



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 for data collection, coding, statistical analysis, and reporting writing services for an examination of Presidential Pardons. As the principal statistical agency within 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 program furthers the Department's mission by providing the unique opportunity to address a substantive aspect of the federal criminal justice system.

FY 2012 Statistical Examination of Presidential Pardons

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 forgo any profit or management fee.

Deadline

Applicants must register with [Grants.gov](#) prior to submitting an application. (See "How to Apply," page 12.) 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 or 606-545-5035, or via e-mail to 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 Gerard F. Ramker, Deputy Director, Bureau of Justice Statistics, by telephone at 202-307-0765 or by e-mail at askbjs@usdoj.gov. Include "2012SEPP" in the subject line.

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FY 2012 Statistical Examination of Presidential Pardons (CFDA #16.734)

Overview

BJS is pleased to announce that it is seeking applications for an examination of the processing of petitions for Presidential Pardons. In the federal justice system, commutation of sentence and pardon are different forms of executive clemency, which is a broad term that applies to the President's constitutional power to exercise leniency toward persons who have committed federal crimes. The purpose of this program is to examine how petitions for pardon are adjudicated by the Justice Department's Office of the Pardon Attorney. The Pardon Attorney reviews and investigates pardon applications, and prepares the Department's recommendation to the President.

Under section 302 of the Omnibus Crime Control and Safe Streets Act, BJS is authorized to "provide information to the President, the Congress, the judiciary, state, tribal, and local governments, and the general public on justice statistics."

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 12 for details.

Eligibility

Refer to the title page for eligibility under this program.

Program-Specific Information

For over 100 years, the President has relied on the Department of Justice, and particularly the Office of the Pardon Attorney, for assistance in the exercise of the executive clemency power granted to the President by Article II, Section 2 of the Constitution. Under the Constitution, the President's clemency power extends only to federal criminal offenses. Executive clemency may take several forms, including pardon, commutation of sentence, remission of fine or restitution, or reprieve. All requests for executive clemency for federal offenses are directed to the Pardon Attorney for review, investigation, and preparation of the Department's recommendation to the President, which is signed by the Deputy Attorney General, for the final dispositions of each application. The Office of the Pardon Attorney also prepares the documents the President signs when granting executive clemency and notifies all applicants of the President's clemency decisions.

Interested applicants are strongly encouraged to review publicly available background information maintained by the Office of the Pardon Attorney on its website (www.justice.gov/pardon/) that provides a variety of important background information including:

- Clemency Statistics: 1900-2012 (www.justice.gov/pardon/statistics.htm)
- Rules Governing Petitions for Executive Clemency (www.justice.gov/pardon/clemency.htm)
- Standards for Consideration of Clemency Petitions (www.justice.gov/pardon/petitions.htm)
- Frequently Asked Questions Concerning Executive Clemency (www.justice.gov/pardon/faq.htm)
- Application Forms and Instructions (www.justice.gov/pardon/forms.htm)

The focus of the statistical examination described in the solicitation is exclusively on the processing of pardon petitions. In the federal system, commutation of sentence and pardon are different forms of executive clemency, which is a broad term that applies to the President's constitutional power to exercise leniency toward persons who have committed federal crimes. A commutation of sentence reduces a sentence, either totally or partially, that is then being served, but it does not change the fact of conviction, imply innocence, or remove civil disabilities that apply to the convicted person as a result of the criminal conviction. A pardon is an expression of the President's forgiveness and ordinarily is granted in recognition of the applicant's acceptance of responsibility for the crime and established good conduct for a significant period of time after conviction or completion of sentence. It does not signify innocence. It does, however, remove civil disabilities – e.g., restrictions on the right to vote, hold state or local office, or sit on a jury – imposed because of the conviction for which pardon is sought, and should lessen the stigma arising from the conviction. It may also be helpful in obtaining licenses, bonding, or employment. Under some – but not all – circumstances, a pardon will eliminate the legal basis for removal or deportation from the United States.

