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The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Statistics](#) (BJS) is pleased to announce that it is seeking applications to design and develop the Federal White Collar Violations Statistical Series. As the principal federal statistical agency in the Department, BJS is responsible for the collection, analysis, publication, and dissemination of statistical information on crime, criminal offenders, victims of crime, and the operations of criminal justice systems at all levels of government. This data collection program furthers the Department's mission by working in partnership with the justice community to identify the most pressing challenges confronting the justice system and to provide information in support of innovative strategies and approaches for dealing with these challenges.

## Federal White Collar Violations Statistical Series

### Eligibility

Eligible applicants are limited to for-profit (commercial) organizations, nonprofit organizations, faith-based and community organizations, institutions of higher learning, and consortia with demonstrated organizational and community-based experience working with American Indian and Alaska Native communities, including tribal for-profit (commercial) and nonprofit organizations, tribal colleges and universities, and tribal consortia. For-profit organizations must agree to forego any profit or management fee.

### Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. (See "How to Apply," page 11.) All applications are due by 11:59 p.m. eastern time on July 27, 2012 (See "Deadlines: Registration and Application," page 3.)

### Contact Information

For technical assistance with submitting an application, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, or via e-mail to [support@grants.gov](mailto:support@grants.gov)

**Note:** The [Grants.gov](#) Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

For assistance with any other requirements of this solicitation, contact Mark Motivans, BJS Statistician, at 202-307-0765 or by e-mail at [askbjs@usdoj.gov](mailto:askbjs@usdoj.gov). Include "FWCV2012" in the subject line.

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# Federal White Collar Violations Statistical Series (CFDA # 16.734)

## Overview

BJS is seeking applications to assist in designing and implementing a new statistical series that integrates criminal, civil, and regulatory enforcement data to comprehensively describe the federal response to white collar violations. The project requires data collection on federal regulatory agency enforcement actions. Further, the project requires development of methods to integrate data from regulatory agencies with criminal and affirmative civil enforcement data that BJS receives from the Executive Office for U.S. Attorneys and the Administrative Office of the U.S. Courts. These data comprise part of the BJS Federal Justice Statistics Program (FJSP). BJS receives case-level criminal data from four other federal criminal justice agencies for the FJSP, as well. The data describe cases in every stage of the federal justice process, from arrest to imprisonment, for the years 1994-2010. FJSP contains individual case-level civil prosecution and court data, but does not currently incorporate regulatory enforcement data.

The objective of this new series is to establish a comprehensive statistical resource on the federal response to white collar violations by integrating regulatory enforcement data with criminal and civil data from the FJSP. This will require the collection and standardization of regulatory agency data and the classification of white collar violations and the federal response to violations using regulatory, criminal, and civil sources of data.

To assist BJS in this effort, the successful applicant will prepare an overview of each federal regulatory agency that enforces white collar violations; conduct an inventory and assessment of the quality of available data they have available; and develop and implement a plan to obtain case-level administrative data from these agencies. The applicant will classify white collar violations according to pertinent administrative code and federal criminal and civil statutes, and will propose and implement strategies to standardize collected regulatory data to minimize agency-specific differences for statistical reporting. In addition, the applicant will develop and implement a plan to identify white collar crime violations in the criminal and civil data collected by the FJSP.

BJS expects to make one award for a 20-month period under this solicitation. BJS is authorized to issue this solicitation under the Omnibus Crime Control and Safe Streets Act of 1968, Section 302.

## Deadlines: Registration and Application

Applicants must register with Grants.gov prior to submitting an application. OJP encourages applicants to register several weeks before the application submission deadline. The deadline to apply for funding under this announcement is 11:59 eastern time on July 27, 2012. See the "How to Apply" section on page 11 for details.

## Eligibility

Refer to the title page for eligibility under this program.

## Project-Specific Information

The Bureau of Justice Statistics (BJS) has identified the need to implement a new statistical series that integrates criminal, civil, and regulatory enforcement data to comprehensively describe the federal response to white collar violations. Some pieces of this program are in-place; others need to be developed or expanded. To successfully achieve its program goal, several activities must be initiated.

