



BJA FY 21 Postconviction Testing of DNA Evidence

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Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Bureau of Justice Assistance](#) (BJA) is seeking applications for funding to assist in defraying the costs associated with postconviction case review, evidence location, and DNA testing in violent felony cases (as defined by state law) where the results of such testing might show actual innocence. This program furthers the Department's mission by ensuring the availability of fair and impartial administration of justice to Americans who may have been unjustly convicted.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants for the preparation and submission to OJP of applications for funding. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

Solicitation Categories

This solicitation does not include Solicitation Categories.

Eligible Applicants:

Other

Other

See Eligibility Section

BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

Contact Information

Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at [Grants.gov customer support webpage](#), or email at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at 833-872-5175 or JustGrants.Support@usdoj.gov. The JustGrants Service Desk operates 5 a.m. to 9 p.m. eastern time, Monday-Friday, and 9 a.m. to 5 p.m. Saturday, Sunday, and federal holidays.

An applicant that experiences unforeseen Grants.gov or JustGrants technical issues beyond its control that prevent it from

submitting its application by the deadline must email the National Criminal Justice Reference Service Response Center (Response Center) at grants@ncjrs.gov **within 24 hours after the application deadline** to request approval to submit its application after the deadline.

For assistance with any other requirements of this solicitation, contact the Response Center by telephone at 800-851-3420 or TTY: 301-240-6310 (hearing impaired only) or by email at grants@ncjrs.gov. Response Center hours of operation are 10 a.m. to 6 p.m. eastern time Monday through Friday, and 10 a.m. to 8 p.m. eastern time on the solicitation close date.

Submission Information

In FY 2021, applications will be submitted to DOJ in a **NEW** two-step process.

Step 1: Applicants will submit an **SF-424** and an **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, applicants will need to obtain a Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal.

Step 2: Applicants will submit the **full application** including attachments in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov).

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

OJP encourages applicants to review, the "How to Apply" section in the [OJP Grant Application Resource Guide](#).

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Program Description

Overview

The Department of Justice is committed to advancing work that promotes civil rights, increases access to justice, supports crime victims, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

BJA seeks proposals for funding to assist in defraying the costs associated with postconviction DNA testing in cases of violent felony offenses (as defined by state law) in which actual innocence might be demonstrated. Funds may be used to identify and review such postconviction cases and to locate and analyze associated biological evidence.

Statutory Authority

Any awards under this solicitation will be made under statutory authority provided by Consolidated Appropriations Act, 2021, Pub. L. No. 116-260, 134 Stat 1182, 1259.

Specific Information

Under this program, BJA provides funding to help defray the costs (e.g., additional personnel, overtime, testing supplies and services) associated with postconviction DNA testing for violent felony offenses (as defined by state law) in which actual innocence might be demonstrated. Funds may be used to review suitable postconviction cases and to locate and analyze biological evidence. Only a limited portion of funds may be used for case identification activities.

Goals, Objectives, Deliverables, and Timeline

The goal of this program is to assist states and units of local government with postconviction DNA testing in cases of violent felony offenses where actual innocence might be demonstrated.

Objectives

Program objectives with respect to the target number of cases to be reviewed and other concrete objectives must be outlined in the proposal. Funded projects are expected to implement some aspect of each of the following activities, except for case identification, which is not mandatory:

1. Identify potential postconviction DNA testing cases. A maximum of 15 percent of the proposed budget may be dedicated to case identification activities.
2. Review appropriate postconviction cases to identify those in which DNA testing could prove the actual innocence of a person convicted of a violent felony offense as defined by state law.
3. Locate biological evidence associated with such postconviction cases.
4. Perform DNA analysis of appropriate biological evidence and report and review DNA test results.

