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



Solicitation Title: BJA FY24 Prosecuting Cold Cases Using DNA

**Assistance Listing Number:** 16.036

**Grants.gov Opportunity Number:** O-BJA-2024-172005

Solicitation Release Date: March 4, 2024

**Step 1: Application Grants.gov Deadline:** 8:59 p.m. Eastern Time on April 25, 2024 **Step 2: Application JustGrants Deadline:** 8:59 p.m. Eastern Time on May 2, 2024

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### **Synopsis**

With this solicitation, BJA seeks to provide funding to support the prosecution of violent cold case crimes where a suspect (known or unknown) has been identified through DNA evidence. Provided a DNA profile attributed to a known or unknown suspect has been developed from crime scene evidence, this funding also supports investigative activities, as well as crime and forensic analyses, that could lead to the successful prosecution of violent cold case crimes.

#### **Program Description Overview**

The <u>U.S. Department of Justice</u> (DOJ), <u>Office of Justice Programs</u> (OJP), <u>Bureau of Justice</u> Assistance (BJA), is seeking applications for funding.

OJP is committed to advancing work that promotes civil rights and equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

With this solicitation, BJA seeks to provide funding to support the prosecution of violent cold case crimes where a suspect (known or unknown) has been identified via a DNA profile. Provided a DNA profile attributed to a known or unknown suspect has been developed, this funding also supports investigative activities, as well as crime and forensic analyses, that could lead to the successful prosecution of violent cold case crimes.

This program furthers the DOJ's mission to uphold the rule of law, to keep our country safe, and to protect civil rights.

#### Eligibility

- State governments
- Special district governments
- City or township governments
- County governments
- Native American tribal organizations (other than federally recognized tribal governments)
- Native American tribal governments (federally recognized)
- Other
  - State and local prosecuting agencies
  - Law enforcement
  - o State agencies

BJA will consider applications under which two or more entities (project partners) would carry out the federal award; however, only one entity may be the applicant for the solicitation. Any others must be proposed as subrecipients (subgrantees). See the <u>Application Resource Guide</u> for additional information on subawards.

#### **Agency Contact Information**

For assistance with the requirements of this solicitation, contact the OJP Response Center by phone at 800-851-3420 or 301-240-6310 (TTY for hearing-impaired callers only) or email <a href="mailto:grants@ncjrs.gov">grants@ncjrs.gov</a>. The OJP Response Center operates from 10:00 a.m. to 6:00 p.m. Eastern Time (ET) Monday–Friday and from 10:00 a.m. to 8:00 p.m. ET on the solicitation closing date.

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For procedures related to unforeseen technical issues beyond the control of the applicant that impact submission by the deadlines, see the "How To Apply" section, <u>Experiencing Unforeseen Technical Issues</u>.

For assistance with submitting the <u>Application for Federal Assistance standard form (SF-424)</u> and a <u>Disclosure of Lobbying Activities (SF-LLL)</u> in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, <u>Grants.gov Customer Support,</u> or <u>support@grants.gov</u>. The Grants.gov Support Hotline is open 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in JustGrants, contact the JustGrants Service Desk at 833-872-5175 or <u>JustGrants.Support@usdoj.gov</u>. The JustGrants Service Desk operates from 7:00 a.m. to 9:00 p.m. ET Monday–Friday and from 9:00 a.m. to 5:00 p.m. ET on Saturday, Sunday, and federal holidays.

#### **Pre-Application Information Session**

BJA will hold a webinar on this solicitation on March 28, 2024, at 3:00 p.m. ET. This call will provide a detailed overview of the solicitation and allow interested applicants to ask questions. Preregistration is required for all participants. Register by clicking on this link: <a href="https://rtiorg.zoom.us/webinar/register/WN">https://rtiorg.zoom.us/webinar/register/WN</a> tWk11CoiQcKBommgZFoAmA#/registration.

To use the time most efficiently, BJA encourages participants to review this solicitation and submit any questions in advance. Submit questions to <a href="mailto:Carey.A.Hendricks@usdoj.gov">Carey.A.Hendricks@usdoj.gov</a> with the subject "Questions for BJA FY24 Cold Case solicitation webinar." The session will be recorded and available on <a href="https://bja.ojp.gov/events/funding-webinars">https://bja.ojp.gov/events/funding-webinars</a>.

#### **Application Submission Information**

#### Registration

Before submitting an application, an applicant must have a registration in the <u>System for Award Management (SAM.gov)</u>.

#### **Submission**

Applications must be submitted to DOJ electronically through a two-step process that begins in Grants.gov and is completed in JustGrants. See the solicitation <u>Submission Dates and Time</u> section for the Grants.gov and JustGrants application deadlines.

**Step 1:** The applicant must register for this opportunity in Grants.gov at <a href="https://grants.gov/register">https://grants.gov/register</a> and submit by the Grants.gov deadline the required <a href="https://grants.gov/register">Application for Federal Assistance standard form (SF-424)</a> and a <a href="https://grants.gov/register">Disclosure of Lobbying Activities (SF-LLL)</a>. See the solicitation <a href="https://grants.gov/register">Submission Dates and Time</a> section for application deadlines.

**Step 2:** The applicant must submit the **full application**, including attachments, in JustGrants at <u>JustGrants.usdoj.gov</u> by the JustGrants application deadline. See the solicitation <u>Submission</u> <u>Dates and Time</u> section for application deadlines.

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### **Program Description**

#### **Program Description Overview**

OJP is committed to advancing work that promotes civil rights and equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

With this solicitation, BJA seeks to provide funding to support the prosecution of violent cold case crimes where a suspect (known or unknown) has been identified through DNA evidence. Provided a DNA profile attributed to a known or unknown suspect has been developed from crime scene evidence, this funding also supports investigative activities, as well as crime and forensic analyses, that could lead to the successful prosecution of violent cold case crimes.

#### **Statutory Authority**

Any awards under this solicitation would be made under statutory authority provided by a full-year appropriations act for FY 2024. As of the writing of this solicitation, the Department of Justice is operating under a short-term "Continuing Resolution"; no full-year appropriation for the Department has been enacted for FY 2024.

#### **Specific Information**

The Prosecuting Cold Cases using DNA Program supports agencies in the resolution of violent cold case crimes by providing them with resources to investigate and prosecute cases where a suspect's DNA profile has already been developed, leading to fewer unresolved cases and safer communities.

**IMPORTANT:** Prosecuting Cold Cases using DNA Program funding may not be utilized for investigations in which a suspect's DNA profile does not already exist. Funding may also not be utilized to work missing and/or unidentified human remains cases unless there are suspect DNA profiles already developed in the case. However, there are other BJA programs that support investigations without existing suspect DNA profiles. To learn more about these programs, visit <a href="https://bja.ojp.gov/topics/forensic-sciences">https://bja.ojp.gov/topics/forensic-sciences</a>.

For example, applicants that need additional resources for cold case sexual assaults and/or cold case sexually motivated homicides should consider BJA's Sexual Assault Kit Initiative. Applicants working missing/unidentified human remains cases may be interested in BJA's Missing and Unidentified Human Remains (MUHR) Program that specifically provides funding to address those cases.

#### **Definitions**

For the purposes of this solicitation, the following are defined:

**CODIS:** The Combined DNA Index System and the generic term used to describe the Federal Bureau of Investigation's (FBI's) support program for criminal justice DNA databases, as well as the software used to run these databases.

**DNA from a suspect:** A CODIS-eligible, or otherwise statistically relevant, short tandem repeat (STR or Y-STR) profile that has been generated from crime scene evidence and is attributed to a suspect.

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**Familial DNA searching:** An intentional or deliberate search of the DNA database conducted after a routine search for the purpose of potentially identifying close biological relatives of the unknown forensic sample associated with a crime scene profile.

**Forensic genetic genealogy (FGG):** The combination of genetic analysis with traditional historical and genealogical research to study family history. For forensic investigations, it can be used to identify remains by tying the DNA to a family with a missing person or to point to the likely identity of a perpetrator.

**National Missing and Unidentified Persons System (NamUs) Program:** A national centralized repository and resource center for locating missing persons, identifying unidentified human remains, and repatriating unclaimed persons.