The successful applicant must develop 1) a scheme to classify white collar violations according to pertinent administrative code and federal criminal and civil statutes and 2) a generic model of how regulatory agencies process white collar crime violations. With this framework, BJS will be able to develop and implement strategies to standardize the coding and presentation of data on white collar violations across the various criminal, civil, and regulatory agencies, minimizing agency-specific differences for statistical reporting.

One of the existing components of the overall federal white collar crime effort is the BJS-sponsored Federal Justice Statistics Program (FJSP). FJSP serves as the national clearinghouse for federal criminal case-processing data. FJSP is a unique data resource that permits analysis of suspects and defendants as they proceed through stages of the federal criminal case process. The clearinghouse contains criminal administrative data received annually from six federal agencies for the years 1994 to 2010. FJSP data cover stages of arrest (U.S. Marshals Service's Prisoner Tracking System and Drug Enforcement Administration's Defendant Statistical System), prosecution (Executive Office for U.S. Attorney's National LIONS database), adjudication and sentencing (Administrative Office of the U.S. Courts and the U.S. Sentencing Commission) and imprisonment (Federal Bureau of Prisons SENTRY data base). FJSP receives the criminal data and applies a standardization methodology that includes creating common offense categories, using "person-case" as the common unit of analysis, and ensuring comparable reporting periods. The Standardized Analysis Files (SAFs) are used for statistical reporting efforts, including the federal criminal case processing query tool located on the BJS web site ([www.bjs.gov/fjsrc](http://www.bjs.gov/fjsrc)).

FJSP also collects data on civil cases processed by the federal justice system. These data have not been explored or used to the extent that criminal case processing data have been. In the next 2 years BJS will commit more attention to the civil data. A key part of this activity will be the identification of white collar matters in the civil data.<sup>1</sup>

To extend its knowledge of the federal response to white collar crime, BJS must develop a comprehensive understanding of the actions of federal regulatory agencies. This includes documenting the decision flow of their enforcement actions, including an enumeration of enforcement responses by the agencies. To support an empirical understanding of this portion

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<sup>1</sup> FJSP data are made publicly available for secondary analysis at the National Archive of Criminal Justice Data (NACJD) located at: [www.icpsr.umich.edu/icpsrweb/content/NACJD/guides/fjsp.html](http://www.icpsr.umich.edu/icpsrweb/content/NACJD/guides/fjsp.html). Applicants are encouraged to view the information on this site to gain familiarity with the documentation and organization of data in the FJSP. Familiarity with the FJSP is central to the project objective of integrating collected regulatory statistics into the FJSP.

of the federal system's response to white collar crime, BJS must develop partnerships with key federal regulatory agencies.

Through partnerships with these key agencies, BJS hopes to receive white-collar-violation regulatory data in a timely and accurate manner and to receive technical support for use of their data. BJS must develop efficient methods of receiving these data and converting them into analyzable formats, and might also explore ways to retrieve and process publicly available data from the agencies. To properly use data from federal regulatory agencies, BJS will have to identify the strengths and shortcomings of each agency's data and investigate ways to combine data across agencies to provide statistical composites of regulatory enforcement actions pertaining to white collar violations.

To assist BJS in developing a statistical series on the federal response to white collar violations, BJS anticipates making 1 award of up to \$500,000 to complete this work over a 20-month period.

## **Statement of Work**

The purpose of this award is to support activities that will lead to the development and implementation of the Federal White Collar Violations Statistical Series. The recipient of these funds will 1) propose a comprehensive scheme for classifying white collar violations, 2) document the enforcement actions of each federal regulatory agency dealing with white collar violations, 3) collect and standardize specified federal regulatory enforcement data, 4) produce annual statistical tables from these data, and 5) provide technical documentation and codebooks for use with the data. The recipient will also provide annual data files formatted to BJS specifications. All materials (including software code, documentation, and standard analysis datasets) developed by the recipient under this cooperative agreement will belong to BJS.

This aspect of the Federal White Collar Violations Program will ideally allow analysts to 1) provide detailed break-outs of the number of federal white collar violations processed by regulatory agencies and the associated administrative outcomes; 2) improve knowledge on how federal regulatory enforcement agencies are handling white-collar violations, and the data systems used to record case information; and 3) provide descriptive information about the characteristics of the individual or organization violator, its offenses, and the sanctions imposed in the regulatory context; and 4) provide general break-outs of the distribution of white-collar violations across regulatory systems for the most recently processed fiscal year.

