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



# BJA FY 23 Paul Coverdell Forensic Science Improvement Grants Program - Formula

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Grants.gov Opportunity Number:	O-BJA-2023-171701
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Application Grants.gov Deadline:	May 31, 2023 8:59 PM ET
Application JustGrants Deadline:	June 1, 2023 8:59 PM ET

#### Overview

The <u>U.S. Department of Justice</u> (DOJ), <u>Office of Justice Programs</u> (OJP), <u>Bureau of</u> <u>Justice Assistance</u> (BJA) seeks applications for funding to improve forensic science and medical examiner/coroner services, including services provided by forensic science laboratories operated by states and units of local government, under the Paul Coverdell Forensic Science Improvement Grants Program. This program furthers the DOJ's mission by providing states with tools needed to meet the challenges of crime and justice.

This solicitation incorporates guidance provided in the <u>OJP Grant Application Resource</u> <u>Guide</u> which provides additional information for applicants to prepare and submit applications to OJP 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.

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating the "Limitation on Use of Award Funds for Employee Compensation; Waiver" provisions in the "Financial Information" section of the <u>OJP Grant Application</u> <u>Resource Guide</u>.

#### Eligible Applicants: State governments

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# **Contact Information**

For assistance with the requirements of this solicitation, contact the OJP Response Center at 800-851-3420, 301-240-6310 (TTY for hearing-impaired callers only), or grants@ncjrs.gov. The OJP Response Center operates from 10:00 a.m. to 6:00 p.m. eastern time (ET) Monday–Friday, and 10:00 a.m. to 8:00 p.m. ET on the solicitation close date.

# **Submission Information**

<u>Registration:</u> Before submitting an application, all applicants must register with the System for Award Management (SAM). You must renew and validate your registration every 12 months. If you do not renew your SAM registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Registration and renewal can take up to 10 business days to complete.

<u>Submission</u>: Applications must be submitted to DOJ electronically through a two-step process via Grants.gov and JustGrants.

<u>Step 1</u>: The applicant must submit by the Grants.gov deadline the required Application for Federal Assistance standard form (SF-424) and a **Disclosure of Lobbying Activities (SF-LLL)** form when they register in Grants.gov at <u>https://www.grants.gov/</u> web/grants/register.html. Submit the SF-424 and SF-LLL as early as possible, but no later than 48 hours before the Grants.gov deadline. If an applicant fails to submit in Grants.gov, they will be unable to apply in JustGrants.

For technical assistance with submitting the SF-424 and an SF-LLL 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 operates 24 hours a day, 7 days a week, except on federal holidays.

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

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 7 a.m. to 9 p.m. ET Monday–Friday and 9 a.m. to 5 p.m. ET on Saturday, Sunday, and federal holidays.

OJP encourages applicants to review, the "How to Apply" section in the <u>OJP Grant</u> <u>Application Resource Guide</u> and the <u>JustGrants website</u> for more information, resources, and training. Applicants should maintain all receipts and confirmations received from SAM.gov, Grants.gov, JustGrants systems.

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# **Program Description**

# Overview

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

With this solicitation, BJA seeks proposals for formula funding under the Paul Coverdell Forensic Science Improvement Grants Program (the Coverdell Program), which awards grants to states and units of local government to improve forensic science and medical examiner/ coroner services. Under the Coverdell Program, state administering agencies (SAAs) may apply for both formula and competitive funds. This solicitation is **ONLY** for SAAs applying for the formula funds. An applicant seeking to apply for Coverdell competitive funds (consistent with 34 U.S.C. § 10563(a)(2)) available to eligible states and units of local government would need to apply separately under BJA's FY 2023 Paul Coverdell Forensic Science Improvement Grants Program (Competitive) solicitation.

**Statutory Authority:** The Coverdell Program is authorized by Public Law 90-351, Title I, Sec. 2801-2806 (codified at 34 U.S.C. 10561-10566).

# **Statutory Authority**

The Coverdell Program is authorized by Public Law 90-351, Title I, Sec. 2801-2806 (codified at 34 U.S.C. 10561-10566).

# **Specific Information**

This formula program furthers the Department's mission by providing states and units of local government with tools needed to meet the challenges of crime and justice. The Coverdell Program provides funding to improve forensic science and medical examiner/ coroner services, including services provided by laboratories operated by states and units of local government. Funding is to be used for forensic science laboratories (see the "Definitions" section for additional information).

The Coverdell Program may not be used for research, although award recipients may validate technologies and processes to be implemented in the public forensic science laboratories. BJA encourages applicants to review resources such as the National Institute of Justice's <u>Forensic Technology Center of Excellence</u> (FTCoE) when working to evaluate and implement new technologies and processes to ensure they use strong, evidence-based best practices. FTCoE provides reports, webinars, and other free products to assist practitioners with technology transition, including implementation strategies, technology landscape studies, and success stories.

Page 5 of 36 O-BJA-2023-171701 BJA also encourages agencies to participate in the <u>National Forensic Laboratory</u> <u>Information System (NFLIS)</u>. NFLIS is a program of the Drug Enforcement Administration, Diversion Control Division, and systematically collects drug identification results and associated information from drug cases submitted to and analyzed by participating federal, state, and local forensic science laboratories with drug chemistry sections. The program consists of three components (Drug, Toxicology, and Medical Examiner/Coroner) that complement each other to provide a holistic picture of the drugs analyzed by the U.S. forensic community. Data are submitted on a voluntary basis and agencies are encouraged to seek participation from any labs used for outsourcing in an effort to strengthen the understanding of drug mortality, novel psychoactive substances, drug frequency trends, levels of drugs involved in cause of death, and laboratory or office methods and practices.

## Definitions

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

Backlog: A backlog in the analysis of forensic science evidence exists if such evidence:

- Has been stored in a laboratory, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility.
- Has not been subjected to all appropriate forensic testing because of a lack of resources or personnel.