For the purposes of this solicitation:

- **Case identification** means performing outreach or initial screening activities, other than “case review” as defined below, designed to identify postconviction cases of violent felony offenses (as defined by state law) where DNA analysis might demonstrate actual innocence.
- **Case review** means review of files or documentation of postconviction cases of violent felony offenses (as defined by state law) by appropriate persons (e.g., prosecutors, public defenders, law enforcement personnel, and medical examiners) to determine whether biological evidence exists that might, through DNA analysis, demonstrate the actual innocence of the person previously convicted.
- **Evidence location** means seeking to locate, following a case review, biological evidence that, through DNA analysis, might demonstrate actual innocence. It includes activities such as the searching of files, storage facilities, and evidence rooms.
- **DNA analysis of biological evidence** includes the handling, screening, and DNA analysis of biological evidence located in connection with a case review.

Deliverables

All Postconviction grantees are required to report specific programmatic metrics (see the Performance Measures section). In addition, the applicant is asked to consider what other metrics may be of use in demonstrating the successful outcome of the program/project.

All DNA analyses conducted using program funds must be performed by a laboratory (government-owned or fee-for-service) that is accredited, undergoes external audits at least once every 2 years, and demonstrates compliance with the applicable DNA Quality Assurance Standards established by the Director of the Federal Bureau of Investigation. All DNA analyses conducted and profiles generated under this program must be maintained pursuant to any applicable federal privacy requirements.

Please note: No profiles generated with funding from this program may be entered into any nongovernmental DNA database without prior express written approval from BJA.

Program activity involving forensic genetic genealogical DNA analysis and searching (FGGS) is subject to the DOJ [Interim Policy on Forensic Genetic Genealogical DNA Analysis and Searching](#) or to the final policy, when issued. See the Performance Measures section for additional required grantee reporting on FGGS activities.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed under the Application and Submission Information section.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policymaking and program development in criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

Information Regarding Potential Evaluation of Programs and Activities

OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section entitled "Information Regarding Potential Evaluation of Programs and Activities."

OJP Priority Areas

The Department of Justice is committed to advancing work that promotes civil rights, increases access to justice, supports crime victims, protects the public from crime and evolving threats, and builds trust between law enforcement and the community. In FY 2021, OJP will give priority consideration in award decisions to applications that demonstrate ways in which their projects will advance one or more of these areas.

To receive priority consideration for advancing one or more of the Department's priorities, the applicant must provide a sufficient narrative explanation as an attachment, that specifies how the project will advance the promotion of civil rights, access to justice, support to crime victims, protecting the public from crime and evolving threats, or building trust between law enforcement and the community.

In addition, OJP will give priority consideration, if applicable, to applicants that demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent-poverty counties.

To receive priority consideration under the poverty priority, the applicant must provide information to demonstrate that the individuals who are intended to benefit from the requested grant reside in high-poverty areas or persistent-poverty counties. For purposes of this priority consideration, the term "high-poverty area" means any census tract with a poverty rate of at least 20 percent as measured by the 2013–2017 5-year data series available from the American Community Survey of the Census Bureau (applicants may search by census tract at <https://www.census.gov/acs/www/data/data-tables-and-tools/narrative-profiles/2017/>) and the term "persistent-poverty counties" means any county that has had 20 percent or more of its population living in poverty over the past 30 years, as measured by the 1990 and 2000 decennial censuses and the most recent Small Area Income and Poverty Estimates (applicants may search by county at <https://www.census.gov/data/tables/time-series/dec/census-poverty.html> and at <https://www.census.gov/programs-surveys/saipe.html>).

Priority consideration is one of many factors that OJP considers in making funding decisions and is not a guarantee of an award.

Federal Award Information

Awards, Amounts and Durations

Anticipated Number of Awards

15

Anticipated Maximum Dollar Amount of Awards

\$500,000.00

Period of Performance Start Date

10/1/21 12:00 AM

Period of Performance Duration (Months)

36

Anticipated Total Amount to be Awarded Under Solicitation

\$7,159,524.00

Availability of Funds

This solicitation, and awards (if any are made) under this solicitation, are subject to the availability of appropriated funds and to any modifications 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.

Types of Awards

BJA expects to make awards under this solicitation as grants. See the “Administrative, National Policy, and Other Legal Requirements” section of the [OJP Grant Application Resource Guide](#) for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants (and cooperative agreements).