The successful applicant will use the funding to perform the following activities:

- 1) Define federal white collar violations and the develop a generic framework of the stages of federal response to white collar violations, including agencies involved (regulatory, civil, and criminal); create a white collar violation cross-walk that comprehensively classifies white collar violations according to criminal, civil, and administrative laws and policies.
  - a. Funds will support development of a white-collar violation classification scheme that will draw on federal criminal statutes and federal regulatory codes to complete. The cross-walk will be used to classify white collar enforcement actions in the regulatory agency data as well as white collar violations in the FJSP criminal and civil data. The cross-walk will permit

- aggregated white collar statistical reporting across regulatory, civil, and criminal justice systems.
- b. Document the processes federal regulatory agencies use when enforcing white collar violations. Funds will be used to support agency-specific documentation that will assist in data analysis and reporting, including an enumeration of the universe of regulatory agencies that respond to federal white collar violations; the regulatory authority held by each agency; the nature of violations that have led to regulatory investigations; the primary means of case resolution (e.g., civil and criminal charges in federal court; actions taken before an administrative law judge, etc.); and available sanctions or remedies (e.g., injunction, cease and desist order, censure, monetary penalty or disgorgement, audit, court supervisory oversight, criminal and civil monetary penalty, imprisonment, probation, etc.). In addition, details about the regulatory agency and the nature of white collar violation data should be documented, including the types of information maintained in administrative data systems and a determination of the available the regulatory data collected.
- 2) Collect white collar violation data from key federal regulatory agencies and develop and implement strategies to ensure comparability of data reported across multiple regulatory agencies through the design and application of methods to standardize information.
    - a. Develop strategies to maximize participation among regulatory agencies and to collect data in a timely and accurate manner. Applicant will determine efficient methods of receiving data and converting to analyzable format. The project may consider ways to retrieve and process publicly available data, using methods that can parse or extract information from formats in which the data are made publicly available.
    - b. Identify and statistically reconcile differences in the way regulatory agencies report enforcement statistics, explain differences in statistical concepts and reports, determine whether collected information can be linked across agencies, and determine whether unique defendants can be tracked as individual or organizational defendants through the regulatory justice process.
    - c. Identify differences across regulatory agency data attributable to (1) the differing ways the agencies define violators in key case-processing events; (2) the time periods for reported events; (3) the methods used to classify violations and case types; and (4) the methods used to classify disposition and outcome, including penalties imposed.
  - 3) Integrate federal regulatory enforcement data collected with this funding with FJSP criminal and civil database of white collar violations for selected federal judicial districts. Individual case-level information collected from federal regulatory enforcement agencies will be used by the applicant to augment the most recent years of criminal and civil data from the FJSP for a selected sample of districts.
    - a. For selected federal judicial districts, administrative, criminal, and civil data will be *integrated* into a pilot database of federal level white-collar violation statistics. The tasks include the following: select a sample of districts; implement procedures to classify and define white-collar violations; define the universe of white-collar violations within these jurisdictions; address overlapping or concurrent jurisdiction in reported information; and define key outcomes. This database would comprise individual case-level data and would serve as a proof of concept for the integration of individual case-level

data on the federal response to white-collar violations across regulatory, criminal, and civil justice systems.

The project will yield the following deliverables:

1. **A kickoff meeting.** The funding recipient must arrange a kickoff meeting to be held at BJS in Washington, D.C., within the first month of the project period. The meeting will include BJS staff, representatives from selected regulatory agencies, and key project staff. At least 1 week before the meeting, the applicant will provide BJS with a detailed draft time/task plan showing each of the major activities in the budget period, the time periods over which these activities will be conducted, the amount of staff time budgeted for each task (broken out by individual staff and subcontractors), key milestones, and delivery dates for each tangible product. All work must be completed within 20 months from the start date of the project. At the 1-day kickoff meeting, the recipient and BJS staff will finalize project plans. The objective of the meeting is a detailed discussion of the tasks to be performed, including [but not limited to] the approaches or processes the successful applicant will use to—

- document the development of the white collar violation classification scheme,
- develop a detailed list of federal regulatory agencies responsible for handling white collar violations,
- develop an understanding of how these agencies handle white collar violation matters,
- document the data each agency collects that would be useful to the project's efforts, and
- obtain, analyze, and standardize data available in these regulatory agencies.