Forensic Science Laboratory: Any state/local government entity performing forensic science services is considered a "forensic science laboratory." Medical examiner and coroner offices are considered to be forensic science laboratories for the purposes of this solicitation.

**Research:** A systematic investigation — including research development, testing, and evaluation — designed to develop or contribute to generalizable knowledge. Validation of established technologies for implementation in a laboratory setting is not considered research for the purposes of this solicitation.

**Accreditation:** A formal process by which an impartial entity reviews the policies and procedures of an organization to ensure its operations are consistent with national or international standards. Accreditation assesses a forensic laboratory's capacity to generate and interpret results in a particular forensic discipline and helps to ensure an ongoing compliance to industry and applicable international standards.

#### Goals, Objectives, and Deliverables

#### Goals

The result of Coverdell grants to applicant states should be a demonstrated improvement over current operations in forensic science or medical examiner/coroner services provided in the state, including services provided by laboratories operated by the state and services provided by laboratories operated by units of local government within the

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state. Reduction in forensic analysis backlogs is considered an improvement in timeliness of services.

#### Objectives

An applicant should address the objectives that are relevant to their proposed program/ project in the Goals, Objectives, Deliverables and Timeline web-based form.

A state or unit of local government that receives formula funding from a Coverdell grant must use the grant for one or more of the following six objectives:

- 1. To carry out all or a substantial part of a program intended to improve the quality and timeliness of forensic science or medical examiner/coroner services in the state, including those services provided by laboratories operated by the state and those operated by units of local government within the state.
- 2. To eliminate a backlog in the analysis of forensic science evidence, including, among other things, a backlog with respect to firearms examination, latent prints, impression evidence, toxicology, digital evidence, fire evidence, controlled substances, forensic pathology, questioned documents, and trace evidence. A backlog in the analysis of forensic science evidence exists if forensic evidence has been stored in a laboratory, medical examiner office, coroner office, law enforcement storage facility, or medical facility and has not been subjected to all appropriate forensic testing because of lack of resources or personnel.
- 3. To train, assist, and employ forensic laboratory personnel and medicolegal death investigators, as needed, to eliminate such a backlog.
- 4. To address emerging forensic science issues (such as statistics, contextual bias, and uncertainty of measurement) and emerging forensic science technology (such as high throughput automation, statistical software, and new types of instrumentation).
- 5. To educate and train forensic pathologists.
- 6. To fund medicolegal death investigation systems to facilitate accreditation of medical examiner and coroner offices and certification of medicolegal death investigators.

**Important Note:** Congress has appropriated funding to help the forensic science community address the specific challenges that crime laboratories are confronting related to the proliferation of opioids and synthetic drugs. To address these issues, BJA plans to allocate approximately 55 percent of available funds to specifically target the challenges that opioid and synthetic drugs have brought to the forensic science community.

#### Deliverables

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

Page 7 of 36 O-BJA-2023-171701 The goals, objectives, and deliverables are directly related to the performance measures that show the completed work's results, as discussed in the "Application and Submission Information" section.

#### **Evidence-Based Programs**

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, see the <u>OJP Grant</u> 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 and applicable documentation to be included in the application, see the <u>OJP Grant Application Resource Guide</u> section entitled "Information Regarding Potential Evaluation of Programs and Activities."

#### Federal Award Information

#### **Solicitation Categories**

This solicitation does not include Solicitation Categories.

#### Awards, Amounts and Durations

# Anticipated Number of Awards

Anticipated Maximum Dollar Amount of Awards Based on population

**Period of Performance Start Date** 10/1/23

**Period of Performance Duration (Months)** 24

Anticipated Total Amount to be Awarded Under Solicitation 26,580,165

#### **Availability of Funds**

The approximate amount each eligible state would receive if \$31,270,708 were made available for FY 2023 is listed in <u>Estimated Amount of FY 2023 Base Funds, by State</u>.

Additional Information: The figures and calculations reflected in this solicitation (for example, the estimated minimum award to states and the estimated amount of formula Page 8 of 36 O-BJA-2023-171701

funds, by state) are based on an estimated total amount available of \$31,270,782, although the amount ultimately made available could be higher or lower. Applicants are strongly advised to check for updates to the solicitation prior to submitting applications.

# 1. Formula Funds for States

85 percent of the funds available for Coverdell grants will be allocated among eligible states based on population (state formula funds). The approximate amount each eligible state would receive if \$31,270,782 were made available for FY 2023 is listed in Estimated Amount of FY 2023 Base Funds, by State. Under the provisions of the Coverdell law, several factors, including the number of eligible state applicants, affect formula amounts. These are the ONLY funds that will be distributed among eligible applicants under this solicitation.

An applicant that seeks to apply for Coverdell competitive funds (consistent with 34 U.S.C. § 10563(a)(2)) available for grants to eligible states and units of local government would need to apply under BJA's FY 2023 Paul Coverdell Forensic Science Improvement Grants Program (Competitive) solicitation.

## 2. Minimum Awards to States

The Coverdell law sets a floor for the total amount an eligible applicant state will receive as its Coverdell grant. If \$31,270,782 were to become available for FY 2023, the minimum Coverdell grant to an eligible state would be not less than \$312,708. In that case, if the amount a state would otherwise receive as its total Coverdell funding (including both formula and competitive funds) is less than \$312,708, BJA will increase that state's total funding to \$312,708. (Minimum awards for American Samoa and the Commonwealth of the Northern Mariana Islands would be lower.)

This solicitation, and awards 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.

# Type of Award

BJA expects to make awards under this solicitation as grants. See the "Administrative, National Policy, and Other Legal Requirements" section of the <u>OJP Grant Application</u> <u>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.

# **Financial Management and System Controls**

Page 9 of 36 O-BJA-2023-171701 Award recipients and subrecipients (including recipients or subrecipients that are passthrough7 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>OJP Grant Application Resource Guide</u> for additional information.