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. The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R. Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200. See [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

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.

1. **Salary and benefits of additional employees**—Funds may be used for salaries and benefits of additional full- or part-time employees to the extent that such employees are directly engaged in case identification, case review, location of evidence, or DNA analysis of biological evidence. Applicants should demonstrate that any **additional** full- or part-time employees will be directly engaged in these activities.
2. **Overtime**—Funds may be used for employee overtime for the purpose of case identification, case review, location of evidence, or DNA analysis of biological evidence. Any payments for overtime must be in accordance with the applicable provisions of the [DOJ Grants Financial Guide](#).
3. **Travel (limited)**—Funds may be used for reasonable travel expenses directly associated with case identification, case review, location of evidence, or DNA analysis of biological evidence. Travel funds may also support attendance at allowable training activities as described under **Training (limited)** below. These costs must be in accordance with federal policy or an organizationally approved travel policy. The Office of the Chief Financial Officer reserves the authority to determine the reasonableness of the recipient's own established travel rates. Current federal travel policy and per diem rate information are available at www.gsa.gov/perdiem.
4. **Computer equipment**—Funds may be used to upgrade, replace, lease, or purchase computer hardware or software that will be used exclusively for case identification, case review, location of evidence, or DNA analysis of biological evidence.
5. **Laboratory supplies**—Funds may be used to acquire laboratory supplies for DNA analysis of biological evidence. The proposal must clearly demonstrate that the types and number of supplies requested are appropriate for the proposed caseload. Award recipients whose proposals involve the purchase or use of chemicals may encounter delays in the release of award funds pending satisfactory completion of the National Environmental Protection Act (NEPA) review process.

Engage additional (temporary) personnel—Funds may be used to obtain the services of individuals (other than employees of the recipient) to perform case identification and case reviews, locate evidence, or perform DNA

analyses of biological evidence in the crime laboratory.

6. **Procurement from private laboratories of DNA analyses**—Funds may be used for contracts with accredited fee-for-service laboratories to conduct DNA analysis of biological evidence.
7. **Training (limited)**—In limited circumstances, funds may be used for postconviction training directly related to case identification, case review, location of biological evidence, and DNA analysis of biological evidence. The proposal must clearly demonstrate that the proposed training directly supports the program's purpose areas, and is related directly to the job position and duties of the individual(s) receiving the training.

Expenses that are not permitted:

Among other things, funds may not be used for:

1. Costs for postconviction relief litigation after DNA testing of biological evidence has been completed
2. Salaries and benefits for victim advocacy services
3. Salaries, benefits, or overtime for staff who are not directly engaged in case identification, case review, location of biological evidence, or DNA analysis of biological evidence
4. Laboratory equipment
5. Construction
6. Renovation
7. Office furnishings
8. Witness travel
9. General litigation training or non-postconviction training

Cost Sharing or Matching Requirement

This solicitation does not require a match.

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

See the [OJP Grant Application Resource Guide](#) information on Pre-agreement Costs (also known as Pre-award Costs).

Limitation on Use of Award Funds for Employee Compensation: Waiver

See the [OJP Grant Application Resource Guide](#) information on Limitation on Use of Award Funds for Employee Compensation; Waiver.

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

See the [OJP Grant Application Resource Guide](#) for information on Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.

Costs Associated with Language Assistance (if applicable)

See the [OJP Grant Application Resource Guide](#) for information on Costs Associated with Language Assistance.

Eligibility Information

- State governments
- City or township governments
- Public and state controlled institutions of higher education

- County governments

For the purposes of this solicitation, the term “state” includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands. Foreign governments, foreign organizations, and foreign institutions of higher education are not eligible to apply.

To advance Executive Order 13929 Safe Policing for Safe Communities, as of October 28, 2020, the Attorney General determined that all state, local, and university or college law enforcement agencies must be certified by an approved independent credentialing body or have started the certification process to be allocated FY 2021 DOJ discretionary grant funding, as either a recipient or a subrecipient. For detailed information on this new certification requirement, please visit <https://cops.usdoj.gov/SafePolicingEO>.