The meeting will also provide a forum to consider issues with respect to the following: selecting regulatory agencies necessary to fully capture white collar violations, receiving administrative data files, the approaches to be used to collect regulatory data, means to gain participation and support for the project from regulatory agencies, and means to develop approvals needed to receive regulatory information (e.g., inter-agency agreements). Within 2 weeks of the kickoff meeting, the successful applicant will provide a final detailed time/task plan reflecting decisions made at the meeting.

2. **Scheduled communication.** The funding recipient must maintain regular reporting with BJS by meeting regularly in person or via teleconference. Conference calls between the recipient and BJS will be held at least once a month in order to ensure regular project updates. The recipient will submit quarterly written reports with progress updates.

3. **Offense classification scheme and federal regulatory response framework.** The funding recipient must prepare a draft report proposing a classification scheme for white collar violations handled at the federal level, based on pertinent administrative code and federal criminal and civil statutes. The report should also present a generic model of white collar case processing through federal agencies. BJS will review this draft report and provide comments. Prepare and deliver a final report that incorporates changes based on BJS comments.

4. **A list of agencies.** The funding recipient must develop a report containing a comprehensive list of regulatory agencies; the types of white collar violations each handles; and the possible outcomes, including type and amount of sanction.

**5. Data capability reports.** The funding recipient must prepare a series of reports on individual regulatory agencies that detail their data capabilities to support BJS' federal white collar crime program and the procedures that should be followed to obtain access to this information.

**6. Identification of agencies to include in the study.** After reviewing each report, the funding recipient must determine (with the guidance from BJS) whether the project should begin the process to obtain data from the regulatory agency. When the decision is made to approach the agency for its data, BJS and the recipient will work together to obtain the necessary permissions and documentation. When successfully completed, BJS will receive the data and the funding recipient will convert the data into an analyzable database incorporating the classification scheme developed earlier in the project.

**7. Report.** The funding recipient must provide a report describing how regulatory data could be combined with FJSP data to produce a more comprehensive portrait of white collar violation processing at the federal level.

**8. Statistical report.** The funding recipient must prepare at least one written statistical report for BJS publication on white collar violation enforcement by federal regulatory agencies (possibly incorporating FJSP data and tables that would be prepared by BJS staff).

### **Amount and Length of Awards**

BJS anticipates that it will make 1 award of up to \$500,000 over a 20-month project period.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

It is expected that the project tasks will be successfully performed within a 20-month (or shorter) period, with work beginning in October 2012. The funding of this project will not exceed \$500,000.

### **Budget 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, federal funds may not be used to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% 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. The 2012 salary table for SES employees is available at [www.opm.gov/oca/12tables/indexSES.asp](http://www.opm.gov/oca/12tables/indexSES.asp). Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Director of the Bureau of Justice Statistics. An applicant requesting a waiver should include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit its budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

### **Minimization of Conference Costs**

No OJP funding can be used to purchase food and/or beverages for any meeting, conference, training, or other event. Exceptions to this restriction may be made only in cases where such sustenance is not otherwise available (i.e., extremely remote areas), or where a special presentation at a conference requires a plenary address where there is no other time for sustenance to be obtained. Such an exception would require prior approval from OJP. This restriction does not apply to water provided at no cost, but does apply to any and all other refreshments, regardless of the size or nature of the meeting. Additionally, this restriction does not impact direct payment of per diem amounts to individuals in a travel status under your organization's travel policy.

Updated Department of Justice and OJP guidance on conference planning, minimization of costs, and conference cost reporting will be forthcoming and will be accessible on the OJP website at [www.ojp.usdoj.gov/funding/funding.htm](http://www.ojp.usdoj.gov/funding/funding.htm).

### **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 by individuals with limited English proficiency may be allowable costs. 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 of the OJP "Other Requirements for OJP Applications" webpage ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)).