#### **Budget Information**

#### **Permissible Expenses**

The types of expenses listed below generally may be paid with Coverdell funds. 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.

**Note:** The following list details the types of expenses allowed under the Coverdell Program. These expenses should **NOT** be used as budget categories — instead they are to be incorporated into the appropriate, standard OJP budget categories.

- 1. **Salary and benefits of laboratory employees.** Funds may be used for forensic science or medical examiner/coroner office personnel, fellowships, visiting scientists, interns, consultants, or temporary staff.
- 2. **Overtime for laboratory staff.** Funds may be used to pay overtime for laboratory scientists (excluding executive personnel) to directly examine, analyze, and interpret physical and/or digital evidence in criminal matters. Any payments for overtime must be in accordance with the applicable provisions of the <u>DOJ Grants</u> Financial Guide.
- 3. **Computerization.** Funds may be used to upgrade, replace, lease, or purchase computer hardware and software for forensic analyses and data management.
- 4. **Laboratory equipment.** Funds may be used to upgrade, lease, or purchase forensic laboratory or medical examiner/coroner office equipment and instrumentation.
- 5. Supplies.

Funds may be used to acquire forensic laboratory or medical examiner/coroner office supplies.

Note: Recipients may encounter delays in the release of award funds pending satisfactory completion of the National Environmental Policy Act (NEPA) review process for applications involving the use or purchase of chemicals. Review the NEPA requirements in the Additional Application Components, Disclosures and Assurances subsection.

6. Accreditation. Funds may be used to prepare for laboratory accreditation by the ANSI-ASQ National Accreditation Board (ANAB), National Association of Medical Examiners (NAME), the American Association for Laboratory Accreditation (A2LA), International Association of Coroners & Medical Examiners (IAC&ME), or other appropriate accrediting bodies. Funds also may be used for application and maintenance fees charged by appropriate accrediting bodies. Per 34 U.S.C. §

Page 10 of 36 O-BJA-2023-171701 10562(2), such an accrediting body would be "an accrediting body that is a signatory to an internationally recognized arrangement and that offers accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement[.]"

An applicant that proposes to use any portion of the formula grant amount to fund a forensic science laboratory system, including any laboratory operated by a unit of local government within the state, that is not accredited (as set out in the Coverdell law) will be required to use (or, as applicable, must require any unaccredited subrecipient forensic science laboratory system to use) a portion of the grant amount for accreditation purposes. Coverdell awardees must use grant funds to prepare and apply for accreditation of any FY 2023 Coverdell grantfunded unaccredited forensic laboratory system, including any laboratory operated by a unit of local government within the state, not more than 2 years after the FY 2023 Coverdell award date.

**Note to SAAs regarding laboratories seeking accreditation:** In order to carry out the aims of and meet the requirements under the Coverdell law with respect to forensic science laboratory accreditation, SAAs are expected to consider the accreditation status of all forensic science laboratories within their states. As part of a complete application package, each SAA is to prepare a list of all forensic science laboratory's accreditation status by an appropriate accrediting body, the name of the accrediting body, and the scope of each accreditation. For each forensic science laboratory within the state lacking accreditation, each SAA is to request funds in its application budget and include plans in its proposal narrative for such laboratories to prepare and apply for accreditation. This serves one of the purposes of the Coverdell statute by helping to ensure that those labs that may need assistance in preparing and applying for accreditation have access to funds to assist in that purpose.

7. Education, training, and certification. Funds may be used for appropriate internal and external training of staff who are involved directly and substantially in providing forensic science or medical examiner/coroner services. In appropriate cases, funds also may be used for fees charged by appropriate certifying bodies for certification of staff in specific forensic discipline areas. All education, training, and certification activities must be designed to improve forensic science or medical examiner/coroner services. The grant application should demonstrate that the proposed training or certification is directly related to the job position and duties of the individual(s) receiving the training or seeking certification.

OJP recognizes the benefit of attending discipline-related conferences to receive training and/or education. However, it is recommended that the applicant consider

Page 11 of 36 O-BJA-2023-171701 the cost-effectiveness of this option compared to other viable modes of training. For example, hosting onsite training or attending a local program may be more suitable for the applicant's personnel and organization.

8. **Facilities.** Funds may be used for program expenses relating to facilities, provided that the expenses are directly attributable to improving forensic science or medical examiner/ coroner services. Funds also may be used for renovation and/or construction undertaken as part of the applicant's program to improve forensic science or medical examiner/ coroner services.

Limitations on use of funds for costs of a new facility. The Coverdell law limits the amount of funds that may be used for the costs of a new facility or facilities (see 34 U.S.C. § 10564(c)). Maximum amounts are determined by the total amount of the Coverdell grants received (including both formula and competitive funds) and the total amount of funds available for Coverdell grants nationwide. The maximum amounts that may be used for the costs of new facilities are as follows. (Estimates and calculations are based on the assumption that the total available funds for Coverdell awards in FY 2023 will be \$31,270,782. Please refer to the discussion under "Federal Award Information.")

<u>Grants that exceed 0.6 percent of the total available funds</u>. If an applicant state receives total grants that exceed 0.6 percent of the total available funds (estimated here at \$187,625), the amount of the grant that can be used for the costs of any new facility cannot exceed the sum of 80 percent of 0.6 percent of the total available funds (such as 80 percent estimated here at \$150,100) plus 40 percent of the amount of the grant in excess of 0.6 percent of the total available funds.

For example, if \$31,270,782 were to become available for Coverdell awards in FY 2023 and a state were to receive a total Coverdell grant of \$312,708, no more than \$200,133 may be used for the costs of any new facility.

A sample calculation for a \$312,708 grant would be as follows:

80 percent of 0.6 percent of the total available funds:  $187,625 \times .80 =$  150,100.

Amount in excess of \$ 312,708: \$312,708 - \$187,625 = \$125,083

40 percent of amount in excess of \$312,708: \$ 125,083 x .40 = \$50,033.