**NDIS:** The National DNA Index System, and one part of CODIS, that contains the DNA profiles contributed by Federal, state, and local participating forensic laboratories. All 50 states, the District of Columbia, the Federal Government, the U.S. Army Criminal Investigation Laboratory, and Puerto Rico participate in NDIS.

**Prosecution:** A proceeding instituted and carried on by due course of law, before a competent tribunal, for the purpose of determining the guilt or innocence of a person charged with crime. For the purpose of this solicitation, the term may also encompass all activities necessary to adjudicate violent cold case crimes including, but not limited to, prosecutorial case review, investigation, crime analysis, and/or evidence analyses.

**ViCAP:** The Violent Criminal Apprehension Program, a unit of the FBI responsible for the analysis of serial violent and sexual crimes, is situated within the Critical Incident Response Group's (CIRG) National Center for the Analysis of Violent Crime (NCAVC).

**Violent Cold Case Crimes:** An FBI Uniform Crime Reporting (UCR) Part 1 violent crime, missing persons, or unidentified persons cold case that is unsolved at the time of the grant application's deadline, which has (1) the potential to be solved and/or prosecuted through the application of forensic techniques and/or technologies and/or there is (2) newly acquired information, or advanced technologies, to analyze cold case evidence.

## <u>DNA Analyses and related activities, Familial Searching, Phenotyping, and FGG Considerations</u>

**DNA from a suspect:** A CODIS-eligible, or otherwise statistically relevant, short tandem repeat (STR or Y-STR) profile that has been generated from crime scene evidence and is attributed to a suspect **must already be developed for cases to qualify for this grant funding**.

Provided a DNA profile attributed to a known or unknown suspect has been developed, this funding also supports investigative activities, as well as crime and forensic analyses, that could lead to the successful prosecution of violent cold case crimes.

All nongenetic genealogy DNA analyses conducted as a result of this program, to the extent any is completed, must be performed by a laboratory (government-owned or fee-for-service) that is accredited and currently undergoes external audits not less than once every 2 years.

These audits must demonstrate that the laboratory maintains compliance with the DNA Quality Assurance Standards established by the Director of the FBI. Grantees must use laboratories

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that can test evidence in an expeditious manner so as to meet the goals of the program within the grant period.

To the extent applicable, all eligible DNA profiles obtained with funding under this program must be entered into CODIS and, where applicable, uploaded to the National DNA Index System (NDIS). BJA suggests that no profiles generated during the testing portion of this program be entered into any nongovernmental DNA database without the express written approval from BJA (with the exception of forensic genealogy testing). All DNA analyses conducted and profiles generated during the testing portion of this program must be maintained pursuant to all applicable federal privacy requirements, including those described in 34 U.S.C. § 12592(b)(3).

Non-DNA evidence analyses should be performed by a facility that complies with generally accepted practices for the discipline, such as applicable accreditation and quality assurance standards. All non-DNA evidence analyses must involve cases where a suspect DNA profile has already been generated. The results of the non-DNA analyses should be uploaded to the appropriate forensic databases such as the National Integrated Ballistics Information Network (NIBIN), the Next Generation Identification System (NGI), or an Integrated Automated Fingerprint Identification System (IAFIS), as appropriate. This list of forensic databases is not exhaustive as BJA recognizes the value of using databases to assist in criminal investigations. Additional examples of forensic databases are provided in the National Institute of Justice (NIJ) Journal article "Forensic Databases: Paint, Shoe Prints, and Beyond" (<a href="https://www.nij.gov/journals/258/pages/forensic-databases.aspx">https://www.nij.gov/journals/258/pages/forensic-databases.aspx</a>) and the National Institute of Standards and Technology's (NIST's) Forensic Database webpage (<a href="https://www.nist.gov/oles/forensic-database">https://www.nist.gov/oles/forensic-database</a>).

Award recipients **must use** federal resources such as the FBI's Violent Criminal Apprehension Program (ViCAP) and NIJ's National Unidentified and Missing Persons System (NamUs), when applicable.

This funding supports the following forensic-based activities, subject to the conditions outlined herein:

**Familial DNA searches** – (if legally allowed in the applicant's state) must first be performed to try to identify an unknown suspect before pursuing a forensic genealogy search. The profile of the unknown offender must have previously been uploaded to CODIS but has yet to generate a hit associated with a known suspect in the database. Funds can support costs associated with overtime for lab personnel, Y-STR testing to evaluate potential familial matches, and investigative activities associated with the location, collection, and analysis of suspect DNA samples for comparison with or identification of the actual perpetrator.

It is highly recommended that applicants who will be performing familial DNA searches should consider partnering with their lab and provide in their application documentation of their lab's commitment to perform a specified number of familial searches per month for COLD cases. This is to ensure the submission of cases for FGG (should the familial search prove negative) are not unnecessarily delayed. BJA will consider exceptions to the familial searching policy on a case-by-case basis.

**Phenotyping/ancestral analysis** – Funds may be requested for phenotyping/ancestral analysis of DNA profiles attributed to those suspected of violent serial offenses associated with crime scene evidence but will be reviewed and approved by BJA on a case-by-case basis. The profile

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of the unknown offender must have previously been uploaded to CODIS but has yet to generate a hit associated with a known suspect in the database. Subject to approval by BJA, funds can be used to outsource phenotyping/ ancestral analysis or to support investigative activities associated with leads generated as a result of the testing. Familial DNA searches (if legally allowed in the applicant's state) and FGG must first be performed to identify a suspect before pursuing phenotyping/ancestral analysis.

#### Forensic Genetic Genealogy (FGG)

Award recipients utilizing COLD funds for FGG must adhere to the *United States Department of Justice Interim Policy: Forensic Genetic Genealogical DNA Analysis and Searching (FGGS)*, available at: <a href="https://www.justice.gov/olp/page/file/1204386/download">https://www.justice.gov/olp/page/file/1204386/download</a>.

Note the requirements may change slightly in accordance with future iterations of the FGGS policy. In accordance with Section IX, SAKI award recipients must collect and report the following metrics to BJA:

- The type of crime investigated
- Whether forensic genetic genealogical DNA analysis (FGG)/forensic genetic genealogical DNA analysis and searching (FGGS) was conducted on a forensic sample or a reference sample
- The type of forensic sample subjected to FGG and a description of the total amount, condition, and concentration of that sample (e.g., single source, mixed profile, degradation status, etc.)
- Whether FGG analysis resulted in a searchable profile
- The identity of the vendor laboratory used to conduct FGG and the genetic genealogy service(s) used to search the FGG profile
- Whether the investigation resulted in an arrest that was based, in part, on the use of FGGS
- The total amount of federal funding used to conduct FGG/FGGS in each case

Searches of DNA profiles attributed to unknown suspects with this funding require the profile of the unknown offenders to have previously been uploaded to CODIS but have yet to generate a hit associated with a known suspect in the database.

In the interest of being fiscally responsible, BJA highly recommends the applicant/grantee establish a relationship with the FBI's Investigative Genealogy team for the investigative portion of FGG (at no cost to the awardee). Funding from this program may be used for the testing portion of FGG (i.e., wet lab processing).

Award recipients who are proposing to conduct in-house forensic genetic genealogy (i.e., tree-building and the subsequent steps in the process) will be required to complete the BJA/FBI <a href="Archived Forensic Genealogy">Archived Forensic Genealogy (FGG) training</a> as well as any future BJA/FBI forensic genealogy trainings that may occur during the lifespan of the grant.

#### Further considerations for FGG work

It is highly recommended that DNA be extracted from *physical crime scene evidence* by an *accredited laboratory* to preserve the integrity of the evidence in the event additional testing is needed (for example, during the trial phase) rather than sending the actual physical evidence to a vendor FGG lab. The DNA extraction can be submitted to the FGG vendor for SNP analysis.

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If submitting *physical crime scene evidence* (as opposed to DNA extracts) to vendors for FGG analysis, it is essential that law enforcement/prosecutors consult with their crime lab prior to submission to discuss potential concerns to ensure remaining DNA sample is available in the event additional testing is needed, and/or the case proceeds to trial once a suspect is identified.

It is highly recommended that a CODIS profile be entered and searching in CODIS for a minimum of six (6) months before proceeding to FGG, unless an immediate and ongoing threat to public safety is identified and, as such, BJA will consider exceptions in these circumstances.