### **Match Requirement**

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

### **Performance Measures**

To assist the Department 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, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. Any award recipient will be required, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. Performance measures for this solicitation are as follows:

<b>Objective</b>	<b>Performance Measure(s)</b>	<b>Data Grantee Provides</b>
<p>Based on the offense scheme and the generic model of case processing within federal regulatory agencies, develop a pilot database of federal level white collar violation statistics across regulatory, civil, and criminal agencies.</p>	<p>Percent of targeted information represented accurately in the database.</p>	<p>Recommendations for data collection result in a data base that (1) is comprehensive in detail, (2) is collected in way that minimizes burden on regulatory agencies, (3) uses methods that minimize data collection costs, and (4) identifies techniques that result in increased overall levels of participation among federal regulatory agencies.</p> <p>By agency, a summary of regulatory data elements targeted for inclusion in the project.</p> <p>By agency, a summary of regulatory agency data elements included in the project.</p>
<p>.</p>	<p>Percent of deliverables that meet BJS's expectations.</p> <p>Participation rate for regulatory agencies identified for inclusion in the white collar violations data collection.</p>	<p>Data elements that are shared across agencies and can be reconciled for comparability.</p> <p>Capabilities of regulatory agencies to provide data extracts.</p> <p>Deliverables include:</p> <p>Classification scheme for white collar violations handled at the federal level;</p> <p>Implementation plan to conduct data collection for regulatory enforcement actions:</p> <p>Report containing a comprehensive list of regulatory agencies, their data, and procedures to obtain access to this information;</p> <p>Report describing specific methods for integrating regulatory data with FJSP data; and,</p> <p>Statistical report for BJS publication on white collar violation enforcement by federal regulatory agencies.</p>

Submission of performance measure data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for performance measures. Refer to the section “What an Application Should Include” on page 13 for additional information.

### **Note on Project Evaluations**

Applicants that propose to use funds awarded 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.” Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections 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, see the decision tree to assist applicants on the “Research and the Protection of Human Subjects” section of the OJP “Other Requirements for OJP Applications” Web page ([www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm)). Applicants whose proposals may involve a research or statistical component also should review the “Confidentiality” section on that Web page.

### **Notice of Post-Award FFATA Reporting Requirement**

Applicants should anticipate that OJP will require all recipients (other than individuals) of awards of \$25,000 or more under this solicitation, consistent with the Federal Funding Accountability and Transparency Act of 2006 (FFATA), to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the reporting requirements should it receive funding. Reports regarding subawards will be made through the FFATA Subaward Reporting System (FSRS), found at [www.fsrs.gov](http://www.fsrs.gov).

Please note also that applicants should anticipate that no subaward of an award made under this solicitation may be made to a subrecipient (other than an individual) unless the potential subrecipient acquires and provides a Data Universal Numbering System (DUNS) number.

### **How to Apply**

Applications will be submitted through Grants.gov. Grants.gov is a “one-stop storefront” that provides a unified process for all customers of federal awards to find funding opportunities and apply for funding. Complete instructions on how to register and submit an application can be found at [www.Grants.gov](http://www.Grants.gov). If the applicant experiences technical difficulties at any point during this process, call the Grants.gov Customer Support Hotline at **800-518-4726**, or **606-545-5035** 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-

time process; however, **processing delays may occur, and it can take up to several weeks** for first-time registrants to receive confirmation and a user password. OJP highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package by the specified application deadline.

All applicants are required to complete the following steps:

**1. Acquire a Data Universal Numbering System (DUNS) number.** In general, OMB requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or renewal of an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Obtain a DUNS number by calling Dun and Bradstreet at 866-705-5711 or by applying online at [www.dnb.com](http://www.dnb.com). A DUNS number is usually received within 1-2 business days.

**2. Acquire or renew registration with the Central Contractor Registration (CCR) database.** OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the CCR database. An applicant must be registered in the CCR to successfully register in Grants.gov. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Note, however, that applicants must **update or renew their CCR registration annually** to maintain an active status. Information about CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.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. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to [www.grants.gov/applicants/get\\_registered.jsp](http://www.grants.gov/applicants/get_registered.jsp).

**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. Note that there can be more than one AOR for the organization.

**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 CFDA 16.734, titled "Special Data Collection and Statistical Studies," and the funding opportunity number is BJS-2012-3352.

**6. Complete the Disclosure of Lobbying Activities.** All applicants must complete this information. An applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities*, (SF-LLL). An applicant that does not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.

**7. Submit an 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 an e-mail validation message from Grants.gov. The validation message will state whether the application has been received and validated, or rejected, with an explanation.