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

BJA will consider applications under which two or more entities would carry out the federal award; however, only one entity may be the applicant. Any others must be proposed as subrecipients (subgrantees). For additional information on subawards, see the [OJP Grant Application Resource Guide](#).

Application and Submission Information

The following application elements **MUST** be included in the application submission for an application to meet the basic minimum requirements (BMR) to advance to peer review and receive consideration for funding:

- Proposal Abstract,
- Proposal Narrative,
- Budget Worksheet and Budget Narrative (web-based form)

See the “Application Elements and Formatting Instructions” section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all the specified elements or that is nonresponsive to the scope of the solicitation.

Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 will be submitted in Grants.gov. The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the [OJP Grant Application Resource Guide](#) for additional information on completing the SF-424.

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

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

Standard Applicant Information (JustGrants 424 and General Agency Information)

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

Proposal Abstract

A proposal abstract (no more than 400 words) summarizing the proposed project, including primary activities, products and deliverables, the service area, and who will benefit from the proposed project will be completed in the JustGrants web-based form. Proposal abstracts should:

- Be written for a general public audience.
- Identify the partner(s) involved in the project, if any.
- Identify the issues the applicant jurisdiction is facing regarding postconviction DNA testing (e.g., postconviction review, number of requests, number of cases reviewed).
- Identify the areas of focus for identifying postconviction DNA cases.

Proposal Narrative

A proposal abstract (no more than 400 words) summarizing the proposed project, including primary activities, products and deliverables, the service area, and who will benefit from the proposed project will be completed in the JustGrants web-based form. Proposal abstracts should:

- Be written for a general public audience.
- Identify the partner(s) involved in the project, if any.
- Identify the issues the applicant jurisdiction is facing regarding postconviction DNA testing (e.g., postconviction review, number of requests, number of cases reviewed).
- Identify the areas of focus for identifying postconviction DNA cases.

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 Times New Roman font; have no less than 1-inch margins; and should not exceed 12 pages. Pages should be numbered and submitted as an attachment. If the proposal narrative fails to comply with these length restrictions, BJA may negatively consider such noncompliance in peer review and in final award decisions. The proposal narrative should describe the proposed project in depth and should address:

- The implementation approach, including case review selection criteria and the target number of cases to be reviewed with award funds
- Detailed justification for specific case identification activities, if applicable (not to exceed 15 percent of the federal award amount)

The following sections must be included as part of the proposal narrative:

a. Description of the Issue

1. Describe the challenges faced in conducting postconviction DNA analysis, including case review, identification, locating evidence, and DNA analysis.
2. Demonstrate awareness of the relevance of DNA testing to postconviction cases.

b. Project Design and Implementation

1. Describe the strategy to address the needs identified in the Description of the Issue, particularly any areas of specific concern and the relevance to the goals and objectives of the program (see Goals, Objectives, and Deliverables).
2. Discuss how funding under this initiative will help to identify and test postconviction DNA cases and demonstrate an awareness of current methods for DNA analysis of forensic evidence.
3. Discuss how the applicant will improve the quality and efficacy of case reviews.
4. Describe the feasibility of the proposed project, including the likelihood of completion within the proposed period of performance.
5. Provide awareness of potential pitfalls and describe the mitigation strategies should pitfalls be encountered.
6. Outline the applicant's innovation and creativity (where appropriate).

c. Capabilities and Competencies

1. Describe the management structure for implementation of the strategy, including staffing and key partners. Describe how the partners, if any, will work together to implement the key project elements. 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.
2. Describe the qualifications and experience of proposed staff.

3. Describe the capability of staff and the applicant organization to manage the effort.
4. Discuss the adequacy of the management plan.

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

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

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables."

Applicants can also visit OJP's performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

Award recipients will be required to submit performance measure data and performance reports in the Performance Measurement Tool (PMT) and/or JustGrants. Examples of the performance measures questionnaire can be found at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/Post-Conviction-Measures.pdf>. Further guidance on the post-award submission process will be provided, if 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 under "Note on Project Evaluations" in the [OJP Grant Application Resource Guide](#).

