collection and in responding to media inquiries regarding the program and questions related to firearm transfer applications.

*Required deliverables for each collection year:* (19) end of study technical report; (20) draft materials for BJS publication; and (21) responses to media inquiries. Applicants should describe in the project narrative how data collected as part of the BJS-funded activities will be delivered to BJS, including in what format and at what anticipated frequency. On award, award recipients

will be required to, following consultation with and direction by the BJS Program Manager, provide the specific data structure documentation to BJS as a final deliverable. At minimum, the data documentation structure must include the expected names, formats, and allowable values for each data element. The data structure documentation is a required final deliverable and shall be subject to review and approval by BJS's Technology and Data Management Unit.

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

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

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

## **B. Federal Award Information**

BJS expects to make an initial award of up to \$1,600,000 in the form of a cooperative agreement for a 52-month period of performance, to begin on October 1, 2018.

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

BJS expects to make any award under this solicitation in the form of a cooperative agreement, which is a type of award that provides for OJP to have substantial involvement in carrying out award activities. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of what may constitute substantial federal involvement.

## Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>2</sup>) must, as described in the Part 200 Uniform Requirements<sup>3</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 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 individuals applying in their personal capacity) to download, complete, and submit as part of the application.

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<sup>2</sup> For purposes of this solicitation, the phrase “pass-through entity” includes any recipient or subrecipient that provides a subaward (“subgrant”) to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards is listed under [What an Application Should Include](#), Section 4c of this solicitation.

<sup>3</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.

## **Budget Information**

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

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

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

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

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

OJP does not typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs before submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact listed on 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>4</sup> The 2018 salary table for SES employees is available on the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/exec/html/ES.aspx>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with 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 Director of BJS may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that BJS will require the applicant to adjust and resubmit the budget.

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<sup>4</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.

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

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

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

<https://www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm>. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

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

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

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

## **C. Eligibility Information**

For eligibility information, see the title page.

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

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

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

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

Moreover, an applicant should anticipate that an application that OJP determines is nonresponsive to the scope of the solicitation, or that OJP determines does not include the

application elements that BJS has designated to be critical, will neither proceed to peer review, nor receive further consideration. For this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative, and résumés/curriculum vitae of key personnel.

**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) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the [How to Apply](#) section for more information on SAM and DUNS numbers.

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



## 2. Project Abstract

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

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

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

## 3. Program Narrative

This section should describe how the applicant will meet the deliverables and address the project’s goals, objectives, and selection criteria. The narrative should cover all proposed collection cycle years (2018-2021). The narrative should present a clear understanding of BJS, its mission, the history of the FIST program, and the strengths and limitations of the previous collections and products.

The program narrative should be double-spaced, using a standard 12-point font (Times New Roman preferred); have no less than 1-inch margins; and should not exceed 35 pages. Pages should be numbered.

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

The following sections should be included as part of the program narrative:<sup>5</sup>

### a. Description of the Issue

- Applicants should demonstrate their knowledge of BJS and the FIST program.
- Applicants should demonstrate their understanding of the firearm background, application, transfer, and denial systems from the federal, state, and local levels. This section should demonstrate the applicant’s familiarity with the complexity of various state laws, terminology, and processes.

### b. Project Design and Implementation

- Applicants must describe how they will achieve the goals and objectives outlines in this solicitation. This includes all aspects of the project: planning, reaching out to stakeholders and practitioners, design plans, universe and sample construction, execution, progress monitoring, and project wrap up.
- Applicants should describe how their proposed project design will successfully implement the 2018-2021 FIST collections.
- This section should also detail how this design can be used for subsequent collection in following calendar year collections.
- Applicants should outline their estimation of costs for each phase of the product.

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<sup>5</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](#).

**c. Capabilities and Competencies**

The narrative should demonstrate the applicant’s capabilities to complete the tasks in a timely manner. The applicant’s discussion of capabilities and subject matter expertise should demonstrate—

- substantive understanding of firearm application and transfer procedures and laws
- experience in carrying out successful law enforcement-related data collections
- capacity to meet BJS data quality guidelines
- data management plan (DMP).

All BJS-funded research requires the development of a DMP that outlines data management activity throughout the agreement, including data collection, secure storage, and timely release of data and related products. Applications should include a preliminary DMP that explains—

- roles, rights and responsibilities of project participants
- expected data and metadata
- data formats, organization, and dissemination approach
- data retention and release timelines
- data security according to federal regulations
- any Institutional Review Board requirements
- data archiving and future access.

**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) for an overview of performance measurement activities at OJP. Performance measures for this solicitation are listed in [Appendix A: Performance Measures Table](#).

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

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

The award recipient will be required to submit performance measure data in the monthly reports submitted to the BJS program manager.