#### **Solicitation Goals and Objectives**

#### Goals

Increase the number of successful violent cold case crime prosecutions.

#### **Objectives**

Decrease the number of unresolved violent cold case crimes where a suspect has been identified via DNA evidence with a corresponding profile generated, (whether the suspect is known or unknown) which are awaiting further investigation and/or pending prosecution.

The following activities are permissible as secondary objectives, but they must directly relate to cases where a DNA profile from a known or unknown suspect has been developed. The applicant's proposal should demonstrate clearly that these activities can be successfully performed:

- Increase the capacity for state and local prosecution agencies to address/close violent cold case crimes.
- Identify, locate, collect, process, and analyze evidence, including non-DNA evidence, to assist prosecutors with the litigation of violent cold case crimes where a suspect has already been identified with DNA evidence (suspect may be known or unknown).

#### **Deliverables**

OJP may draft and submit a report to Congress on the overall status of the program and grantee performance.

For information about what the applicant needs to submit regarding Goals, Objectives, and Deliverables, please see the <u>How to Apply section on the Application Goals, Objectives, Deliverables, and Timeline Web-Based Form.</u>

#### **Priority Areas**

In order to further OJP's mission, OJP will provide priority consideration when making award decisions to the following:

**1A.** Applications that propose project(s) that are designed to meaningfully advance equity and remove barriers to accessing services and opportunities for communities that have been historically underserved, marginalized, adversely affected by inequality, and disproportionately impacted by crime, violence, and victimization.

To receive this consideration, the applicant must describe how the proposed project(s) will address identified inequities **and** contribute to greater access to services and opportunities for communities that have been historically underserved, marginalized, adversely affected by inequality, and disproportionately impacted by crime, violence, and victimization. Project activities under this consideration may include but are not limited to the following: improving

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victim services, justice responses, prevention initiatives, reentry services and other parts of an organization's or community's efforts to advance public safety. Applicants should propose activities that address the cultural (and linguistic, if appropriate) needs of communities, outline how the proposed activities will be informed by these communities, and implement culturally responsive and inclusive outreach and engagement.

Note: Addressing this priority area is one of many factors that OJP considers in making funding decisions. Receiving priority consideration for one or more priority areas does not guarantee an award.

#### **Federal Award Information**

#### **Awards, Amounts, and Durations**

Anticipated Number of Awards: 16

Anticipated Maximum Dollar Amount per Award: Awards will be up to \$500,000

Period of Performance Start Date: October 1, 2024 Period of Performance Duration (Months): 36

Anticipated Total Amount to Be Awarded Under This Solicitation: \$8,000,000

Additional Information: While the maximum allowable funding amount is \$500,000, organizations that are new or that have never before received a federal award may wish to submit a proposed budget at a lower amount to support the relevant activities herein applicable to the individual jurisdiction.

#### **Continuation Funding Intent**

OJP may, in certain cases, provide additional funding in future years to awards made under this funding opportunity through continuation awards. OJP will consider, among other factors, OJP's strategic priorities, a recipient's overall management of the award, and the progress of the work funded under the award, when making continuation award decisions.

#### **Availability of Funds**

This funding opportunity, and awards under this funding opportunity, are subject to the availability of funding and to any changes or additional requirements that may be imposed by the agency or by law. In addition, nothing in this solicitation is intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

#### Type of Award

OJP expects to make awards under this funding opportunity as grants. See the "<u>Administrative</u>, <u>National Policy</u>, <u>and Other Legal Requirements</u>" section of the <u>Application Resource Guide</u> for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

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

This funding opportunity does not require a match.

#### **Eligibility Information**

A prosecuting entity must be fully engaged in the project either as the lead applicant OR by providing a letter of commitment to demonstrate full engagement in the project.

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Other qualifying applicants, such as law enforcement agencies that partner with a prosecutorial entity, may serve as the lead applicant for the award and submit an application, but a letter of commitment must be submitted from the prosecutorial entity that fully demonstrates its involvement, support, and engagement in the project.

If a letter of commitment from a prosecutorial entity is not included with the grant application, the applicant may not proceed to peer review.

For the purposes of this notice of funding opportunity, "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

For the purposes of this notice of funding opportunity, "other units of local government" include towns, boroughs, parishes, villages, or other general purpose political subdivisions of a state.

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### **How To Apply**

#### **Application Resources**

When preparing and submitting an application, the following resources may aid prospective applicants:

- 1. Grants.gov "How to Apply for Grants"
- 2. OJP "How To Apply" section in the Application Resource Guide
- 3. JustGrants Application Submission Training

This solicitation (notice of funding opportunity) incorporates guidance provided in the OJP Grant Application Resource Guide (Application Resource Guide), which provides additional information for applicants to prepare and submit applications to OJP for funding. If this solicitation requires something different from any guidance provided in the Application Resource Guide, the difference will be noted in this solicitation and the applicant is to follow the guidelines in this solicitation, rather than the guidance in the Application Resource Guide that is in conflict.

#### **How To Apply**

#### Registration

Before submitting an application, all applicants must register with the System for Award Management (SAM.gov). An applicant must renew their registration every 12 months. If an applicant does not renew their SAM.gov registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Applicants are encouraged to start the SAM.gov registration process at least 30 days prior to the application deadlines. Applicants who fail to begin the registration or renewal process at least 10 business days prior to the Grants.gov deadline may not complete the process in time and will not be considered for late submission.

#### **Submission**

Applications must be submitted to DOJ electronically through a two-step process that begins in Grants.gov and is completed in JustGrants.

Step 1: After registering with SAM.gov, the applicant must submit the SF-424 and SF-LLL in Grants.gov at <a href="https://grants.gov/register">https://grants.gov/register</a> by the Grants.gov deadline. To leave time to address any technical issues that may arise, an applicant should submit the SF-424 and SF-LLL as early as possible and recommended not later than 48 hours before the Grants.gov deadline. If an applicant fails to submit in Grants.gov by the deadline, they will be unable to apply in JustGrants. Applicants can confirm Grants.gov submission by verifying their application status shows as "submitted" or "agency tracking number assigned."

**Step 2:** The applicant must then submit the **full application**, including attachments, in JustGrants at <u>JustGrants.usdoj.gov</u> by the JustGrants deadline.

OJP recommends that applicants submit the complete application package in JustGrants at least 48 hours prior to the JustGrants deadline. Some of the required sections of the application will be entered directly into JustGrants, and other sections will require documents to be uploaded and attached. Therefore, applicants should allow enough time before the JustGrants deadline to prepare all the requirements of the application. Applicants may save their progress

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in the system and add to or change the application as needed prior to hitting the "Submit" button at the end of the application in JustGrants.

An applicant will receive emails when successfully submitting in Grants.gov and JustGrants and should maintain all emails and other confirmations received from SAM.gov, Grants.gov, and JustGrants systems.

For additional information, see the "How To Apply" section in the <u>Application Resource Guide</u> and the DOJ Application Submission Checklist.

#### **Submission Dates and Time**

The SF-424 and the SF-LLL must be submitted in Grants.gov by April 25, 2024 8:59 PM ET.

The **full application** must be submitted in JustGrants by May 02, 2024 8:59 PM ET.

To be considered timely, the **full application** must be submitted in JustGrants by the JustGrants application deadline. Failure to begin the SAM.gov, Grants.gov, or JustGrants registration and application process in sufficient time (i.e., waiting until the due dates identified in this solicitation for those systems to begin the application steps) is not an acceptable reason to request a technical waiver.

## **Experiencing Unforeseen Technical Issues Preventing Submission of an Application** (Technical Waivers)

OJP will only consider requests to submit an application after the deadline when the applicant can document that a technical issue with a government system prevented submission of the application on time.

If an applicant misses a deadline due to unforeseen technical issues with SAM.gov, Grants.gov, or JustGrants, the applicant may request a waiver to submit an application after the deadline. However, the waiver request will not be considered unless it includes documentation of attempts to receive technical assistance to resolve the issue prior to the application deadline. A tracking number is the most typical documentation and is generated when the applicant contacts the applicable service desks to report technical difficulties. Tracking numbers are generated automatically when an applicant emails the applicable service desks, and for this reason, long call wait times for support do not relieve the applicant of the responsibility of getting a tracking number.