Goals, Objectives, Deliverables, and Timeline

Applicants will submit the program's goals, objectives, deliverables, and timelines in the JustGrants web-based form.

Budget and Associated Documentation

Budget Worksheet and Budget Narrative (Web-based Form)

Applicants will complete the JustGrants web-based budget form. See the [OJP Grant Application Resource Guide for additional](#) information.

Case Identification

The Budget Worksheet (which includes a "Narrative" section the applicant is to populate for each budget category) should clearly indicate the cost breakouts for any proposed case identification activities (total cost not to exceed 15 percent of the total federal award amount requested) within the appropriate cost categories (e.g., personnel, fringe benefits, travel, equipment, supplies, subawards, procurement contracts, consultants).

Indirect Cost Rate Agreement (if applicable)

Applicants will submit their indirect cost rate agreement by uploading the agreement as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Financial Management Questionnaire (including applicant disclosure of high-risk status)

Applicants will download the questionnaire in JustGrants and submit by uploading the completed questionnaire as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Additional Application Components

Applicants will attach the additional requested documentation in JustGrants.

Curriculum Vitae or Resumes

Position Descriptions and Résumés - Curricula vitae, résumés, or biographical sketches for key personnel. Attach this as a separate PDF file titled "Curricula Vitae or Résumés."

Timeline Form

Proposed project timeline and expected milestones, to include staff hiring if applicable. Attach this as a separate PDF file titled "Project Timeline."

Letters of Support

Letters of commitment or cooperation/support or administrative agreements from organizations collaborating in the project (if applicable). Attach this as a separate PDF file titled "Letters of Support."

Certification as to Provision of Postconviction DNA Testing and Preservation of Biological Evidence

Certification as to Provision of Postconviction DNA Testing and Preservation of Biological Evidence

If an award is made, prior to receiving the award funds, an award recipient must submit an express certification from the chief legal officer of the state (typically the Attorney General) that the state:

- Provides postconviction DNA testing of specified biological evidence under a state statute, or under state rules, regulations, or practices, for persons convicted after trial and under a sentence of imprisonment or death for a state offense of murder or forcible rape, in a manner intended to ensure a reasonable process for resolving claims of actual innocence.
- Preserves biological evidence secured in relation to the investigation or prosecution of a state offense of murder or forcible rape, under a state statute, local ordinances, or state or local rules, regulations, or practices, in a manner intended to ensure that reasonable measures are taken by all jurisdictions within the state to preserve such evidence.

Any certification that is submitted must be personally executed by the chief legal officer of the state after a determination that the certification may properly be made. The link above provides the template that must be used for the certification. While it may be submitted with the application package, **submission of this certification is not required at the time of application**. If an award is made, access to award funds will be withheld until this certification is received and approved by BJA.

Note to all applicants, in particular, applicants proposing postconviction DNA testing projects involving cases outside of the applicant's state: The certification must be executed by the chief legal officer of the appropriate state for each state for which postconviction cases are sought to be funded consistent with this solicitation. **Funds will not be made available to award recipients that fail to submit a properly executed certification(s).**

Documentation of Advancing DOJ Priorities (if applicable)

As is mentioned above, OJP will give priority consideration in award decisions to applications that specify how the project will advance one or more of the following DOJ priorities: the promotion of civil rights, access to justice, support to crime victims, protecting the public from crime and evolving threats, or building trust between law enforcement and the community. Applicants will submit the narrative by uploading the document as an attachment in JustGrants.

Documentation of High-Poverty Areas or Persistent-Poverty Counties (if applicable)

As mentioned above, OJP will give priority consideration in award decisions to applications that demonstrate that the individuals who will benefit from the requested grant reside in high-poverty areas or persistent-poverty counties as defined above. Each applicant proposing to receive consideration under the High-Poverty Areas or Persistent-Poverty Counties priority must provide a sufficient narrative explanation to identify each specific High-Poverty Area (by census tract number (s)) and/or each specific Persistent-Poverty County where individuals are intended to benefit from the requested grant and how the requested grant will address specific challenges in each such identified area and/or county. Applicants will submit the narrative by uploading the document as an attachment in JustGrants.