### Note on Project Evaluations

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

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

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

#### e. Appendices

- Bibliography or references
- Any tools, instruments, questionnaires, tables, charts, graphs, or maps pertaining to the proposed project that are supplemental to such items included in the main body of the narrative
- Curriculum vitae or résumés of principal investigator, all co-principal investigators, and all other individuals who will be significantly involved in substantive aspects of the project (e.g., subject matter experts acting as consultants)
- List of any previous and current BJS awards to applicant organization and investigator(s), including BJS-assigned award numbers and a brief description of any scholarly products that resulted in whole or in part from the work funded under the BJS award(s)
- Letters of cooperation/support or administrative agreements from organizations collaborating in the project
- If applicable, list of other agencies, organizations, or funding sources to which this proposal has been submitted.

#### 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, 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 the “de minimis” rate requirements (including information on eligibility to elect to use the rate), please see Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f) ([https://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200\\_1414&rqn=div8](https://www.ecfr.gov/cgi-bin/text-idx?node=se2.1.200_1414&rqn=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.

An applicant unable to submit an application that includes a fully executed (i.e., signed) copy of legal appropriate documentation, as described above, consistent with the applicable tribe’s governance structure, should, at a minimum, submit an unsigned, draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, OJP will make use of and access to award funds contingent on receipt of the fully executed legal documentation.

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

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire located 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. Applicant Disclosure of Pending Applications**

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for subawards of federal funds (e.g., applications to state agencies that will subaward (“subgrant”) federal funds).

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

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

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

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 this application.”

**b. Research and Evaluation Independence and Integrity**

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

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

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

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified – including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients – that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse’s work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

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

OR

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

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

**c. Disclosure of Process Related to Executive Compensation**

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

Under certain circumstances, a nonprofit organization that provides unreasonably high compensation to certain persons may subject both the organization's managers and those who receive the compensation to additional federal taxes. A rebuttable presumption of the reasonableness of a nonprofit organization's compensation arrangements, however, may be available if the nonprofit organization satisfied

certain rules set out in Internal Revenue Service (IRS) regulations with regard to its compensation decisions.

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

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

At a minimum, the disclosure must describe in pertinent detail: (1) the composition of the body that reviews and approves compensation arrangements for covered persons; (2) the methods and practices used by the applicant nonprofit organization to ensure that no individual with a conflict of interest participates as a member of the body that reviews and approves a compensation arrangement for a covered person; (3) the appropriate data as to comparability of compensation that is obtained in advance and relied 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](https://www.grants.gov), a primary source to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at <https://www.grants.gov/web/grants/support.html>. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606-545-5035**, which operates 24 hours 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 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	Special Characters		
Upper case (A – Z)	Parenthesis ( )	Curly braces { }	Square brackets [ ]
Lower case (a – z)	Ampersand (&)*	Tilde (~)	Exclamation point (!)
Underscore ( _ )	Comma ( , )	Semicolon ( ; )	Apostrophe ( ' )
Hyphen ( - )	At sign ( @ )	Number sign ( # )	Dollar sign ( \$ )
Space	Percent sign ( % )	Plus sign ( + )	Equal sign ( = )
Period ( . )			

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

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

All applicants are required to complete the following steps:

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

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

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

### **Applying as an Individual**

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

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

### **Registration and Submission Steps**

- 1. Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management 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 2 business days.

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

All applicants for OJP awards (other than individuals) with current registration in SAM must maintain current registrations in the SAM database. Applicants will need the authorizing

official of the organization and an Employer Identification Number (EIN). An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete (2 more weeks to acquire an EIN).

An application cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. Once the SAM registration/renewal is complete, **the information transfer from SAM to Grants.gov can take as long as 48 hours**. OJP recommends that the applicant register or renew registration with SAM as early as possible. Information about SAM registration procedures can be accessed at [www.SAM.gov](http://www.SAM.gov).

- 3. Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password.** Complete the AOR profile on Grants.gov and create a username and password. An applicant entity's "unique entity identifier" (DUNS number) must be used to complete this step. For more information about the registration process for organizations and other entities, go to <https://www.grants.gov/web/grants/applicants/organization-registration.html>. Individuals registering with Grants.gov should go to <https://www.grants.gov/web/grants/applicants/registration.html>.
- 4. Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. The E-Biz POC will need the Marketing Partner Identification Number (MPIN) password obtained when registering with SAM to complete this step. Note that an organization can have more than one AOR.
- 5. Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.734, titled "Special Data Collections and Statistical Studies," and the funding opportunity number is BJS-2018-14400.
- 6. Access Funding Opportunity and Application Package from Grants.gov.** Select "Apply for Grants" under the "Applicants" column. Enter your email address to be notified of any changes to the opportunity package before the closing date. Click the Workspace icon to use Grants.gov Workspace.
- 7. Submit a valid application consistent with this solicitation by following the directions in Grants.gov.** Within 24-48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application. The second will state whether the application has been validated and successfully submitted, or whether it has been rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received, and then receive a rejection notice a few minutes or hours later. Submitting an application well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date, to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification. Applications must be successfully submitted through Grants.gov by 11:59 p.m. eastern time on July 9, 2018.