Standards for Considering Pardon Petitions¹

The source of data and information for the proposed statistical examination are the individual petition files of the Pardon Attorney. The contents of such files derive from the applicable rules and standards, and include various forms and reports that such processes generate. As noted previously, the Pardon Attorney assists the President in the exercise of his power under Article II, Section 2, clause 1 of the Constitution (the Pardon Clause). See Executive Order dated June 16, 1893 (transferring clemency petition processing and advisory functions to the Justice Department), the Rules Governing the Processing of Petitions for Executive Clemency (codified in 28 C.F.R. § 1.1 et seq.), and 28 C.F.R. §§ 0.35 and 0.36 (relating to the authority of the Pardon Attorney).

¹ This description here is derived from the Standards for Considering Pardon Petitions on the OPA website. The original material is reproduced from the United States Attorneys' Manual (USAM), last updated in September 1997(See: www.justice.gov/usao/eousa/foia_reading_room/usam/).

The Pardon Attorney, under the direction of the Deputy Attorney General, receives and reviews all petitions for executive clemency (petitions which include pardon after completion of sentence, commutation of sentence, remission of fine and reprieve). They initiate and direct the necessary investigations, and prepare a report and recommendation for submission to the President in every case. In addition, the Office of the Pardon Attorney acts as a liaison with the public during the pendency of a petition, responding to correspondence and answering inquiries about cases and issues.

The Pardon Attorney routinely requests the United States Attorney in the district of conviction to provide comments and recommendations on cases that appear to have some merit, as well as on cases that raise issues of fact about which the United States Attorney may be in a position to provide information.

The views of the United States Attorney are given considerable weight in determining what recommendations the Department should make to the President.² For this reason, and in order to ensure consistency, it is important that each request sent to the district receive the personal attention of the United States Attorney. Each petition is presented for action to the President with a report and recommendation from the Department, and the recommendation by the United States Attorney is included in this report.

The United States Attorney can contribute significantly to the process by providing factual information and perspectives about the offense of conviction that may not be reflected in the presentence or background investigation reports or other sources, e.g., the extent of the petitioner's wrongdoing and the attendant circumstances, the amount of money involved or losses sustained, the petitioner's involvement in other criminal activity, the petitioner's reputation in the community and, when appropriate, the victim impact of the petitioner's crime. On occasion, the Pardon Attorney may request information from prosecution records that may not be readily available from other sources.

In cases involving pardon after completion of sentence, the United States Attorney is expected to comment on the petitioner's post-conviction rehabilitation, particularly any actions that may evidence a desire to atone for the offense, in light of the standards generally applicable in pardon cases as discussed in the following section.

The Pardon Attorney will forward to the United States Attorney copies of the pardon petition and relevant investigative reports. These records are to be returned to the Pardon Attorney along with the response. In cases involving requests for other forms of executive clemency (i.e., commutation of sentence or remission of fine), copies of the clemency petition and such related records as may be useful (e.g., presentence report, judgment of conviction, prison progress reports, and completed statement of debtor forms) will be provided.

The Pardon Attorney also routinely requests the United States Attorney to solicit the views and recommendation of the sentencing judge. If the sentencing judge is retired, deceased, or otherwise unavailable for comment, the United States Attorney's report should so advise. In the event the United States Attorney does not wish to contact the sentencing judge, the Pardon Attorney should be advised accordingly so that the judge's views may be solicited directly. Absent an express request for confidentiality, the Pardon Attorney may share the comments of

² See USAM, Section 1-2.111, "Role of the United States Attorney in Clemency Matters."

the United States Attorney with the sentencing judge or other concerned officials whose views are solicited.

The United States Attorney may support, oppose or take no position on a pardon request. In this regard, it is helpful to have a clear expression of the office's position. The Pardon Attorney generally asks for a response within 30 days. If an unusual delay is anticipated, the Pardon Attorney should be advised when a response may be expected. If desired, the official views of the United States Attorney may be supplemented by separate reports from present or former officials involved in the prosecution of the case.