**Important:** Applicants are urged to submit applications **at least 72 hours prior** to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused a rejection notification.

**Note: Grants.gov will forward the application to OJP's Grants Management System (GMS). 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."

### **Note: Duplicate Applications**

If an applicant submits multiple versions of an application, BJS will review the most recent version submitted.

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

If an applicant experiences unforeseen Grants.gov technical issues beyond the applicant's control that prevent submission of its application by the deadline, the applicant must email the BJS contact identified in the Contact Information section on cover page **within 24 hours after the application deadline** and request approval to submit its application. The applicant must include in the e-mail: a description of the technical difficulties, a timeline of submission efforts, the complete grant application, the applicant DUNS number, and Grants.gov Help Desk tracking number(s) the applicant has received. **Note: Requests are not automatically approved by BJS.** After the program office reviews all of the information submitted and contacts the Grants.gov Help Desk to validate the technical issues reported, OJP will contact the applicant to either approve or deny the request to submit a late application. If the technical issues reported cannot be validated, the application will be rejected as untimely.

The following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time, (2) failure to follow Grants.gov instructions on how to register and apply as posted on its Web site, (3) failure to follow all of the instructions in the OJP solicitation, and (4) technical issues experienced with the applicant's computer or information technology (IT) environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding Web page at [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

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

Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are unresponsive to the scope of the solicitation, or that do not include application elements designated by BJS to be critical, will neither proceed to peer review or receive further consideration. Under this solicitation, BJS has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative. The Budget Narrative and the Budget Detail Worksheet may

be combined in one document. However, if only one document is submitted, it must contain **both** narrative and detail information.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. OJP recommends that resumes be included in a single file.

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

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and 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).

### **2. Program Narrative**

The program narrative shall not exceed 30 double-spaced pages with a font style and size no smaller than 12-point and margins no smaller than 1 inch all around. The page limitation does not include a cover page, table of contents, capabilities and competencies, and budget and budget narrative.

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

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

- a. Statement of the Problem
- b. Project Design and Implementation
- c. Capabilities and Competencies
- d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

Submission of performance measures data is not required for the application. Performance measures are included as an alert that successful applicants will be required to submit specific data to BJS as part of their reporting requirements. For the application, the applicant should indicate an understanding of these requirements and discuss how the applicant will gather the required data, should the applicant receive funding.

### **3. Budget Detail Worksheet and Budget Narrative**

#### **a. Budget Detail Worksheet**

A sample Budget Detail Worksheet can be found at [www.ojp.gov/funding/forms/budget\\_detail.pdf](http://www.ojp.gov/funding/forms/budget_detail.pdf). If the budget is submitted in a different format, the budget categories listed in the sample budget worksheet should be included.

For questions pertaining to budget and examples of allowable and unallowable costs, see the OJP Financial Guide at [www.ojp.usdoj.gov/financialguide/index.htm](http://www.ojp.usdoj.gov/financialguide/index.htm).

**b. Budget Narrative**

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. Proposed budgets are expected to be complete; reasonable and allowable; cost effective; and necessary for project activities. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how all costs were estimated and calculated and how they are relevant 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 be broken down by year.

**4. Indirect Cost Rate Agreement (if applicable)**

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) A copy of the rate approval should be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant federal agency, which will review all documentation and approve a rate for the applicant organization or, if the applicant's accounting system permits, costs may be allocated in the direct cost categories. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at [www.ojp.usdoj.gov/funding/pdfs/indirect\\_costs.pdf](http://www.ojp.usdoj.gov/funding/pdfs/indirect_costs.pdf).

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

If an application is being submitted by either (1) a tribe or tribal organization or (2) a third party proposing to provide direct services or assistance to residents on tribal lands, then a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable governing body authorizing the inclusion of the tribe or tribal organization and its membership should be included with the application. In those instances when an organization or consortium of tribes proposes to apply for a grant on behalf of a tribe or multiple specific tribes, then the application should include a resolution (or comparable legal documentation, as may be applicable) from all tribes that will be included as a part of the services/assistance provided under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without authorizing resolution or other enactment of each tribal governing body) may submit a copy of its consortium bylaws with the application in lieu of tribal resolutions (or comparable legal documentation).