Sum of \$150,100 + \$50,033 = \$200,133.

9. Administrative expenses. Not more than 10 percent of the total amount of a Coverdell grant may be used for a recipient's administrative expenses.

Page 12 of 36 O-BJA-2023-171701 **Note on use of funds for forensic genealogy searches:** Program activity involving forensic genetic genealogical DNA analysis and searching (FGGS) is subject to the DOJ <u>Interim Policy on Forensic Genetic Genealogical DNA Analysis and Searching</u> or to the final policy, when issued. See Performance Measures for additional required grantee reporting on FGGS activities.

**Note on the use of funds to address opioid- and synthetic drug-related challenges:** The application should demonstrate, wherever applicable, how any proposed use of funds would address challenges that opioids and/or synthetic drugs have brought to the forensic science community. To facilitate this, an applicant should annotate each line item in the budget as "opioid- and/or synthetic drug-related" or "non-opioid- or synthetic drug-related." Coverdell funds are available for permissible uses that would not address the opioid- and synthetic drug-related challenges; however, states should plan to allocate **at least** 55 percent of Coverdell grant funds (commensurate with each state's specifically identified need) to address the challenges to the forensic science community posed by opioids and synthetic drugs. A state may propose to dedicate more than 55 percent of its Coverdell allocation to opioid- and synthetic drug-related challenges, in accordance with the state's needs.

A state that does not intend to include any opioid- or synthetic drug-related projects in its request for Coverdell formula funds, or that intends to request an amount for opioid- and/ or synthetic drug-related projects that would amount to less than 55 percent of its FY 2023 Coverdell allocation, will still receive the full FY 2023 formula allocation for which it is eligible. Any such state will be expected to affirm — in a separate writing (See " Application and Submission Information" for details) — that, of its total allocation, it intends to use less than 55 percent (or, zero, as applicable) of the grant funds for opioid and synthetic drug-related projects.

#### **Expenses That Are Not Permitted**

- 1. **Funds to conduct research**. Applicants may address emerging forensic science issues and technology through implementation of new technologies and processes into public laboratories.
- 2. **Expenses other than those listed above**, including expenses for general law enforcement functions or non-forensic investigatory functions.
- 3. Costs for any new facility that exceed the limits described above.
- 4. **Recipient administrative expenses** (direct or indirect) that exceed 10 percent of the total grant amount.
- 5. The **use of funds for the purchase and/or lease of vehicles** such as crime scene vans.
- 6. The use of BJA grant funds for unmanned aircraft systems (UAS), including unmanned aircraft vehicles (UAV) and/or any accompanying accessories to support UAS or UAV devices/systems, is unallowable.

The applicant should identify within their budget which items, services, etc., will/would be Page 13 of 36 O-BJA-2023-171701 covered by matching sources and explain what type of match will be provided.

# **Cost Sharing or Matching Requirement**

This solicitation does not require a match.

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

See the <u>OJP Grant Application Resource Guide</u> for information on Pre-agreement Costs (also known as Pre-award Costs).

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

See the <u>OJP Grant Application Resource Guide</u> on information on Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs.

# Costs Associated with Language Assistance (if applicable)

See the <u>OJP Grant Application Resource Guide</u> information for information on Costs Associated with Language Assistance.

# **Eligibility Information**

For information on cost sharing or matching requirements, see the <u>Federal Award Information</u> <u>section</u>.

States may apply for FY 2023 formula Coverdell funds. For purposes of the Coverdell Program, the term "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands. For certain purposes, American Samoa and the Northern Mariana Islands are treated as one state.

States may be eligible for both formula and competitive funds. This solicitation is **ONLY** for the formula funds. Any state application for funding **MUST** be submitted by the Coverdell SAA (see list of SAAs on the OJP website at <u>www.ojp.usdoj.gov/saa/index.htm</u>). (Other interested state agencies or departments must coordinate with their respective SAAs.) SAAs are expected to consider the accreditation status of forensic science laboratories within their states in formulating their requests for formula funding.

See the "Definitions" section in the Program Description for details on what BJA considers a "forensic science laboratory" for purposes of this solicitation.

Note: A prospective recipient of grant funds that is found to have an "unresolved audit finding"

Page 14 of 36 O-BJA-2023-171701 from a DOJ Office of the Inspector General audit, as described at 34 U.S.C. § 10263, will be ineligible to receive grant funds during the period specified in that statute. See 34 U.S.C. § 10263(2).

The Coverdell law (at 34 U.S.C. § 10562) requires that, to request a grant, an applicant for Coverdell funds must submit:

- A certification and description regarding a plan for forensic science laboratories. Each applicant must submit a certification that the state has developed a plan for forensic science laboratories under a program intended to improve the quality and timeliness of forensic science or medical examiner services in the state, including such services provided by the laboratories operated by the state and those operated by units of local government within the state. Applicants must also specifically describe the manner in which the grant will be used to carry out that plan.
- 2. A certification regarding use of <u>generally accepted laboratory practices</u>. Each applicant must submit a certification that any forensic science laboratory system medical examiner's office, or coroner's office in the state, including any laboratory operated by a unit of local government within the state, that will receive any portion of the grant amount (whether directly or through a subgrant) uses generally accepted laboratory practices and procedures established by accrediting organizations or appropriate certifying bodies.
- 3. A certification regarding <u>forensic science laboratory accreditation</u>. Each applicant must submit a certification that any forensic science laboratory system in the state, including any laboratory operated by a unit of local government within the state, that will receive any portion of the grant amount (whether directly or through a subgrant) either is accredited OR is not so accredited but will (or will be required in a legally binding and enforceable writing to) use a portion of the grant amount to prepare and apply for such accreditation not more than 2 years after the date on which a grant is awarded under the FY 2023 Paul Coverdell Forensic Science Improvement Grants Program. Applicants requesting funds for ONLY medical examiner's offices or coroner's offices in the state are not required to submit this certification. See 34 U.S.C. § 10562(2).
- 4. A certification and description regarding <u>costs of new facilities</u>. Each applicant must submit a certification that the amount of the grant used for the costs of any new facility constructed as part of a program to improve the quality and timeliness of forensic science or medical examiner services will not exceed certain limitations set forth in the Coverdell law at 34 U.S.C. § 10564(c). (See information on "permissible expenses" in the "Federal Award Information" section of this solicitation.) Applicants must also specifically describe any new facility to be constructed, as well as the estimated costs of the facility.
- 5. A certification regarding <u>external investigations into allegations of serious</u> <u>negligence or misconduct</u>. Each applicant must submit a certification that "a government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the state that will receive a portion of the grant amount."