In general, a pardon is granted on the basis of the petitioner's demonstrated good conduct for a substantial period of time after conviction and service of sentence. The Department's regulations require a petitioner to wait a period of at least 5 years after conviction or release from confinement (whichever is later) before filing a pardon application (28 C.F.R. § 1.2).

In determining whether a particular petitioner should be recommended for a pardon, the following are the five (5) principal factors taken into account.³

1. Post-conviction conduct, character, and reputation.

An individual's demonstrated ability to lead a responsible and productive life for a significant period after conviction or release from confinement is strong evidence of rehabilitation and worthiness for pardon. The background investigation customarily conducted by the FBI in pardon cases focuses on the petitioner's financial and employment stability, responsibility toward family, reputation in the community, participation in community service, charitable or other meritorious activities and, if applicable, military record. In assessing post-conviction accomplishments, each petitioner's life circumstances are considered in their totality: it may not be appropriate or realistic to expect "extraordinary" post-conviction achievements from individuals who are less fortunately situated in terms of cultural, educational, or economic background.

2. Seriousness and relative recentness of the offense.

When an offense is very serious (e.g., a violent crime, major drug trafficking, breach of public trust, or white collar fraud involving substantial sums of money), a suitable length of time should have elapsed in order to avoid denigrating the seriousness of the offense or undermining the deterrent effect of the conviction. In the case of a prominent individual or notorious crime, the likely effect of a pardon on law enforcement interests or upon the general public should be taken into account. Victim impact may also be a relevant consideration. When an offense is very old and relatively minor, the equities may weigh more heavily in favor of forgiveness, provided the petitioner is otherwise a suitable candidate for pardon.

3. Acceptance of responsibility, remorse, and atonement.

The extent to which a petitioner has accepted responsibility for his or her criminal conduct and made restitution to its victims are important considerations. A petitioner should be genuinely desirous of forgiveness rather than vindication. While the absence of expressions of remorse

³ See USAM, Section 1-2.112, "Standards for Considering Pardon Petitions."

should not preclude favorable consideration, a petitioner's attempt to minimize or rationalize culpability does not advance the case for pardon. In this regard, statements made in mitigation (e.g., "everybody was doing it," or "I didn't realize it was illegal") should be judged in context. Persons seeking a pardon on grounds of innocence or miscarriage of justice bear a formidable burden of persuasion.

4. Need for relief.

The purpose for which pardon is sought may influence disposition of the petition. A felony conviction may result in a wide variety of legal disabilities under state or federal law, some of which can provide persuasive grounds for recommending a pardon. For example, a specific employment-related need for pardon, such as removal of a bar to licensure or bonding, may make an otherwise marginal case sufficiently compelling to warrant a grant in aid of the individual's continuing rehabilitation. On the other hand, the absence of a specific need should not be held against an otherwise deserving applicant, who may understandably be motivated solely by a strong personal desire for a sign of forgiveness.

5. Official recommendations and reports.

The comments and recommendations of concerned and knowledgeable officials, particularly the United States Attorney whose office prosecuted the case and the sentencing judge, are carefully considered. The likely impact of favorable action in the district or nationally, particularly on current law enforcement priorities, will always be relevant to the President's decision. Apart from their significance to the individuals who seek them, pardons can play an important part in defining and furthering the rehabilitative goals of the criminal justice system.

Goals and Objectives

The statistical examination contemplated in this solicitation will involve the following:

1. The development of a conceptual model of the Office of the Pardon Attorney (OPA) deliberative process. The assumption is that this process is composed of one or more stages of decision making that begin or end with a decision to finalize a recommendation or continue the investigative process. By necessity, it will be important for the model to identify what information is available at each decision making point in the deliberative processes.
2. The identification of the pardon applications included in the statistical examination and the access to the relevant OPA files for review. The population of petitions that this study speaks to includes all petitions that reached final disposition, (i.e. were granted, denied or closed) between October 1, 2001 and April 30, 2012. During this period approximately 211 pardon petitions were granted, 2,748 were denied and 834 were closed without action (see table of Pardon Statistics below).