An applicant experiencing technical difficulties must contact the associated service desk indicated below to report the technical issue and receive a tracking number:

- SAM.gov: contact the <u>SAM.gov Help Desk (Federal Service Desk)</u>, Monday–Friday from 8:00 a.m. to 8:00 p.m. ET at 866-606-8220.
- Grants.gov: contact the <u>Grants.gov Customer Support Hotline</u>, 24 hours a day, 7 days a
  week, except on federal holidays, at 800-518-4726, 606-545-5035, or
  <u>support@grants.gov</u>.
- JustGrants: contact the JustGrants Service Desk at <u>JustGrants.Support@usdoj.gov</u> or 833-872-5175, Monday–Friday from 7:00 a.m. to 9:00 p.m. ET and Saturday, Sunday, and federal holidays from 9:00 a.m. to 5:00 p.m. ET.

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If an applicant has technical issues with SAM.gov or Grants.gov, the applicant must contact the OJP Response Center at <a href="mailto:grants@ncjrs.gov">grants@ncjrs.gov</a> within **24 hours of the Grants.gov deadline** to request approval to submit after the deadline.

If an applicant has technical issues with JustGrants that prevent application submission by the deadline, the applicant must contact the OJP Response Center at <a href="mailto:grants@ncjrs.gov">grants@ncjrs.gov</a> within 24 hours of the JustGrants deadline to request approval to submit after the deadline.

Waiver requests sent to the OJP Response Center must—

- describe the technical difficulties experienced (provide screenshots if applicable);
- include a timeline of the applicant's submission efforts (e.g., date and time the error occurred, date and time of actions taken to resolve the issue and resubmit; and date and time support representatives responded);
- include an attachment of the complete grant application and all the required documentation and materials;
- include the applicant's Unique Entity Identifier (UEI); and
- include any SAM.gov, Grants.gov, and JustGrants Service Desk tracking numbers documenting the technical issue.

OJP will review each waiver request and the required supporting documentation and notify the applicant whether the request for late submission has been approved or denied. An applicant that does not provide documentation of a technical issue (including all information listed above), or that does not submit a waiver request within the required time period, will be denied.

For more details on the waiver process, OJP encourages applicants to review the "Experiencing Unforeseen Technical Issues" section in the <u>Application Resource Guide</u>.

#### **Application and Submission Information**

#### **Content of Application Submission and Available Surveys**

The following application elements **must** be included in the application to meet the basic minimum requirements to advance to peer review and receive consideration for funding:

- SF-424 and SF-LLL (in Grants.gov)
- Proposal Abstract (in JustGrants)
- Proposal Narrative (in JustGrants)
- Budget Web-Based Form, which includes the budget details and the budget narrative (in JustGrants)
- Letter of support/commitment from a prosecuting agency (if not the lead/primary agency)
- For law enforcement agency applicants: Documentation of accreditation or pursuit of accreditation by an independent credentialing body that establishes (1) the law enforcement agency benefitting from the grant funds has use-of-force policies that adhere to all applicable federal, state, and local laws and (2) the agency's use-of-force policies prohibit chokeholds except in situations where use of deadly force is allowed by law.

If OJP determines that an application does not include these elements, it will not proceed to peer review and will not receive any further consideration.

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#### Content of the SF-424 in Grants.gov

The SF-424 must be submitted in Grants.gov. It is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the <u>Application Resource Guide</u> for additional information on completing the SF-424.

In Section 8F of the SF-424, please include the name and contact information of the individual **who will complete the application in JustGrants**. JustGrants will use this information *(email address)* to assign the application to this user in JustGrants.

**Intergovernmental Review:** This funding opportunity **is not** subject to <u>Executive Order (E.O.)</u> <u>12372</u>. In completing the SF-424, an applicant should answer question 19 by selecting "Program is not covered by E.O. 12372."

#### **Content of the JustGrants Application Submission**

#### **Entity and User Verification (First Time Applicant)**

For first time JustGrants applicants, once the application is received from Grants.gov, DOJ will send an email (from <a href="DIAMD-NoReply@usdoj.gov">DIAMD-NoReply@usdoj.gov</a>) to the individual listed in Section 8F of the SF-424 with instructions on how to create a JustGrants account. This email should arrive within 24 hours after this individual receives confirmation from Grants.gov of their SF-424 and SF-LLL submissions. Register the Entity Administrator (the person who manages who can access JustGrants on behalf of the applicant), the Application Submitter, and Authorized Representative for the applicant with JustGrants as early as possible and (recommended) not later than 48-72 hours before the JustGrants deadline. Once registered in JustGrants, the Application Submitter will receive a link in an email to complete the rest of the application in JustGrants. Find additional information on JustGrants Application Submission in the <a href="Application Resource Guide">Application Resource Guide</a>.

#### **Standard Applicant Information**

The "Standard Applicant Information" section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. The applicant will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, the applicant will need to add ZIP codes for areas affected by the project; confirm their Authorized Representative; and verify and confirm the organization's unique entity identifier, legal name, and address.

#### Proposal Abstract

A Proposal Abstract (no more than 400 words) summarizing the proposed project—including its purpose, primary activities, expected outcomes, the service area, intended beneficiaries, and subrecipients (if known)—must be completed in the JustGrants web-based form. This abstract should be in paragraph form without bullets or tables, written in the third person, and exclude personally identifiable information. It should also indicate if the applicant is requesting priority consideration, and if so, include the relevant information. Abstracts will be made publicly available on the OJP and USASpending.gov websites if the project is awarded. See the Application Resource Guide for an example of a proposal abstract.

#### **Data Requested With Application**

The following application elements should be submitted in the web-based forms in JustGrants.

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## Financial Management and System of Internal Controls Questionnaire (including Applicant Disclosure of High Risk Status)

The Financial Management and System of Internal Controls Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process. Every OJP applicant (other than an individual applying in their personal capacity, not representing an applicant organization) is required to complete the web-based Questionnaire form in JustGrants. See the <a href="Application Resource Guide: Financial Management and System of Internal Controls Questionnaire">Application Resource Guide: Financial Management and System of Internal Controls Questionnaire</a> (including Applicant Disclosure of High Risk Status) for additional guidance on how to complete the questionnaire.

#### **Brief Applicant Entity Questionnaire**

The Office of Justice Programs (OJP) is collecting the following information to help assess its efforts to attract a broader range of applicants. These questions apply to the applicant entity and its work and scope only, and not to the specific project(s) being proposed within the application. Responses to the questions will not be considered in the application review process. The questions included in the questionnaire are available in the <a href="Standard Forms & Instructions: Brief Applicant Entity Questionnaire">Standard Forms & Instructions: Brief Applicant Entity Questionnaire</a>.

#### **Proposal Narrative**

The Proposal Narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point size font; have no less than 1-inch margins; and should not exceed **15** numbered pages. If the Proposal Narrative fails to comply with these length restrictions, OJP may consider such noncompliance in peer review and in final award decisions. The inclusion of tables, charts, and/or graphs in a legible font no bigger than 12-point, will not count toward the 15 numbered page limit.

The Proposal Narrative must include the following sections:

- a. Description of the Issue
  - Describe the challenges faced in conducting cold case prosecutions for violent cold case crimes where a DNA profile from a suspect has already been developed.
  - Demonstrate the understanding of the problem and the expected impact of the funding in closing/prosecuting violent crime cold cases where a suspect's DNA profile has been developed. Include appropriate citations and other information, where relevant, and demonstrate an understanding of the grant program's suspect DNA requirement.
- b. Project Design and Implementation
  - Describe the strategy to address the needs identified in the Description of the Issue, particularly any areas of concern and how the program's goals and objectives will be addressed.
  - Provide specific examples and approximate numbers of qualifying cases that the applicant intends to work on using funds from this program.
  - Demonstrate awareness of the state of current DNA technologies and other forensic technologies, DOJ policies, and the applications to solving/prosecuting cold cases.