Potential Environmental Impact Coversheet and Checklist – National Environmental Policy Act (NEPA)

Each applicant is to submit a BJA Programmatic Cover Sheet and Checklist with its application to assist BJA in assessing the potential environmental impacts of the activities proposed for funding by the applicant. Specifically, the applicant is expected to:

- Carefully read the [Programmatic Environmental Assessment](#).

- Complete the [Cover Sheet and the attached the Programmatic Checklist](#).
- Attach the completed documents to the grant application.

The applicant should also submit a Cover Sheet and BJA Programmatic Checklist for any organization identified in the Budget Detail Worksheet that will receive grant funds through a subaward or procurement contract to perform any of the following activities: research and/or technology development that could be expected to have an effect on the environment or implementation of programs involving the use of chemicals. For more information about NEPA and BJA's NEPA Process, please go to <https://bjaojp.gov/national-environmental-policy-act-nepa-guidance>.

Disclosures and Assurances

Applicants will complete the following disclosures and assurances.

Disclosure of Lobbying Activities

Applicants will complete and submit the SF-LLL in Grants.gov. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certified Standard Assurances

See the DOJ Certified Standard Assurances in the [OJP Grant Application Resource Guide](#).

Applicant Disclosure of Duplication in Cost Items

Applicants will complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants will review and accept the DOJ Certified Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. See [OJP Grant Application Resource Guide](#).

Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)

If applicable, applicants will submit as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information. A DOJ High Risk Grantee is a 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, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

How to Apply

Applicants will submit an **SF-424** and an **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>.

Applicants will submit the **full application** including attachments in JustGrants at [JustGrants.usdoj.gov](https://justgrants.usdoj.gov).

For additional information, see the "How to Apply" section in the [OJP Grant Application Resource Guide](#).

Submission Dates and Time

The **SF-424** and the **SF-LLL** will be submitted in Grants.gov by June 22, 2021 at 11:59 pm EST. OJP urges applicants to submit applications at least 72 hours prior to the application due date to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

The **full application** will be submitted in JustGrants by July 6, 2021 at 11:59 pm EST.

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

Application Review Information

Review Criteria

a. Merit Review Criteria

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

1. Description of the Issue (20%) - evaluate the applicant's understanding of the program/issue to be addressed.

2. Project Design and Implementation (40%) - evaluate the adequacy of the proposal, including the goals, objectives, timelines, milestones, and deliverables.
3. Capabilities and Competencies (30%) - evaluate the administrative and technical capacity of the applicant to successfully accomplish the goals and objectives.
4. 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.
5. Budget (5%) - evaluate for completeness, cost effectiveness, and allowability (e.g., reasonable, allocable, and necessary for project activities).
 - Generally speaking, a reasonable cost is a cost that in its nature or amount does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.
 - Budget narratives demonstrate generally how applicants will maximize cost effectiveness of grant expenditures.
 - Budget narratives demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.

b. Other Review Criteria/Factors

Other important considerations for BJA include geographic diversity, strategic priorities (specifically including, but not limited to, those mentioned above relating to priority areas), available funding, past performance, and the extent to which the Budget Worksheet and Budget Narrative (web-based form) accurately explain project costs that are reasonable, necessary, and otherwise allowable under federal law and applicable federal cost principles.

Review Process

Applications submitted under this solicitation that meet 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 stated review criteria above.

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

- The application must be submitted by an eligible type of applicant.
- The application must request funding within programmatic funding constraints (if applicable).
- The application must be responsive to the scope of the solicitation.
- The application must include all items necessary to meet the basic minimum requirements.

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

In addition, if OJP anticipates that an award will exceed \$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 (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

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

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, who may take into account not only peer review ratings and BJA's recommendations, but also other factors as indicated in this section.