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

### **Note: Application Versions**

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

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

An applicant that experiences unforeseen Grants.gov technical issues beyond its control that prevent it from submitting its application by the deadline must contact the Grants.gov Customer Support Hotline at <https://www.grants.gov/web/grants/support.html> or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> to report the technical issue and receive a tracking number. The applicant must email the BJS contact identified in the Contact Information section on 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.

#### **1. Description of the Issue (20%)**

The applicant should demonstrate that it understands the goals and objectives of the



project, including the value of the data collection to the criminal justice field. The applicant should demonstrate its understanding of the firearm background check system, including variations at the federal, state, and local levels.

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

The applicant should describe how it will completely address all the goals, objectives, and deliverables of the project outline above. This includes but may not be limited to plans and details—

- a. to establish the timeline and completion of objectives and deliverables
- b. to maintain communication with BJS and keep it apprised of developments and progress in the data collection
- c. on how the applicant will review and develop the questionnaire
- d. on how the applicant will create the web-based survey
- e. to develop and update the FIST respondent universe, including verifying eligible offices
- f. on how the applicant will support the development of OMB clearance materials
- g. to effectively administer the collection, ensuring high participation and item response rates (This should include plans to conduct outreach with the stakeholder and practitioner community.)
- h. to collect and maintain data with high quality standards
- i. to assist BJS with preparing materials for publication and data for archiving.

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

This data collection requires a team with knowledge of the firearm transfer application, background check, and denial system as well as survey design and conducting administrative surveys using multiple data sources. The applicant should discuss its ability to successfully complete the FIST data collection. This can include descriptions of past work related to this topic and the relevant skills and experience of the proposed project staff. This section should identify key personnel and their roles and duties in this project. Additionally, the curriculum vitae, résumés, and letters of support included in the appendices of the program narrative can serve as further demonstration of capabilities and competencies. Examples of relevant knowledge/experience are—

- a. the ability to collect administrative data from criminal justice agencies
- b. knowledge of applied survey research and social science research methods with experience in instrument design, data collection, coding, cleaning, and verification (This also includes experience with statistical software packages (SPSS preferred))
- c. the ability to conduct a mixed mode data collection (web-based survey with mail-in options as necessary)
- d. demonstrated ability to manage projects, deliver work products on time, and maintain communications with external organizations.

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

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

The budget should be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should demonstrate generally how applicants will maximize cost effectiveness of grant expenditures. Budget

narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.<sup>6</sup>

The budget section should address all tasks associated with the 2018-2021 collections.

### **Review Process**

OJP is committed to ensuring a fair and open process for making awards. BJS reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and 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. BJS may use internal peer reviewers, external peer reviewers, or a combination, to assess applications on technical merit using the solicitation’s review criteria. An external peer reviewer is an expert in the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well versed or has expertise in the subject matter of this solicitation. Peer reviewers’ ratings and any resulting recommendations are advisory only, although reviewer views are considered carefully. Other important considerations for BJS include geographic diversity, strategic priorities, available funding, and 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.

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<sup>6</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.

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 nonpublic 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 the applicant.

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

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

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Director of BJS, who may take into account not only peer review ratings and BJS 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 and submission of the fully executed award document to OJP.

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

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

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

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

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

As stated above, BJS expects that it will make any award under this solicitation in the form of a cooperative agreement. Cooperative agreements include a condition in the award document that sets out the nature of the “substantial federal involvement” in carrying out the award and program. Generally stated, under OJP cooperative agreement awards, responsibility for the day-to-day conduct of the funded project rests with the recipient. OJP, however, may have substantial involvement in matters such as substantive coordination of technical efforts and site selection, as well as review and approval of project work plans, research designs, data collection instruments, and major project-generated materials. In addition, OJP often indicates in the award terms and conditions that it may redirect the project if necessary.