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- Describe how you will conduct the inventory requirement under this program, if not already completed. Detailed inventory information can be found under the Deliverables section.
- Describe the analytical methods and the technical approach that will be taken.
- Demonstrate the viability of the proposed project, including the likelihood of completion within the proposed period of performance.
- Demonstrate awareness of potential pitfalls and the mitigation strategies should pitfalls be encountered.
- Describe the potential for prosecuting violent crime cold cases where a known or unknown suspect's DNA profile has been developed.

If an applicant is seeking consideration under Priority 1A, it should explain in this section how the proposed project(s) will meaningfully address identified inequities **and** contribute to greater access to services and opportunities for communities that have been historically underserved, marginalized, adversely affected by inequality, and disproportionately impacted by crime, violence, and victimization. The applicant should also identify how the project design and implementation will specifically incorporate the input and/or participation of these communities.

- c. Capabilities and Competencies
  - Describe the management structure for implementation of the program, including staffing and key partners. Describe how the partners, if any, will work together on the deliverables. Provide information, if any, on past efforts and/or outcomes as a result of this partnership, and why it will enhance efforts in this area.
  - Explain how the committed prosecutorial entity will be engaged in the project, if not the lead applicant.
  - Describe the qualifications and experience of the proposed staff.
  - Describe the demonstrated ability of the proposed staff to manage the effort.
  - Describe the adequacy of the plan to manage the project, including how various tasks are subdivided and resources are used.
- d. Plan for Collecting the Data Required for This Solicitation's Performance Measures
  - Demonstrate understanding of all performance measures as outlined in this solicitation.
  - Describe the plan to collect accurate performance measure data, who will collect the data, and who is responsible for reporting the performance measures.

Note: An applicant is **not** required to submit performance data with the application. Rather, performance measure information is included to provide notice that award recipients will be required to submit performance data as part of each award's reporting requirements.

OJP will require each award recipient to submit regular performance data that show the completed work's results. The performance data directly relate to the solicitation goals and objectives identified in the "Goals and Objectives" section.

Applicants can visit <u>OJP's performance measurement page</u> at <u>www.ojp.gov/performance</u> for more information on performance measurement activities.

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A list of performance measure questions for this program can be found at <a href="here">here</a>.

BJA will require award recipients to submit performance measure data and performance reports in JustGrants. BJA will provide further guidance on the post-award submission process, if the applicant is selected for award.

#### Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance in the "<u>Note on Project Evaluations</u>" section in the Application Resource Guide.

#### Application Goals, Objectives, Deliverables, and Timeline Web-Based Form

The applicant will submit the project's goals, objectives, deliverables and timeline in the JustGrants web-based form. This is a summary of the goals, objectives, deliverables, and timeline that relate to the proposal narrative. The applicant will also enter the projected fiscal year and quarter that each objective and deliverable will be completed. Please refer to the Application Submission Job Aid for step-by-step directions.

- **Goals:** The applicant should describe the project's intent to change, reduce, or eliminate the problem noted in the proposal narrative.
- **Program Objectives and Timeline:** The applicant should include objectives to accomplish its goals. Objectives are specific, measurable actions to reach the project's desired results. The included timelines that should be clearly linked to the goal.
- **Deliverables and Timeline:** Project deliverables refer to outputs—tangible (for example, a report or a website) or intangible (for example, greater feelings of safety reported by the community)—that are documented and submitted within the scope of a project. Deliverables include timelines.

#### Deliverables Expected by Successful Applicants

Program objectives and deliverables should be included in one timeline.

To increase the prosecution of unresolved violent cold case crimes, the applicant must demonstrate how it will deliver on the following in the proposal narrative:

1. Inventory all unresolved violent cold case crimes in the jurisdiction's possession which already have suspect DNA profiles developed (as defined above). Each award recipient will have an initial period to complete its inventory and access to up to 25 percent of the funds. Funds will be withheld via an award condition on the award. BJA must approve the inventory completion in order for the award recipient to gain access to the remaining funds when an award condition modification will be processed in JustGrants. An Inventory Form will be provided to the awardee upon award acceptance. Award recipients will provide additional feedback, clarification, and data regarding their inventory and plans if requested by BJA and/or the TTA provider. However, applicants should be aware that if, after a reasonable exchange of feedback, an inventory is not completed or the overall implementation plan does not receive BJA's approval, award recipients may not receive access to their remaining grant funds or an extension of their grant award. If an inventory of violent crime cold cases has already been completed by the applicant jurisdiction, the applicant must provide a certification letter signed by the applicant's chief executive officer. The certification letter should detail the results of the inventory.

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2. Enter all "criteria cases," as defined below, into ViCAP (before the end of the grant period) to increase the chances of identifying and apprehending violent perpetrators who pose a serious threat to public safety. Award recipients should budget for 60 minutes per ViCAP entry plus additional time for personnel to conduct searches for matches, follow up on leads, etc. Funding for this activity can come from the grant but must not exceed 10 percent of the total budget. Applicants with high volumes of cases that estimate requiring more than 10 percent of their award amount to meet this requirement may be permitted by BJA to prioritize entry of cases into ViCAP.

Cases submitted into the ViCAP database must meet the ViCAP criteria requirements. ViCAP cases include:

- Homicides (and attempts) that are known or suspected to be part of a series and/or are apparently random, motiveless, or sexually motivated.
- Sexual assaults that are known or suspected to be part of a series and/or are committed by a stranger.
- Missing persons where the circumstances indicate a strong possibility of foul play and the victim is still missing.
- Unidentified human remains where the manner of death is known or suspected to be homicide.

Only one case incident can be submitted per case entry. As an example, if a perpetrator has committed three separate sexual assaults, each assault will be a separate entry into ViCAP. Award recipients must ensure all the ViCAP questions are appropriately answered and, when available, provide additional detail. Information in ViCAP must be comprehensive. The narrative section should be detailed but succinct. Narrative information can be copied and pasted directly from an agency's incident report. Award recipients should enter all solved and unsolved ViCAP criteria cases, because a solved case could very well link to another agency's unsolved case. BJA has partnered with the FBI and its ViCAP team to support violent crime grant programs. FBI ViCAP staff are available to assist award recipients in gaining entry into the system, provide training on optimal use of the database, and conduct crime analyses on specific cases upon request. For more information about ViCAP, please refer to: https://www2.fbi.gov/hg/isd/cirg/ncavc.htm#vicap.

3. Enter all applicable cases, if any, into NamUs. NamUs is a national clearinghouse and resource center for missing, unidentified, and unclaimed person cases throughout the United States. Over 600,000 individuals go missing in the United States every year. Fortunately, many missing children and adults are quickly found, alive and well. However, tens of thousands of individuals remain missing for more than 1 year—what many agencies consider "cold cases." It is estimated that 4,400 unidentified bodies are recovered each year, with approximately 1,000 of those bodies remaining unidentified after 1 year. For more information on NamUs, please refer to <a href="https://www.namus.gov/">https://www.namus.gov/</a>.

Please note, as stated previously on page 4, funding under this program may not be utilized to work missing and/or unidentified human remains cases unless a suspect in each case has already been identified via DNA evidence and a corresponding DNA profile for that suspect has already been generated.

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- 4. Conduct investigative activities as they relate to the prosecution of a case, such as:
  - Crime and forensic analysis
  - Interviewing victims, witnesses, and suspects
  - Other investigative activities that may be applicable
- 5. Prosecute violent cold case crimes where suspects have been identified through DNA evidence. DNA from a suspect is defined as a CODIS-eligible, or otherwise statistically relevant, short tandem repeat (STR or Y-STR) profile that has been generated from crime scene evidence and is attributed to a suspect.

#### **Budget and Associated Documentation**

All expenditures under this program must relate directly to violent cold case crimes where DNA from a suspect has been identified with a corresponding DNA profile developed (suspects may be known or unknown) and for activities that may lead to the prosecution of such violent cold case crimes. Federal funds must be used to supplement existing state and local funds for program activities and must not supplant those funds that have been appropriated for the same purpose.

Award recipients that are proposing to do in-house investigative genealogy (i.e., tree-building and subsequent steps in the process) will be required to complete the BJA/FBI archived Forensic Genetic Genealogy training as well as any future BJA/FBI forensic genetic genealogy trainings that may occur during the respective life span of the grant.