Federal Award Administration Information

Federal Award Notices

See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

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 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 [OJP Grant Application Resource Guide](#).

Information Technology (IT) Security Clauses

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for information on information technology security.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables described in the Program Description section, any recipient of an award under this solicitation will be required to submit certain reports and data.

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

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measures data.

Federal Awarding Agency Contact(s)

For OJP contact(s), see solicitation cover page.

For contact information for Grants.gov and JustGrants, see solicitation cover page.

Other Information

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

See the [OJP Grant Application Resource Guide](#) for information on Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).

Provide Feedback to OJP

See the [OJP Grant Application Resource Guide](#) for information on how to provide feedback to OJP.

Performance Measures

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under “Goals, Objectives, and Deliverables.”

Applicants can also visit OJP’s performance measurement page at www.ojp.gov/performance for an overview of performance measurement activities at OJP.

Award recipients will be required to submit performance measure data and performance reports in the Performance Measurement Tool (PMT) and/or JustGrants. Examples of the performance measures questionnaire can be found at <https://bja.ojp.gov/sites/g/files/xyckuh186/files/media/document/Post-Conviction-Measures.pdf>. Further guidance on the post-award submission process will be provided, if selected for award.

Application Checklist

Postconviction Testing of DNA Evidence

This application checklist has been created as an aid in developing an application.

What an Applicant Must Do:

Prior to Registering in Grants.gov:

- Acquire a DUNS Number (see [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

To Register with Grants.gov:

- Acquire AOR and Grants.gov username/password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Biz POC (see [OJP Grant Application Resource Guide](#))

To Find Funding Opportunity:

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

Overview of Post-Award Legal Requirements:

- Review the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2021 Awards](#)” in the [OJP Funding Resource Center](#).

Scope Requirement:

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

Eligibility Requirement: See Eligibility Section

- Submit **SF-424** and **SF-LLL** in Grants.gov

After SF-424 and SF-LLL Submission in Grants.gov, Receive Grants.gov Email Notifications That:

- Submission has been received in Grants.gov
- Submission has either been successfully validated or rejected with errors (see [OJP Grant Application Resource Guide](#))

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

- Contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at [Grants.gov customer support webpage](#), or email at support@grants.gov regarding technical difficulties. (see [OJP Grant Application Resource Guide](#)).

Receive email notification to complete application in JustGrants:

- Complete Application in JustGrants

Content of Application Submission:

The following items are critical application elements required to pass Basic Minimum Requirements review. An application that OJP determines does not include the application elements that must be included in the application submission in

order for the application to meet the basic minimum requirements, will neither proceed to peer review, nor receive further consideration.

- **Proposal Abstract**
- **Proposal Narrative**
- **Budget Worksheet and Budget Narrative (web-based form)**

Content of Application Submission

- Information to Complete the Application for Federal Assistance (SF-424) in Grants.gov
- Standard Applicant Information (SF-424 info from Grants.gov)

Budget and Associated Documentation

- Budget Worksheet and Budget Narrative (Web-based form)
- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))

Additional Application Components

- [Certification\(s\) as to Provision of Postconviction DNA Testing and Preservation of Biological Evidence \(if available; not required at time of application\)](#)
- Documentation of Advancing DOJ Priorities (if applicable)
- Documentation of high-poverty areas or persistent-poverty counties (if applicable)
- Potential Environmental Impact Coversheet and Checklist (See Additional Application Components discussion)
- List of Key Personnel (See Additional Application Components discussion)
- Timeline (See Additional Application Components discussion)
- Letters of Commitment (See Additional Application Components discussion)
- Request and Justification for Employee Compensation; Waiver (if applicable) (see [OJP Grant Application Resource Guide](#))

Disclosures and Assurances

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (Pending Applications) (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurance (see [OJP Grant Application Resource Guide](#))
- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification - DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

Submit Application in JustGrants:

- Application has been successfully submitted in JustGrants

If No JustGrants Application Submission, Validation, or Error Notifications are Received:

- Contact JustGrants.Support@usdoj.gov or 833-872-5175 regarding technical difficulties