If an applicant is unable to obtain and submit with its application a fully-executed (i.e., signed) copy of a tribal resolution or other, comparable legal documentation as may be consistent with the tribe's governance structure, then, at minimum, the applicant should submit an unsigned, draft version of such legal documentation as part of its application (except in cases where, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, use of and access to funds will be contingent on receipt of the fully-executed tribal resolution or other comparable legal documentation.

## 6. Additional Attachments

- **Key staff Information**

Information on key staff includes a staff loading chart by task and contract year, showing the role and number of hours (per year) committed for proposed staff and identification of proposed key personnel and their qualifications for the significant functions in the project. Along with concise descriptions of the duties each will perform under this grants and identification by name of all key personnel with decision-making authority.

- **Privacy Certification**

The Privacy Certification is a funding recipient's certification of compliance with federal regulations requiring confidentiality of information identifiable to a private person, which is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient's Privacy Certificate includes a description of its policies and procedures to be followed to protect identifiable data. A model certificate is located at [www.bjs.gov/content/pub/pdf/bjsmpc.pdf](http://www.bjs.gov/content/pub/pdf/bjsmpc.pdf).

- **Human Subjects Protection Certificate of Compliance**

BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets federal requirements for human subjects protections set forth in 28 CFR Part 46. A model certificate is located at [www.bjs.gov/content/hscr.cfm](http://www.bjs.gov/content/hscr.cfm).

## 7. Other Standard Forms

Additional forms that may be required in connection with an award are available on OJP's funding page at [www.ojp.usdoj.gov/funding/forms.htm](http://www.ojp.usdoj.gov/funding/forms.htm). For successful applicants, receipt of funds may be contingent upon submission of all necessary forms. Note in particular the following forms.

- a. [Standard Assurances](#)

Applicants must read, certify, and submit this form in GMS prior to the receipt of any award funds.

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

Applicants must read, certify and submit in GMS prior to the receipt of any award funds.

- c. [Accounting System and Financial Capability Questionnaire](#) (required for any applicant other than an individual that is a non-governmental entity and that has not received any award from OJP within the past 3 years; this form must be downloaded, completed, and submitted).

## Selection Criteria

### 1. Statement of the Problem (15%)

The applicant should demonstrate an understanding of the goals and objectives of the project, including the value of the Federal White Collar Violations Statistical Series to the criminal justice field. The applicant should demonstrate an understanding of the diversity of federal regulatory agencies that will be involved in the project and the challenges in obtaining and working with data that reflect complex regulatory enforcement processes. The applicant should also demonstrate an understanding of the challenges in defining federal white collar violations; the complexity in classifying a myriad of federal regulations and criminal and civil statutes, according to a white collar violation definition; and the analytical rigor required to reconcile diverse regulatory agency data to enable integration with civil and criminal data.

### 2. Project Design and Implementation (45%)

The application should describe how the applicant will approach each phase of the project detailed in the statement of work section. The applicant should provide a description of how it proposes to define federal white collar violations and convey an understanding of the strengths and weaknesses of differing definitional approaches. The applicant should describe the approach it will take in classifying federal regulations and federal criminal and civil statutes and the applicant's sense of the challenges in creating a comprehensive cross-walk, as well as how it proposes to address these challenges. The applicant should include details on how it proposes to obtain and work with data from regulatory agencies, including a description of the inherent limitations of administrative data, and describe means to mitigate these shortcomings. The applicant should discuss how it has worked successfully with an external data provider in the past to facilitate the delivery of data and detail how it developed a working relationship with the data provider. The application should detail methods the applicant would use to encourage participation from regulatory agencies. As the project may require obtaining data from public websites, the applicant should discuss how it would proceed to efficiently retrieve and convert such data into a readily analyzable format. The applicant should demonstrate familiarity with one current federal regulatory agency website that presents enforcement actions data and provide an assessment of challenges posed if faced with having to retrieve, convert to analyzable format, classify for purpose of white collar violations, and analyze these data to create statistical tables that describe case flow and outcomes.