#### **Permissible Expenses**

<u>Salary and benefits of additional employees:</u> Funds may be used for the salaries and benefits of additional full-time or part-time employees to engage in activities related to the prosecution of eligible violent crime cold cases, including case review, investigation, location of evidence, forensic analysis of evidence, and prosecution as described above. Applicants should demonstrate that additional full-time/part-time employee(s) would be directly engaged in these activities.

Overtime: Funds may be used to pay existing employees overtime for the purposes of adjudication, case review, investigation, location of evidence, crime analysis, and forensic analysis of evidence, including post-database hit case investigation necessary for the retrieval of confirmatory evidence samples. Project activities must be related to violent crime cold cases where DNA (from a known or unknown suspect) has been identified and a corresponding profile has been generated with the goals of prosecuting such cases and reducing the number of unresolved violent crime cold cases. All overtime payments must be made in accordance with the DOJ Grants Financial Guide, available at <a href="https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#k3adln">https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#k3adln</a>.

<u>Travel (limited):</u> Funds may be used for travel expenses related to investigative purposes, evidence collection, and necessary prosecutorial activities within the scope of the program. These costs must be in accordance with federal policy or an organizationally approved travel policy. The Office of the Chief Financial Officer reserves the right to determine the reasonableness of the recipient's own established travel rates. The current travel policy and per diem rate information is available at the Per Diem Rates—General Services Administration website: <a href="https://www.gsa.gov/travel/plan-book/per-diem-rates">https://www.gsa.gov/travel/plan-book/per-diem-rates</a>.

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<u>Computer equipment (limited):</u> Funds may be used to upgrade, replace, lease, or purchase computer hardware or software that will be used exclusively for activities related to the prosecution of violent crime cold cases, within the scope of this program, including case review, investigation, location of evidence, forensic analysis, and prosecution of cases where a suspect's DNA profile has been identified. Equipment will be limited to desktop computers, monitors, keyboards, mouse, laptops, external CD writers, portable memory storage devices, printers, and scanners.

Consultant and contractor services: Funds may be used to hire consultants or temporary contract staff, or both, to conduct case reviews, investigations, locate evidence, or conduct forensic analyses of evidence in violent crime cold cases where DNA from a suspect has been identified (suspect(s) may be known or unknown). Funds may also be used for contracts with accredited fee-for-service laboratories to conduct forensic analyses of evidence for these cases.

#### **Funding Restrictions**

Among other things, funds may not be used for:

- Salaries, benefits, or overtime for staff who are not directly engaged in prosecution, case review, investigation, location of evidence, and forensic analysis of evidence for violent crime cold cases where known or unknown suspect DNA profiles have been identified
- Laboratory equipment
- Portable investigative equipment
- Vehicles (except as they pertain to travel for investigative purposes)
- Construction
- Renovation
- Rental costs for space
- Office furnishings
- Costs for general cold case investigations—those that do not involve UCR Part 1 violent crimes and do not have suspect DNA identified.
- General laboratory capacity enhancement or general casework backlog reduction.
- Unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV) and all accompanying accessories to support UAS or UAV
- Exhumations
- Testing of human remains where the suspect's DNA has not been identified

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

#### Budget Detail and Narrative Web-Based Form

The applicant will complete the JustGrants web-based budget form, which includes both detailed calculations and budget narrative sections.

For additional information about how to prepare a budget for federal funding, see the "Application Resource Guide" section on Budget Preparation and Submission Information and the technical steps to complete the budget form in JustGrants in the Complete the Application in JustGrants: Budget training.

If the applicant is seeking priority consideration under Priority 1A and has proposed activities to incorporate the input and participation of communities that have been historically underserved,

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marginalized, adversely affected by inequality, and disproportionately impacted by crime, violence and victimization, financial support for the identified activities and participation must be reflected in the web-based budget form.

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

OJP strongly encourages every applicant that proposes to use award funds for any conference, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the <a href="https://example.com/application-neometric

#### Costs Associated With Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. See the <u>Application Resource Guide</u> for information on costs associated with language assistance.

#### **Unmanned Aircraft Systems**

The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV), and all accompanying accessories to support UAS or UAV, is unallowable.

#### **Budget/Financial Attachments**

#### Pre-Agreement (Pre-Award) Costs (if applicable)

Pre-agreement costs are defined as costs requiring approval incurred by the applicant prior to the start date of the period of performance of the federal award. OJP does not typically approve pre-agreement costs. If a successful applicant, in anticipation of the Federal award, but before the start date of the period of performance, incurs costs which are necessary for efficient and timely performance of the funded project, those costs may not be charged to the award. See the "Costs Requiring Prior Approval" section in the <a href="DOJ Grants Financial Guide Post-Award Requirements">DOJ Grants Financial Guide Post-Award Requirements</a> for more information.

#### Indirect Cost Rate Agreement (if applicable)

Indirect costs are costs of an organization that are not readily assignable to a particular project but are necessary to the operation of the organization and the performance of the project. Examples of costs usually treated as indirect include those incurred for facility operation and maintenance, depreciation, and administrative salaries. The requirements for the development and submission of indirect cost proposals and cost allocation plans are listed in Appendices III–VII of 2 C.F.R. Part 200. A non-federal applicant should follow the guidelines applicable to its type of organization. If applicable, an applicant with a current federally approved indirect cost rate agreement will upload it as an attachment in JustGrants. See the <a href="DOJ Financial Guide">DOJ Financial Guide</a> for additional information on <a href="Indirect Cost Rate Agreement">Indirect Cost Rate Agreement</a>.

#### Consultant Rate (if applicable)

Costs for consultant services require prior approval from OJP. If the proposed project expects to fund consultant services, compensation for individual consultant services is to be reasonable and consistent with that paid for similar services in the marketplace. See the <a href="DOJ Grants">DOJ Grants</a> Financial Guide for information on the consultant rates, which require prior approval from OJP.

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### Limitation on Use of Award Funds for Employee Compensation for Awards Over \$250,000; Waiver (if applicable)

If an applicant proposes to hire employees with Federal award funds, for any award of more than \$250,000 made under a funding opportunity, an award recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. See the <a href="Application Resource Guide">Application Resource Guide</a> for information on the "Limitation on Use of Award Funds for Employee Compensation for Awards over \$250,000; Waiver."

#### Disclosure of Process Related to Executive Compensation (if applicable)

An applicant that is a nonprofit organization may be required to make certain disclosures relating to the processes it uses to determine the compensation of its officers, directors, trustees, and key employees. If applicable, the applicant will upload a description of the process used to determine executive compensation as an attachment in JustGrants. See the "Application Attachments" section of the <u>Application Resource Guide</u> for information.

#### Additional Application Components

The applicant will attach the additional requested documentation in JustGrants.

#### Curriculum Vitae or Resumes (if applicable)

Provide resumes of key personnel who will work on the proposed project.

#### Tribal Authorizing Resolution (if applicable)

An application in response to this solicitation may require inclusion of tribal authorizing documentation as an attachment. If applicable, the applicant will upload the tribal authorizing documentation as an attachment in JustGrants. See the <u>Application Resource Guide</u> for information on tribal authorizing resolutions.

#### Letters of Support/Commitment

A prosecuting entity must be fully engaged in the project either by the prosecuting entity being the lead applicant OR by the prosecuting entity providing a letter of support/commitment to demonstrate engagement in the project.

Other qualifying applicants, such as law enforcement agencies that partner with a prosecutorial entity, may serve as the lead applicant for the award and submit an application, but a letter of commitment from the prosecutorial entity is required.

## If a letter of support/commitment from a prosecutorial entity is not included with the grant application, the applicant may not proceed to peer review.

Applicants should include, for each named supporting entity, a signed letter of support that outlines the supporting entity's reasons for supporting for the project. Applications submitted from two or more entities are encouraged to submit signed letters of support that provide a detailed description of why the proposed project should receive federal funding.

Each letter of support may include the following: (1) a description of the relationship between the applicant entity and the supporting entity; (2) a description of the need and what benefits would be gained from the project; (3) a description of the applicant's capacity to complete the

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proposed project. Letters of support should be signed and then submitted as one separate attachment to the application.