BJA expects applicants to carefully review the requirements of each certification before determining whether the certification may be properly made. The certifications must be

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Certifications made on behalf of subrecipients of award funds — rather than certifications made on behalf of the agency applying directly to BJA — are **NOT** acceptable to satisfy the certification requirements and should not be submitted.

In connection with the certification regarding external investigations (described above), applicants **must** provide, prior to receiving award funds, the name(s) of the existing "government entity" (or government entities). This information is to be provided as an attachment to the proposal narrative section of the application using the <u>External Investigations</u> <u>Attachment Template</u>.

In connection with the certification regarding forensic science laboratory accreditation (described above), applicants **MUST** demonstrate, prior to receiving award funds, that any forensic science laboratory system, including any laboratory operated by a unit of local government within the state, that will receive any portion of the grant amount either is accredited or will (or will be required to) prepare and apply for accreditation consistent with the Coverdell law. See the "Permissible Expenses" section which describes the documentation and information an applicant is to provide regarding its accreditation or its plans to prepare and apply for accreditation.

The accrediting body must be a signatory to an internationally recognized arrangement and must offer accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement. The scope of the accreditation must include all discipline(s) for which funds are requested. If the current scope of accreditation does not include the discipline(s) for which funds are requested, the applicant must include funds in its budget and proposal narrative to prepare and apply for accreditation in those disciplines.

Please note that funds will not be made available to applicant agencies that fail to provide the necessary information.

# Important Note on Referrals in Connection with Allegations of Serious Negligence or Serious Misconduct

The highest standards of integrity in the practice of forensic science are critical to the enhancement of the administration of justice. BJA assumes that recipients (and subrecipients) of Coverdell funds will make use of the process referenced in their certification as to external investigations and will refer allegations of serious negligence or misconduct substantially affecting the integrity of forensic results to government entities with an appropriate process in place to conduct independent external investigations, such as the government entities identified in the grant application.

For **each fiscal year** of the award made under this solicitation, recipients will be required to report the following to BJA on an annual basis:

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- 1. The number and nature of any such allegations.
- 2. Information on the referrals of such allegations (e.g., the government entity or entities to which referred, the date of referral).
- 3. The outcome of such referrals (if known as of the date of the report).
- 4. If any such allegations were not referred, the reason(s) for the nonreferral.

This information must be included as an attachment to the semi-annual performance report that is due January 30 each year. Payments to recipients (including payments under future awards) may be withheld if the required information is not submitted on a timely basis.

# Special Guidance on Certification Regarding External Investigations into Allegations of Serious Negligence or Misconduct

The certification regarding external investigations has a number of requirements, each of which must be satisfied before the certification may be made. The official authorized to make the certification on behalf of the applicant agency must carefully review each of the statutory elements and this guidance before determining whether a certification properly may be made. After reviewing the information and guidance provided here, the official, on behalf of the applicant agency, must determine whether:

- A government entity exists
- With an appropriate process in place
- To conduct independent, external investigations
- Into allegations of serious negligence or misconduct
- Substantially affecting the integrity of the forensic results
- Committed by employees or contractors
- Of <u>any</u> forensic laboratory system, medical examiner's office, coroner's office, law enforcement storage facility, or medical facility in the state <u>that will receive a portion</u> of the grant amount

**Note:** In making this certification, the certifying official is certifying that these requirements are satisfied not only with respect to the applicant itself, but also with respect to **each** entity that will receive a portion of the grant amount. Certifying officials are advised that:

- 1. A false statement in the certification or in the grant application that it supports may be the subject of criminal prosecution, including under 18 U.S.C. § 1001 and/or 1621 and 34 U.S.C. §§ 10271-10273.
- 2. Office of Justice Programs grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

The following guidance, provided by way of examples for applicants' review, is designed to illustrate elements of the external investigation certification that the official authorized to make the certification on behalf of the applicant agency must consider in determining whether the certification properly may be made.

Because it is not possible for BJA to provide examples relating to every type of government entity with an appropriate process in place to conduct independent, external investigations into

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allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors, this guidance should not be viewed as all inclusive. In addition, this guidance is not intended to constitute legal advice from BJA on the question of whether the required certification may be properly made on behalf of the applicant. Such a determination must be made by an appropriate official based on the statutory requirements of the certification after review of this guidance.

#### Illustrative Examples:

1. A state intends to distribute Coverdell award funds to state and local forensic laboratories and medical examiner's/coroner's offices. There is an Office of the Inspector General (OIG) in the state with authority to conduct investigations into allegations of serious negligence or misconduct by employees and contractors of forensic laboratories and medical examiner's/ coroner's offices, both at the state and local levels.

Guidance: Execution of the certification might be appropriate based on these facts. Nevertheless, the certifying official must be satisfied that the state OIG's authority in this regard is not circumscribed in such a way that the OIG's ability to conduct independent investigations is limited (for example, through a reporting hierarchy that does not provide for the OIG to report directly to the chief executive officer or another equally independent state official or office).

2. An applicant agency determines that the forensics laboratory director (or some other individual in the chain of command at the laboratory) has sole responsibility to conduct investigations into allegations of serious negligence or misconduct committed by laboratory employees.