Note: This research project must comply with all Federal, U.S. Department of Justice (DOJ), Office of Justice Programs regulations and policies concerning the protection of human subjects and the DOJ confidentiality requirements. In particular, applicants must adhere to requirements under 42 U.S.C. § 3789g the other DOJ regulations on the Confidentiality of Identifiable Research and Statistical Information found in 28 CFR Part 22. Among other things, these regulations (a) protect the privacy of individuals by limiting

the use of private, identifiable information for research or statistical purposes; (b) protect private information provided by individuals from use in any judicial, legal, or administrative process without the individual's prior consent; (c) clarify for researchers the limitations on the use of privately identifiable information for only research or statistical purposes; and, (d) provide specific requirements on data access and security, limitations on the transfer of the data, and specifications for final disposition of the information.

All Applicants Must Submit a Privacy Certificate which assures that the applicant understands his responsibilities to protect the confidentiality of research and statistical information and has developed specific procedures to ensure that this information is only used or revealed in accordance with the requirements of 42 USC §3789g and 28 CFR Part 22. For further information see: www.bjs.gov/content/hscr.cfm.

3. This statistical examination will include all pardon petitions that were granted and a stratified random sample of approximately 1000 petitions that were either denied or closed without Presidential action. The sample will be stratified by year of disposition. Thus, the number of petitions on which information will be collected is approximately 1,211.

For planning purposes, applicants should expect that the time required to review an individual petition file for recording coded data is estimated at 2 hours per file.

Pardon Petition Statistics

Source: (www.justice.gov/pardon/statistics.htm)

Fiscal Year	Petitions Pending	Petitions Received	Petitions Granted	Petitions Denied	Petitions Closed Without Presidential Action
2001 (8.5 mos.)	923	110	0	0	45
2002	988	152	0	519	53
2003	565	172	7	51	21
2004	659	235	12	108	42
2005	733	252	39	89	35
2006	822	254	39	255	53
2007	729	334	16	0	75
2008	972	555	44	513	107
2009 (3.5 mos.)	864	434	32	194	33
2009 (8.5 mos.)	1,040	232	0	0	132
2010	1,140	262	0	0	117
2011	1,285	331	17	872	84
2012 (7 mos.)	643	205	5	147	37
		3,528	211	2,748	834

4. The development and testing of a coding scheme for the information to be obtained from the Pardon Attorneys' files that address the five principal factors taken into account by the Pardon Attorney. Available demographic and case information will also be coded which, at a minimum, will include: petitioner age, race, ethnicity, gender, the crime involved, and sentence imposed. The coded information will be entered into a data file

created by the successful applicant and statistical models will be used to understand the pardon decision process.

Note: The models are to be used by the successful applicant to test the primary hypothesis that all other things being equal African Americans and other minorities are less likely to progress in the pardon adjudication process than applicants of other races. Applicants may propose one or more secondary hypotheses for testing with clear and convincing justification.

5. The development of a publishable quality final report describing the methodology, data collection, coding, modeling, statistical analyses, and hypothesis testing.

The project will be guided by BJS and a group of knowledgeable advisors designated by the Office of the Pardon Attorney through regular (at least bi-weekly) meetings and discussions. The successful applicant will be expected to convene this "steering committee", and prepare relevant meeting materials including general minutes that document discussions and decisions.

Deliverables

The successful applicant will be expected to produce the following deliverables for BJS:

1. A depiction and description of a conceptual model of the OPA deliberative process. The assumption is that this process is composed of one or more stages of decision making that begin or end with a decision to finalize a recommendation or continue the investigate process. The model will also note what information is typically available at each decision making point in the deliberative processes.
2. The coding scheme utilized for the information obtained from the Pardon Attorneys' files that addressed the five principal factors taken into account by the Pardon Attorney.
3. The data file created for the statistical analyses.
4. An analysis plan describing the models that were be used to test the hypotheses regarding the effects of race on the decision to grant or deny an application for a Presidential pardon.
5. A publishable quality final report describing the methodology, data collection, coding, modeling, statistical analyses, and hypothesis testing activities.