#### Memoranda of Understanding (MOUs) and Other Supportive Documents (if applicable)

Applicants should include for each named partner, a signed Memorandum of Understanding (MOU), letter of intent, or subcontract that confirms the partner's agreement to support the project through commitments of staff time, space, services, or other project needs. For applications submitted from two or more entities, applicants are encouraged to develop and submit signed MOUs or signed letters of intent that provide a detailed description of how the agencies will work together to meet project requirements.

Each MOU or letter of intent should include the following: (1) names of the organizations involved in the agreement; (2) what service(s) and other work will be performed under the agreement by what organization; (3) duration of the agreement.

Subcontracts, MOUs, or letters of intent should be submitted as one separate attachment to the application.

#### Inventory

Inventory all unresolved violent crime cold cases in the jurisdiction's possession which already have suspect DNA profiles developed (as defined above). Each award recipient will have an initial period to complete its inventory and access to up to 25 percent of the funds. Funds will be withheld via an award condition on the award. An Inventory Form will be provided to the awardee upon award acceptance. BJA must approve the inventory completion in order for the award recipient to gain access to the remaining funds when an award condition modification will be processed in JustGrants. Award recipients will provide additional feedback, clarification, and data regarding their inventory and plans if requested by BJA and/or the TTA provider. However, applicants should be aware that if, after a reasonable exchange of feedback, an inventory is not completed or the overall implementation plan does not receive BJA's approval, award recipients may not receive access to their remaining grant funds or an extension of their grant award. If an inventory of violent crime cold cases has already been completed by the applicant jurisdiction, the applicant must provide a certification letter signed by the applicant's chief executive officer. The certification letter should detail the results of the inventory.

#### Research and Evaluation Independence and Integrity Statement (if applicable)

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant will upload documentation of its research and evaluation independence and integrity as an attachment in JustGrants. For additional information, see the <u>Application Resource Guide</u>.

#### Disclosures and Assurances

The applicant will address the following disclosures and assurances.

#### Disclosure of Lobbying Activities

The SF-LLL attachment that was completed and submitted in Grants.gov is attached to this section.

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#### Applicant Disclosure of Duplication in Cost Items

To ensure funding coordination across grant making agencies, and to avoid unnecessary or inappropriate duplication among grant awards, the applicant will disclose if it has any pending applications for federal funding, including pending applications for subawards of federal funds. Complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the <u>Application Resource Guide</u> for additional information.

#### **DOJ Certified Standard Assurances**

Review and accept the DOJ Certified Standard Assurances in JustGrants. See the <u>Application</u> Resource Guide for additional information.

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing Review and accept in JustGrants the DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing. See the <u>Application Resource Guide</u> for additional information.

#### Applicant Disclosure and Justification – DOJ High-Risk Grantees

If applicable, submit the DOJ High-Risk Disclosure and Justification as an attachment in JustGrants. A DOJ High-Risk Grantee is an award recipient that has received a DOJ High-Risk designation based on a documented history of unsatisfactory performance; financial instability; management system or other internal control deficiencies; noncompliance with award terms and conditions on prior awards or is otherwise not responsible. See the <a href="Application Resource Guide">Application Resource Guide</a> for additional information.

#### **Application Review Information**

#### **Review Criteria**

#### Basic Minimum Review Criteria

OJP screens applications to ensure they meet the basic minimum requirements prior to conducting the peer review. Although specific requirements may vary, the following are requirements for all OJP solicitations:

- The application must be submitted by an eligible type of applicant.
- The application must request funding within any stated programmatic funding limits or boundaries.
- The application must be responsive to the scope of the solicitation.
- Proposal Abstract
- Proposal Narrative
- Budget Web-Based Form (the web-based form includes budget details and the budget narrative)
- Letter of Support/Commitment from a prosecuting agency (if not the lead/primary applicant)
- Documentation of accreditation or pursuit of accreditation by an independent credentialing body that establishes (1) the law enforcement agency benefitting from the grant funds has use-of-force policies that adhere to all applicable federal, state, and local laws, and (2) the agency's use-of-force policies prohibit chokeholds except in situations where use of deadly force is allowed by law.

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The application must include all items necessary to meet the basic minimum requirements.

#### Merit Review Criteria

Applications that meet the basic minimum requirements will be evaluated by peer reviewers on how the proposed project/program addresses the following criteria:

- Description of the Issue (15%): evaluate the applicant's understanding of the program/issue to be addressed.
- Project Design and Implementation (40%): evaluate the strength of the proposal, including information provided in the goals, objectives, timelines, and deliverables webbased form.
- Capabilities and Competencies (20%): evaluate the applicant's administrative and technical capacity to successfully accomplish the goals and objectives.
- Plan for Collecting the Data Required for this Solicitation's Performance Measures (5%): evaluate the applicant's understanding of the performance data reporting requirements and the plan for collecting the required data.
- Budget (15%): evaluate for completeness, cost effectiveness, and allowability (e.g., reasonable, allocable, and necessary for project activities).
- Other (5%): evaluate the applicant's understanding of the program's suspect DNA requirement as it pertains to the definition herein.

#### Other Review Criteria/Factors

Other important considerations for OJP include geographic diversity, strategic priorities (specifically including, but not limited to, those priority areas already mentioned, if applicable), available funding, past performance, and the extent to which the Budget web-based form accurately explains project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles. Costs are allowable when they are reasonable, allocable to, and necessary for the performance of the federal award, and when they comply with the funding statute and agency requirements (to include the conditions of the award), including the cost principles set out in the <a href="Uniform Requirements 2 C.F.R. Part 200">Uniform Requirements 2 C.F.R. Part 200</a>, Subpart E.

#### Risk Criteria/Factors

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

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM.gov.

Important note on Responsibility/Qualification Data (formerly FAPIIS): An applicant may review and comment on any information about its organization that currently appears in SAM.gov and was entered by a federal awarding agency. OJP will consider such comments by the applicant, in addition to the other information in SAM.gov, in its assessment of the risk posed by the applicant.

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#### **Review Process**

Applications submitted under this solicitation that meet the basic minimum requirements will be evaluated for technical merit by a peer review panel(s) in accordance with OJP peer review policy and procedures using the review criteria listed above. Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may consider not only peer review ratings and BJA recommendations, but also other factors as indicated in this section.

#### **Federal Award Administration Information**

#### **Federal Award Notices**

Generally, award notifications are made by the end of the current Federal fiscal year, September 30. See the <u>Application Resource Guide</u> for information on award notifications and instructions.

#### **Evidence-Based Programs or Practices**

OJP strongly encourages the use of data and evidence in policymaking and program development for criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices (programs or practices that have been evaluated as effective), see the Application Resource Guide.

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

OJP may conduct or support an evaluation of the projects and activities funded under this solicitation. For additional information on what should be included in the application, see the <u>Application Resource Guide</u> section entitled "Information Regarding Potential Evaluation of Programs and Activities."

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

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions and all applicable requirements of federal statutes and regulations, including the applicable requirements referred to in the assurances and certifications executed in connection with award acceptance. For additional information on these legal requirements, see the "Administrative, National Policy, and Other Legal Requirements" section in the Application Resource Guide.

#### **Civil Rights Compliance**

If a successful applicant accepts funding from OJP—as a recipient of OJP funding—that award recipient must comply with certain federal civil rights laws that prohibit it from discriminating on the basis of race, color, national origin, sex, religion, or disability in how the recipient delivers its program's services or benefits and in its employment practices. The civil rights laws that may be applicable to the award include Title VI of the Civil Rights Act of 1964 (Title VI), the nondiscrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), and Section 504 of the Rehabilitation Act of 1973. These and other federal civil rights laws are discussed in greater detail here: "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2024 Awards under the "Civil Rights Requirements" section, and additional resources are available from the OJP Office for Civil Rights.

Part of complying with civil rights laws that prohibit national origin discrimination includes recipients taking reasonable steps to ensure that people who are limited in their English

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proficiency (LEP) because of their national origin have meaningful access to a recipient's program and activity. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. To help recipients meet this obligation to serve LEP persons, DOJ has published a number of resources, including a language access assessment and planning tool, which are available at https://www.lep.gov/language-access-planning. Additional resources are available at https://www.ojp.gov/program/civil-rights-office/limited-english-proficient-lep. If the award recipient proposes a program or activity that would deliver services or benefits to LEP individuals, the recipient may use grant funds to support the costs of taking reasonable steps (e.g., interpretation or translation services) to provide meaningful access. Similarly, recipients are responsible for ensuring that their programs and activities are readily accessible to qualified individuals with disabilities. Applicants for OJP funding must allocate grant funds or explain how other available resources will be used to ensure meaningful and full access to their programs. For example, grant funds can be used to support American Sign Language (ASL) interpreter services for deaf or hard of hearing individuals or the purchase of adaptive equipment for individuals with mobility or cognitive disabilities. For resources, see http://www.ADA.gov or contact OJP.