Guidance: Under these circumstances, execution of the certification would not be appropriate because there is no process in place to conduct independent, external investigations into allegations of serious negligence or misconduct committed by laboratory employees and contractors.

3. A state applicant intends to distribute Coverdell award funds to forensic laboratories at both the state and local levels. An independent commission established by the Governor has authority to investigate allegations of serious negligence or misconduct by employees, including employees of units of local government within the state.

Guidance: Under these circumstances, the existence of this commission is not itself a sufficient basis for execution of the certification. In this regard, the commission does not have authority to investigate allegations of serious negligence or misconduct by contractors of state and local government forensic laboratories that receive Coverdell funds. (If, however, some other government entity, distinct from the commission, has a process in place to conduct independent external investigations of allegations of serious negligence or misconduct by such contractors, execution of the certification might be appropriate depending on all the facts.)

3. A local forensic laboratory, which is intended to receive a portion of Coverdell award funds from a state, notifies the state applicant that a quality assurance official is responsible for investigating allegations of serious negligence or misconduct by employees and contractors of the local forensic laboratory. The quality assurance official reports to the director of the forensic

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#### laboratory.

Guidance: Under these circumstances, execution of the certification would not be appropriate because the quality assurance official reports to the director of the forensic laboratory; therefore, there is no process in place to conduct independent, external investigations of allegations against the forensics laboratory as required to make the certification.

4. An applicant agency (a forensics laboratory) intends to employ a contractor or a nongovernmental organization to conduct investigations into allegations of serious negligence or misconduct committed by laboratory employees.

Guidance: Under these circumstances, execution of the certification would not be appropriate as there is neither a government entity, nor an appropriate process in place to conduct independent, external investigations of allegations against the laboratory, whether alleged to be committed by laboratory employees and/or contractors, because the contractor or nongovernmental entity is employed by and responsible to the forensics laboratory.

5. An applicant agency is accredited by an independent accrediting or certifying organization such as ANAB, NAME, A2LA, IAC&ME, etc.

Guidance: In this situation, execution of the certification would not be appropriate. The fact of accreditation or certification by an outside entity on its own does not demonstrate that the agency has a process in place to investigate allegations of serious negligence or misconduct committed by employees or contractors. There is insufficient information to properly make the required certification in this situation.

6. The only government entity that will receive Coverdell award funds is a forensic laboratory that is a unit of a local law enforcement agency (e.g., a police department). The law enforcement agency has an Internal Affairs Division (IAD) that reports directly to the head of the law enforcement agency (the police chief) and the head of the unit of local government (the mayor/city commissioner). The IAD has the authority to conduct investigations into allegations of serious negligence or misconduct by laboratory employees and contractors.

Guidance: Execution of the certification might be appropriate based on these facts. Nevertheless, the official authorized to make the certification on behalf of the applicant agency must be satisfied that the IAD has the requisite authority to conduct independent investigations (for example, whether the IAD is completely free from influence or supervision by laboratory management officials) into allegations relating to employees or contractors of the laboratory.

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

Application and Submission Information

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

See the "Application Elements and Formatting Instructions" section of the OJP Grant

Page 19 of 36 O-BJA-2023-171701 <u>Application Resource Guide</u> for information on what happens to an application that does not contain all the specified elements or is nonresponsive to the scope of the solicitation.

# Information to Complete the Application for Federal Assistance (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>OJP Grant 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 solicitation ("funding opportunity") **is** subject to <u>Executive Order 12372</u>. An applicant may find the names and addresses of State Single Points of Contact (SPOCs) at the following website: <u>https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf</u>. If the applicant's State appears on the SPOC list, the applicant must contact its SPOC to find out about, and comply with, the State's process under E.O. 12372. On the SF-424, an applicant whose State appears on the SPOC list is to make the appropriate selection in response to question 19, once the applicant has complied with its State E.O. 12372 process. An applicant whose State does not appear on the SPOC list should answer question 19 by selecting "Program is subject to E.O. 12372 but has not been selected by the State for review."

#### Standard Applicant Information (JustGrants 424 and General Agency Information)

The "Standard Applicant Information" section of the JustGrants application is prepopulated 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. Abstracts will be made publicly available on the OJP and USASpending.gov websites if the project is awarded. See the <u>OJP Grant Application Resource Guide</u> for an example of a proposal abstract.

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## **Proposal Narrative**

The proposal narrative must specifically describe the manner in which Coverdell grant funds will be used to carry out the state plan to improve the quality and/or timeliness of forensic science or medical examiner's/coroner's office services over current operations. (Reduction of forensic analysis backlogs is considered an improvement in timeliness of services.) States are expected to consider the needs of laboratories operated by units of local government, as well as those operated by the state.

If grant funds are requested for costs of a new facility, the proposal narrative must specifically describe the new facility to be constructed and the estimated costs of that facility.

If grant funds are requested for projects to address the challenges to the state's forensic science laboratories posed by opioids and/or synthetic drugs, the proposal narrative should describe the challenges posed and how the requested funds would help to address them.

#### Accreditation

If grant funds are requested for accreditation, the proposal narrative must describe accreditation activities and plans and, as applicable, the projected schedule for preparation for and application for accreditation. Under the Coverdell Program, any forensic science laboratory system, including any laboratory operated by a unit of local government within the state, that is not accredited (as set out in the Coverdell law) and will receive a portion of the grant amount must use a portion of the grant amount to prepare and apply for accreditation not more than 2 years after the date of the Coverdell grant award. For purposes of this solicitation, see the eligibility discussion on the solicitation cover page for the definition of "forensic science laboratory." Additionally, after ascertaining the accreditation status of all forensic laboratories within its state, each SAA is to include within the proposal narrative plans for each forensic science laboratory within its state lacking accreditation to prepare and apply for accreditation.

The Proposal Narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point font; have no less than 1-inch margins; and should not exceed 20 numbered pages.