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

### **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.)

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

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

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

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

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

## **H. Other Information**

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

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

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

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that

involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify – quite precisely – any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

### **Provide Feedback to OJP**

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

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

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to [ojpprsupport@usdoj.gov](mailto:ojpprsupport@usdoj.gov). (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 A: Performance Measures Table

Objective	Performance Measure(s)	Award Recipient Provides
<p>In conjunction with BJS, develop and administer the 2018 FIST survey capturing reliable national estimates of the total number of purchase applications and denials resulting from the Brady Act and similar state laws</p>	<p>Percentage of deliverables completed on time</p> <p>Percentage of deliverables that meet expectations as defined by BJS</p> <p>Achieve 85% response rate</p> <p>Effective management as measured by whether significant interim project milestones were achieved, final deadlines were met, and costs remained within approved limits</p>	<p>The recipient of funds should provide timely deliverables that meet the expectations outlined in the solicitation, to include, but not limited to:</p> <ul style="list-style-type: none"> <li>•Detailed timeline of project covering 2018-2021 collection years</li> <li>•Monthly progress reports</li> <li>•Meeting agendas and minutes for biweekly updates (written biweekly updates outside of data collection period)</li> <li>•Assessment of current FIST instrument and methodology</li> <li>•Hardcopies of all versions of survey forms for each collection year</li> <li>•User tested web-based version of survey instruments</li> <li>•Develop and successfully host data collection website for collection years</li> <li>•Updated and verified FIST universe for each collection</li> <li>•Sampling plan for none numerated agencies</li> <li>•OMB data collection clearance materials as needed</li> <li>•Survey administration plan, including data quality tracking and follow up procedures for each collection year</li> <li>•Plan for respondent outreach</li> </ul>
<p>Support BJS efforts to share information and disseminate FIST results by preparing and analyzing data, and drafting reports, tables, and responses to inquiries</p>	<p>Percentage of deliverables completed on time</p> <p>Percentage of deliverables that meet expectations as defined by BJS</p>	<p>The recipient of funds should provide timely deliverables that meet the expectations outlined in the solicitation to include, but not limited to:</p> <ul style="list-style-type: none"> <li>•Data processing procedures</li> <li>•Final verification procedures, including any imputations and nonresponse adjustments for each collection year</li> </ul>

<b>Objective</b>	<b>Performance Measure(s)</b>	<b>Award Recipient Provides</b>
	<p>Percentage of data that is comprehensive and accurate</p> <p>Percentage of nonresponding states for which an estimate is successfully modeled</p> <p>Percentage of nonresponse elements for which an estimate is developed</p>	<ul style="list-style-type: none"> <li>•Estimates of NICS transaction data for each collection year</li> <li>•Analysis and summary of ATF DENI data (pending BJS securing data agreement) for each collection year</li> <li>•Nonresponse bias assessment for each collection year</li> <li>•Final, cleaned version of dataset in SPSS for each collection year</li> <li>•Codebook for each collection year</li> <li>•End of study technical report for each collection year</li> <li>•Draft materials for BJS publications</li> <li>•Response to media inquiries as necessary</li> </ul>



**Appendix B: Application Checklist**  
**Firearm Inquiry Statistics (FIST)**  
**Program, 2018-21**

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 30)
- \_\_\_\_\_ Acquire or renew registration with SAM (see page 30)

*To Register with Grants.gov:*

- \_\_\_\_\_ Acquire AOR and Grants.gov username/password (see page 31)
- \_\_\_\_\_ Acquire AOR confirmation from the E-Biz POC (see page 31)

*To Find Funding Opportunity:*

- \_\_\_\_\_ Search for the Funding Opportunity on Grants.gov (see page 31)
- \_\_\_\_\_ Access Funding Opportunity and Application Package (see page 31)
- \_\_\_\_\_ Sign up for Grants.gov email [notifications](#) (optional) (see page 29)
- \_\_\_\_\_ Read [Important Notice: Applying for Grants in Grants.gov](#)
- \_\_\_\_\_ Read OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm](#) (see page 15)

*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 31)

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

- \_\_\_\_\_ contact BJS regarding experiencing technical difficulties (see page 32)

**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 \$1,600,000.

**Eligibility Requirement:** See title page for eligibility information.

**What an Application Should Include:**

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 16)
- \_\_\_\_\_ Project Abstract (see page 17)
- \_\_\_\_\_ Program Narrative (see page 17)

_____	Budget Detail Worksheet	(see page 20)
_____	Budget Narrative	(see page 20)
_____	Indirect Cost Rate Agreement (if applicable)	(see page 22)
_____	Tribal Authorizing Resolution (if applicable)	(see page 23)
_____	Financial Management and System of Internal Controls Questionnaire	(see page 24)
_____	<u>Disclosure of Lobbying Activities (SF-LLL)</u>	(see page 24)
_____	Additional Attachments	
_____	Applicant Disclosure of Pending Applications	(see page 25)
_____	Research and Evaluation Independence and Integrity	(see page 26)
_____	Disclosure of Process Related to Executive Compensation	(see page 27)
_____	Request and Justification for Employee Compensation; Waiver (if applicable)	(see page 14)