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

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. See the <u>Application Resource Guide</u> for additional information.

#### **Information Technology Security Clauses**

An application in response to this solicitation may require inclusion of information related to information technology security. See the Application Resource Guide for more information.

#### **General Information About Post-Federal Award Reporting Requirements**

In addition to the deliverables described in the "<u>Program Description</u>" section, all award recipients under this solicitation will be required to submit certain reports and data.

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

See the <u>Application Resource Guide</u> for additional information on specific post-award reporting requirements, including performance measure data.

#### Federal Awarding Agency Contact(s)

For OJP contact(s), contact information for Grants.gov, and contact information for JustGrants, see the solicitation Synopsis.

#### Other Information

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

See the <u>Application Resource Guide</u> for information on the Freedom of Information and Privacy Act (5 U.S.C. §§ 552 and 552a).

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#### **Provide Feedback to OJP**

See the Application Resource Guide for information on how to provide feedback to OJP.

#### **Performance Measures**

A list of performance measure questions for this program can be found at: <a href="https://bja.ojp.gov/funding/performance-measures/prosecuting-cold-cases.pdf">https://bja.ojp.gov/funding/performance-measures/prosecuting-cold-cases.pdf</a>

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#### **Application Checklist**

#### **BJA FY24 Prosecuting Cold Cases Using DNA**

This application checklist has been created as an aid in developing an application. For more information, reference The OJP Application Submission Steps in the OJP Grant Application Resource Guide and the DOJ Application Submission Checklist.

#### **Pre-Application**

#### Before Registering in Grants.gov

 Confirm your entity's registration in the <u>System Award Management (SAM.gov)</u> is active through the solicitation period; submit a new or renewal registration in SAM.gov if needed (see <u>Application Resource Guide</u>)

#### Register in Grants.gov

- Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password (see <u>Application Resource Guide</u>)
- Acquire AOR confirmation from the E-Business Point of Contact (E-Biz POC) (see Application Resource Guide)

#### Find the Funding Opportunity

- Search for the funding opportunity in Grants.gov using the opportunity number, assistance listing number, or keyword(s)
- Access the funding opportunity and application package (see Step 7 in the <u>Application</u> <u>Resource Guide</u>)
- Sign up for Grants.gov email <u>notifications</u> (optional) (see <u>Application Resource Guide</u>)
- Read <u>Important Notice: Applying for Grants in Grants.gov</u> (about <u>browser compatibility</u> and special characters in file names)
- Read OJP policy and guidance on conference approval, planning, and reporting available at <a href="https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#6g3y8">https://www.ojp.gov/funding/financialguidedoj/iii-postaward-requirements#6g3y8</a> (see Application Resource Guide)

#### Review the Overview of Post-Award Legal Requirements

 Review the "Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements – FY 2024 Awards" in the OJP Funding Resource Center.

#### Review the Scope Requirement

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

#### Review Eligibility Requirement

 Review the "Eligibility" section in the Synopsis and "Eligibility Information" section in the solicitation.

#### **Application Step 1**

After registering with SAM.gov submit the SF-424 and SF-LLL in Grants.gov

• In Section 8F of the SF-424, include the name and contact information of the individual who will complete the application in JustGrants and the SF-LLL in Grants.gov

Within 48 hours after the SF-424 and SF-LLL submission in Grants.gov, receive four (4) Grants.gov email notifications:

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- A submission receipt
- A validation receipt
- A grantor agency retrieval receipt
- An agency tracking number assignment

If no Grants.gov receipt and validation email is received, or if error notifications are received:

 Contact BJA or Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, <u>Grants.gov customer support</u>, or <u>support@grants.gov</u> regarding technical difficulties (see "<u>Application Resource Guide</u>" section on Experiencing Unforeseen Technical Issues)

Within 24 hours after receipt of confirmation emails from Grants.gov, the individual in Section 8F of the SF-424 will receive an email from JustGrants with login instructions.

• Proceed to Application Step 2 and complete application in JustGrants

#### **Application Step 2**

Submit the following information in JustGrants:

#### **Application Components**

- Entity and User Verification (First Time Applicant)
- Standard Applicant information (SF-424 information from Grants.gov)
- Proposal Abstract\*
- Proposal Narrative\*
- Application Goals, Objectives, Deliverables, and Timeline web-based form

#### **Budget and Associated Documentation**

- Budget Detail Narrative and web-based form\*
- Financial Management and System of Internal Controls Questionnaire (see <u>Application Resource Guide</u>)
- Indirect Cost Rate Agreement (if applicable) (see Application Resource Guide)
- Disclosure of Process related to Executive Compensation (see <u>Application Resource</u> <u>Guide</u>)

#### **Additional Application Components**

- Tribal Authorizing Resolution (if applicable) (see Application Resource Guide)
- Research and Evaluation Independence and Integrity (see Application Resource Guide)
- Request and Justification for Employee Compensation; Waiver (if applicable) (see <u>Application Resource Guide</u>)
- Memorandum of Understanding (if applicable)
- Letters of Support/Commitment from prosecutorial agency
- Inventory Form
- Resumes of key personnel
- List of procurement contracts (if already known/applicable)
- Organizational chart

#### Disclosures and Assurances

- Disclosure of Lobbying Activities (SF-LLL) (see Application Resource Guide)
- Applicant Disclosure of Duplication in Cost Items (see Application Resource Guide)

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- DOJ Certified Standard Assurances (see <u>Application Resource Guide</u>)
- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Law Enforcement and Community Policing (see <u>Application Resource Guide</u>)
- Applicant Disclosure and Justification DOJ High-Risk Grantees (if applicable) (see Application Resource Guide)

\*Note: Items designated with an asterisk must be submitted for an application to meet the basic minimum requirements review. If OJP determines that an application does not include the designated items, it will neither proceed to peer review, nor receive further consideration.

#### Review, Certify, and Submit Application in JustGrants

- Any validation errors will immediately display on screen after submission.
- Correct validation errors, if necessary, and then return to the "Certify and Submit" screen
  to submit the application. Access the <u>Application Submission Validation Errors Quick</u>
  <u>Reference Guide</u> for step-by-step instructions to resolve errors prior to submission.
- Once the application is submitted and validated, a confirmation message will appear at the top of the page. Users will also receive a notification in the "bell" alerts confirming submission.

If no JustGrants application submission confirmation email or validation is received, or if error notification is received —

 Contact the JustGrants Service Desk at 833-872-5175 or <u>JustGrants.Support@usdoj.gov</u> regarding technical difficulties. See the <u>Application</u> <u>Resource Guide</u> for additional information.

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#### Standard Solicitation Resources

<u>Application Resource Guide</u> provides guidance to assist OJP grant applicants in preparing and submitting applications for OJP funding.

<u>DOJ Grants Financial Guide</u> serves as the primary reference manual to assist award recipients in fulfilling their fiduciary responsibility to safeguard grant funds and to ensure funds are used for the purposes for which they were awarded. It compiles a variety of laws, rules and regulations that affect the financial and administrative management of DOJ awards. This guide serves as a starting point for all award recipients and subrecipients of DOJ grants and cooperative agreements in ensuring the effective day-to-day management of awards.

<u>JustGrants Resources Website</u> is an entryway into information about JustGrants and the grants management system itself. Through this portal both award recipients and applicants can access training resource and user support options, find frequently asked questions, and sign up for the <u>JustGrants Update e-newsletter</u>.

<u>JustGrants Application Submission Training page</u> offers helpful information and resources on the application process. This training page includes e-learning videos, reference guides, checklists, and other resources to help applicants complete an application.

<u>Weekly Training Webinars</u> are advertised here and provide opportunities for users to receive topic-specific training, direct technical assistance, and support on JustGrants system functionality.

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