The Proposal Narrative must include the following sections:

a. Description of the issue:

Describe the challenges faced in providing forensic and/or medical examiner/ coroner services

b. Project Design and Implementation: Describe the strategy to address the identified needs in the Description of the Issue, particularly any areas of specific

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c. Capabilities and Competencies: 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.

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

Note: An applicant is **not** required to submit performance data with the application. Rather, performance measure information is included as a notification that award recipients will be required to submit performance data as part of each award's reporting requirements. Some measures are presented as examples, while others are the exact measures that every recipient will be expected to address.

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 goals, objectives, and deliverables identified in the "Goals, Objectives, and Deliverables" discussion. Applicants can visit OJP's performance measurement page at <u>www.ojp.gov/performance</u> for an overview of performance measurement activities at OJP.

A list of performance measure questions for this program can be found here.

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 after making awards.

#### **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 "Note on Project Evaluations" section in the OJP Grant Application Resource Guide.

#### **Goal, Objective and Deliverables**

The applicant will submit the FY 2023 Paul Coverdell Forensic Science Improvement Grants Program goals, objectives, deliverables and timelines in the JustGrants webbased form. The applicant will also enter the projected fiscal year and quarter the objectives and deliverables will be completed. Please refer to the <u>Application Submission</u> <u>Job Aid</u> for step-by-step directions.

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Goals. The applicant should outline the project's goals.

Program Objectives. The applicant should explain how the program will accomplish its goals. Objectives are specific, quantifiable statements of the project's desired results. They should be measurable and clearly linked to the goal.

Deliverables. Project deliverables refer to outputs—tangible or intangible—that are submitted within the scope of a project.

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

The applicant will complete the budget worksheet attachment and submit it by uploading it as an attachment in JustGrants. See the <u>OJP Grant Application Resource Guide</u> for additional information.

#### **Budget Worksheet and Budget Narrative (attachment)**

The applicant will complete the budget worksheet attachment and submit it by uploading it as an attachment in JustGrants. See the <u>OJP Grant Application Resource Guide</u> for additional information.

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

If applicable, the applicant will upload their indirect cost rate agreement as an attachment in JustGrants. See the for additional information. See the <u>OJP Grant Application</u> <u>Resource Guide</u> for more information.

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

The applicant will download the questionnaire, complete it, and upload it as an attachment in JustGrants. See the <u>OJP Grant Application Resource Guide</u> for additional information <u>and the link to the questionnaire.</u>

#### **Disclosure of Process Related to Executive Compensation**

This solicitation expressly modifies the OJP Grant Application Resource Guide by not incorporating its "Disclosure of Process Related to Executive Compensation" provisions. Applicants to this solicitation are not required to provide this disclosure.

#### **Additional Application Components**

The applicant will attach the additional requested documentation in JustGrants.

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### **Research and Evaluation Independence and Integrity Statement**

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>OJP Grant Application Resource Guide</u>.

#### **Coverdell Statutory Certifications**

As described above in the "Eligibility Information" section, the Coverdell law provides that, to request a grant, each applicant **must** submit **five** certifications specific to the Coverdell Program. (Applicants requesting funds for only medical examiner's offices or coroner's offices in the state are not required to submit the certification regarding accreditation. (See 34 U.S.C. § 10562(2).) A certification may **only** be completed by an official familiar with its requirements and authorized to certify on behalf of the applicant agency (i.e., the agency applying directly to BJA). **All five** certifications **must** be completed using these templates. Certifications made on behalf of subrecipients of award funds — rather than certifications made on behalf of the agency applying directly to BJA — are **not** acceptable to satisfy the certification requirements.

The five required Coverdell statutory certifications are as follows:

- 1. <u>Certification as to Plan for Forensic Science Laboratories Application from a</u> <u>State</u>
- 2. <u>Certification as to Generally Accepted Laboratory Practices and Procedures</u>
- 3. Certification as to Forensic Science Laboratory System Accreditation
- 4. <u>Certification as to Use of Funds for New Facilities</u> (This must be submitted even if no funds are proposed to be used for new facilities.)
- 5. Certification as to External Investigations

Please note: Specific information and guidance with respect to the "Certification as to External Investigations" are provided above in the "Eligibility Information" section. Certifying officials must read and review this information and guidance prior to executing the certification.

# **External Investigations Attachment**

In the <u>External Investigations Attachment</u>, all applicants are to provide the name(s) of the existing "government entity" (or entities) that is the subject of the certification that:

A government entity exists and an appropriate process is in place to conduct independent external investigations into allegations of serious negligence or misconduct substantially affecting the integrity of the forensic results committed by employees or contractors of any forensic laboratory system, medical examiner's

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office, coroner's office, law enforcement storage facility, or medical facility in the state that will receive a portion of the grant amount.

Note: Funds **will not be made available** to applicant agencies that fail to provide the necessary information.

The five certifications and the external investigations attachment should be attached as a separate file with an appropriately descriptive file name.

# Forensic Laboratory Accreditation Documentation (if applicable)

Applicants should provide documentation of current accreditation with the application for any accredited laboratory (including a subrecipient laboratory) that is to receive funds under the FY 2023 Coverdell award. Acceptable types of documentation of current accreditation include: an electronic (scanned) copy of the current accreditation certificate (s), a digital photograph of the current accreditation certificate(s), or a letter from the accrediting body that includes the certificate number. Additionally, if a certificate references another document that contains key information on the type or scope of the accreditation, provide a copy of that supplemental documentation. Independent accrediting or certifying organizations may include ANAB, NAME, A2LA, IAC&ME, or other appropriate accrediting bodies. (Per 34 U.S.C. § 10562(2), such an accrediting body would be "an accreditation to forensic science conformity assessment bodies using an accreditation standard that is recognized by that internationally recognized arrangement[.]") Note that funds **will not be made** available to applicant agencies that fail to provide the necessary information.

Accreditation document(s) should be attached as a separate file with an appropriately descriptive file name.