Amount and Length of Awards

BJS anticipates that it will make 1 award under this solicitation, totaling no more than \$350,000. The period of performance will be 12 months beginning October 1, 2012 and ending September 30, 2013.

The applicant's proposed project plan and budget should reflect this expected timetable.

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

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. 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.

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" Web page (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:

Objective	Performance Measure(s)	Data Grantee Provides
<p>Successfully complete a statistical examination of the factors influencing the U.S. Department of Justice's Office of the Pardon Attorney's deliberation process for petitions for Presidential Pardon.</p>	<p>Percent of deliverables that meet BJS's expectations.</p>	<p>A conceptual model of OPA deliberative process.</p> <p>A list of the pardon applications sampled for inclusion in the examination.</p> <p>The coding scheme utilized to collect information from pardon petitions.</p> <p>The statistical analysis plan focused on the primary hypothesis to be tested.</p> <p>The final data file utilized in the analysis.</p> <p>Publishable quality final report describing the methodology, data collection, coding, modeling, statistical analyses, and hypothesis testing.</p>
	<p>Percent of milestones and deadlines met.</p>	<p>Time frames for project work and dates of deliverable submission.</p>

Submission of performance measures 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 14 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). 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.

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. 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, the Office of Management and Budget 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. 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.
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.
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 16.734, titled "Special Data Collections and Statistical Studies," number is BJS-2012-3353.
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 staff 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.

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 the Bureau of Justice Statistics to be critical, will proceed neither to peer review nor receive further consideration. Under this solicitation, the Bureau of Justice Statistics has designated the following application elements as critical: Program Narrative, Budget Detail Worksheet and Budget Narrative, and the applicant's detailed resume or curriculum vitae. 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.

Applicants should submit the following:

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

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 program narrative, which consists of the following components, may not exceed 16 double-spaced pages in 12-point font with 1-inch margins and **MUST** include six separate sections:

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

- a. Project Abstract - The application should include a one-page summary (abstract) that clearly describes the title/topic of the proposed statistical examination, and describes the activities that will be implemented and materials that will be developed to achieve the project's goals and objectives, methods, and outcomes.
- b. Statement of the Problem – The application should describe the hypothesis to be tested in this study and discuss the implications of previous similar examinations of executive clemency.
- c. Project Design and Implementation (including proposed deliverables and proposed travel to BJS, OPA, and/or physical location in Washington DC of petition files). This section should also articulate the proposed analysis plan to fully and completely test the hypothesis identified.
- d. Project Schedule and Deliverables – The application must include a project schedule that identifies all relevant project activities, timeframes, and deliverables.
- e. Capabilities and Competencies – The applications must include a description of the applicant's/organization's research and analysis qualifications that will enable the successful completion of the statistical examination. The applicant should demonstrate sufficient subject matter and project management expertise and

other necessary skills, such as statistical analysis, sampling, technical writing and technological proficiency with specific software programs, to perform crucial functions of the project.

- f. 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. 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.

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.

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.** Two attachments must be included: (a) a resume and/or curriculum vitae for each person involved in the project which includes a list of publications authored; (b) and the names and full contact information for three professional references. Resumes should include all employment and volunteer experience and relevant academic work. Resumes should provide contact information for previous supervisors and indicate whether or not the applicant authorizes BJS staff to contact the supervisor to verify work experience.
- **Privacy Certification.** The Privacy Certificate is a funding recipient's certification of compliance with federal regulations requiring confidentiality of information identifiable to a private person, which is collected, analyzed, or otherwise used in connection with an OJP-funded research or statistical activity. The funding recipient's Privacy Certificate includes a description of its policies and procedures to be followed to protect identifiable data. A model certificate is located at www.bjs.gov/content/pub/pdf/bjsmpc.pdf.
- **Human Subjects Protection Certification of Compliance.** BJS requires the funding recipient to submit proper documentation to be used to determine that the research project meets the federal requirements for human subjects protections set forth in 28 CFR Part 46. A model certificate, describing the necessary information to be provided by the funding recipient, can be accessed at 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. 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

Applications will be assessed according to the following criteria.