The application should also describe how the applicant will select a sample of federal judicial districts for a pilot analysis that will seek to integrate individual case-level data on regulatory actions and criminal and civil actions for producing an assessment of the totality of sanctions imposed on white collar offenders and other proposed analyses. As a part of this discussion, the application should layout the process it will use to select cohorts to track and a discussion of a strategy for linking regulatory, criminal, and civil data together. Lastly, the applicant should provide what it believes would be key content to include in statistical tables. The tables should describe the federal response to white collar violations in such a way as to enhance understanding for a broad range of audiences.

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

This section should document the applicant's ability to successfully complete the prescribed tasks. This may be done through descriptions of the benefits of the proposed design/work plan, past work, and/or by the relevant skills/experience of proposed program staff. This section should identify proposed key personnel and their qualifications for the significant functions in this project, along with concise descriptions of the duties each will perform under the cooperative agreement; and identification by name of all key personnel with decision-making authority. (Vitae/resumes of key staff should be included in an appendix to the proposal.)

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

The applicant should indicate an understanding of the performance measures required for this grant (described on page 9) and confirm that the necessary measures will be provided.

### **5. Budget complete; reasonable and allowable; cost effective; and necessary for project activities (10%)**

Reasonableness of the project budget should be demonstrated, including the degree to which the budget demonstrates fiscal, management, staff, and organizational capacities to provide sound management for this project, and the degree to which the budget demonstrates that services and products provided by the grantee are of high quality and reasonable cost. Demonstrated fiscal management on past projects of a similar scale should be demonstrated. Methods of conserving costs while maximizing use of existing resources should be presented. Applicants should include a detailed time/task plan that shows the allocation of staff resources (and other costs) by each proposed project task.

If the application includes subcontractors, the budget for each subcontractor should be presented in the same level as detail as that of the lead applicant. Similarly, subcontractor tasks referenced in the time/task plan should be detailed to the same degree (e.g., the identification of key staff and level of effort devoted to each subtask) as those of the primary contractor.

## **Review Process**

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

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. BJS may use either internal peer reviewers, external peer reviewers, or a combination, to review the applications under this solicitation. 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. Applications that meet basic minimum requirements will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award

recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with BJS, conducts a financial review of applications for potential discretionary awards to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

All final award decisions will be made by the Director of BJS, who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

## **Additional Requirements**

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at [www.ojp.usdoj.gov/funding/other\\_requirements.htm](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

- Civil Rights Compliance
- Civil Rights Compliance Specific to State Administering Agencies
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](#)
- Suspension or Termination of Funding

- Nonprofit Organizations
- For-profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Active CCR Registration

### **Provide Feedback to OJP on This Solicitation**

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, application submission process, and/or the application review/peer review process. Feedback can be provided to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

## Application Checklist

# Federal White Collar Violations Statistical Series

This application checklist has been created to assist in developing an application.

**Eligibility Requirement:** Eligible applicants are limited to for-profit (commercial) organizations, nonprofit organizations, faith-based and community organizations, institutions of higher learning, and consortia with demonstrated organizational and community-based experience working with American Indian and Alaska Native communities, including tribal for-profit (commercial) and nonprofit organizations, tribal colleges and universities, and tribal consortia. For-profit organizations must agree to forgo any profit or management fee.

\_\_\_\_\_ The federal amount requested is within the allowable limit(s) of \$500,000.

### What an Application Should Include:

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 14)
- \_\_\_\_\_ Program Narrative (see page 14)
  - \_\_\_\_\_ Double-spaced
  - \_\_\_\_\_ 12-point standard font
  - \_\_\_\_\_ 1" standard margins
  - \_\_\_\_\_ Narrative is 30 pages or less
  
- \_\_\_\_\_ Budget Detail Worksheet (see page 14)
- \_\_\_\_\_ Budget Narrative (see page 15)
- \_\_\_\_\_ Disclosure of Lobbying Activities (SF-LLL) (see page 12)
- \_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 15)
- \_\_\_\_\_ Tribal Authorizing Resolution (if applicable) (see page 15)
- \_\_\_\_\_ Additional Attachments (see page 16)
  - \_\_\_\_\_ Key staff Information
  - \_\_\_\_\_ Privacy Certification
  - \_\_\_\_\_ Human Subjects Protection Certificate of Compliance
  
- \_\_\_\_\_ Other Standard Forms as applicable (see page 16)
  - \_\_\_\_\_ Accounting System and Financial Capability Questionnaire (if applicable)