1. Statement of the Problem and Project Abstract (10%)

The application should include a one-page summary (abstract) that clearly describes the title/topic of the proposed statistical examination, and describes the activities that will be implemented and materials that will be developed to achieve the project's goals and objectives, methods, and outcomes.

2. Project Goals and Objectives (10%)

The applicant must specify the goals and objectives of statistical examination. The objectives should be measurable through statistical analysis and relate directly to the issues described in the problem statement. The goals should state the overall purpose of what is to be accomplished. The objectives should describe the steps necessary to reach the goals or how the goals will be accomplished. The application should clearly describe how funding will support the overall success of the project.

3. Program Design and Implementation (15%)

The project design and implementation plan must describe the goals, objectives, and activities and discuss how the strategy will address the identified problems and support the goals and objectives. It must include a time-task plan that clearly identifies objectives, major activities, and deliverables. The time-task plan also must provide for the submission of financial and progress reports. All recipients are required to submit semiannual progress reports and quarterly financial reports.

4. Capabilities/Competencies (35%)

Applications must include a clear description of the applicant's/organization's research and analysis qualifications that will enable them to fulfill the grant responsibilities. The applicant must demonstrate sufficient subject matter and project management expertise and other necessary skills, such as technical writing and technological proficiency with specific software programs, to perform crucial functions of the project. Resumes should be attached to the narrative to support

this section and should include all employment and volunteer experience. Applications are expected to involve researchers and/or statisticians whose work on crime-related subjects has been extensively published, and who are willing to commit a substantial portion of their time over the project period to undertake and complete the proposed research.

5. Plan for Collecting Data required for this Solicitation's Performance Measures (5%)

6. Budget complete; reasonable and allowable; cost effective; and necessary for project activities (15%)

BJS and OJP staff will examine the identified project budget to ensure that all expenses are allowable and necessary for the completion of the project and comport with the requirements of the OJP Financial Guide. Applications that exceed the \$350,000 limitation for this solicitation will be considered non-responsive and will not be reviewed. While the use of the Budget Detail Form is not required, applicants must follow the format of the Budget Detail Form and include all requested information that is relevant to the execution of the awarded project. Applicants should ensure that all expenses listed are allowable as outlined in this solicitation and the OJP Financial Guide.

7. Impact/Outcomes and Evaluation (10%)

Evaluation is critical to ensure that each BJS project is operating as designed and achieving its goals and objectives. Accordingly, each application must provide a plan to assess, monitor and evaluate accomplishment of project goals and objectives. Applicants should describe how they will assess performance in attaining the outcomes identified for the project. Goals and objectives must be clearly stated, links must be established between program activities and objectives, and performance measures must be identified. Performance measures will address a mix of immediate and intermediate outcomes and, as appropriate and feasible, information on long-term impact.

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.

When awards will be made: All applicants, whether they are accepted or rejected, will be notified. The review and approval process may take several months. You should not propose to begin work until at least 6 months after the application deadline on the cover of this solicitation. Also, you should not expect to receive notification of a decision for several months after that date. Lists of awards are updated regularly on BJS's Web site at www.bjs.gov.

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.

- 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.

Application Checklist

FY 2012 Statistical Examination of Presidential Pardons

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 \$350,000.

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 15)
- _____ Program Narrative (see page 15)
 - _____ Double-spaced
 - _____ 12-point standard font
 - _____ 1" standard margins
 - _____ Narrative is 16 pages or less
- _____ Budget Detail Worksheet (see page 16)
- _____ Budget Narrative (see page 16)
- _____ Disclosure of Lobbying Activities (SF-LLL) (see page 13)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 16)
- _____ Tribal Authorizing Resolution (if applicable) (see page 16)
- _____ Additional Attachments (see page 17)
 - _____ Privacy Certification
 - _____ Human Subjects Certification of Compliance
 - _____ Resume and/or Curriculum Vitae (with professional references)
- _____ Other Standard Forms as applicable (see page 17), including:
 - _____ Accounting System and Financial Capability Questionnaire (if applicable)