# Accreditation Status of All Forensic Science Laboratories within the State

Each applicant is to prepare a list of all forensic science laboratories in the state that specifies each forensic science laboratory's accreditation status and, if applicable, the name of the accrediting body and the scope of each accreditation.

The accreditation status documentation should be attached as a separate file with an appropriately descriptive file name.

# Statement Regarding Proposed Use of Funds to Address Challenges Posed by Opioids and/or Synthetic Drugs (if applicable)

See the "Note on the use of funds to address opioid- and synthetic drug-related challenges" in the "Budget Information" section under "Federal Award Information" for an important discussion relevant to applicants requesting funds to address forensic science challenges relating to opioids and/or synthetic drugs.

A state that does not intend to include any opioid- and synthetic drug-related projects in Page 25 of 36 O-BJA-2023-171701 its request for Coverdell funds, or that intends to request an amount for opioid- and synthetic drug-related projects that would amount to less than 55 percent of its FY 2023 Coverdell allocation, is to prepare and submit a statement (signed by the authorized representative of the applicant) affirming that, of the total FY 2023 allocation for which it is eligible under the FY 2023 Coverdell Grant Program, the state intends to use none of the funds for opioid and synthetic drug projects or, if applicable, that it intends to use less than 55 percent (the statement should specify the approximate percentage) of its grant funds for opioid- and/or synthetic drug-related projects.

This document should be attached as a separate file with an appropriately descriptive file name (for example, "Opioids and Synthetic Drugs Use of Funds Statement").

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

Each applicant is to submit a BJA Programmatic Coversheet 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 coversheet and the attached Programmatic Checklist.
- Attach the completed documents to the grant application.

The applicant should also submit a coversheet and BJA Programmatic Checklist for any organization identified in the budget worksheet that will receive grant funds through a subaward or procurement contract to perform any of the following activities: new construction or renovations that change the basic prior use of a facility or significantly change the size, 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 <a href="https://bja.ojp.gov/national-environmental-policy-act-nepa-guidance">https://bja.ojp.gov/national-environmental-policy-act-nepa-guidance</a>.

The applicant will attach the additional requested documentation as a separate file in JustGrants.

#### **Disclosure and Assurances**

The applicant will address the following disclosures and assurances.

#### **Disclosure of Lobbying Activities**

Complete and submit the SF-LLL in Grants.gov. Once the applicant submits in Grants.gov, this information will pre-pend into JustGrants. See the <u>OJP Grant Application</u> <u>Resource Guide</u> for additional information.

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

Review and accept the DOJ Certified Standard Assurances in JustGrants. See the OJP

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# **Applicant Disclosure of Duplication in Cost Items**

Complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the <u>OJP Grant Application Resource Guide</u> for additional information.

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

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

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 OJP Grant Application Resource Guide for additional information.

# How to Apply

<u>Registration</u>: Before submitting an application, all applicants must register with the System for Award Management (SAM). You must renew and validate your registration every 12 months. If you do not renew your SAM registration, it will expire. An expired registration can delay or prevent application submission in Grants.gov and JustGrants. Registration and renewal can take up to 10 business days to complete.

<u>Submission</u>: Applications must be submitted to DOJ electronically through a two-step process via Grants.gov and JustGrants.

**Step 1:** After registering with SAM, the applicant must submit the **SF-424** and **SF-LLL** in Grants.gov at <u>https://www.grants.gov/web/grants/register.html</u> by the Grants.gov deadline. **Submit the SF-424 and SF-LLL as early as possible, but no later than 48** hours before the Grants.gov deadline. If an applicant fails to submit in Grants.gov, they will be unable to apply in JustGrants.

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

Within 24 hours after receipt of confirmation emails from Grants.gov, the individual in Page 27 of 36 O-BJA-2023-171701 Section 8F of the SF-424 will receive an email from <u>DIAMD-NoReply@usdoj.gov</u> with instructions on how to create a JustGrants account. Register the Entity Administrator and the Application Submitter with JustGrants as early as possible but no later than 48-72 hours before the JustGrants deadline. Once registered in JustGrants, the Application Submitter will receive an emailed link to complete the rest of the application in JustGrants. The Entity Administrator also will need to log into JustGrants to review and invite the applicant's Authorized Representative(s) before an application can be submitted.

Submit the complete application package in JustGrants at least 24 – 48 hours prior to the JustGrants deadline. Some of the application components will be entered directly into JustGrants, and others will require uploading attached documents. Therefore, applicants will need to allow ample time before the JustGrants deadline to prepare each component. Applicants may save their progress in the system and revise the application as needed prior to hitting the Submit button at the end of the application in JustGrants.

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

## **Submission Dates and Time**

The **SF-424** and the **SF-LLL** must be submitted in Grants.gov by May 31, 2023, at 8:59 p.m. ET.

The full application must be submitted in JustGrants by June 1, 2023, at 8:59 p.m. ET.

OJP urges applicants to submit their Grants.gov and JustGrants submissions prior to the due dates with sufficient time to correct any errors and resubmit by the submission deadlines if a rejection notification is received. 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 process in sufficient time (i.e., waiting until the date identified in this solicitation) is not an acceptable reason for late submission.

#### Experiencing Unforeseen Technical Issues Preventing Submission of an Application

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

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 a tracking number generated when the applicant contacts the applicable service desks to report technical difficulties. Tracking numbers are generated automatically when an

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applicant emails the applicable service desks; and for this reason, applicants are encouraged to email the appropriate service desk, even if they also intend to call the service desk for phone support. Experiencing wait times for phone support does 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 Help Desk (Federal Service Desk)</u>, Monday Friday from 8 a.m. to 8 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, <u>Monday – Friday from 7 a.m. to</u> <u>9 p.m. ET and Saturday, Sunday, and Federal holidays from 9 a.m. to 5 p.m.</u> ET.

If an applicant has technical issues with SAM.gov or Grants.gov, the applicant must contact the OJP Response Center at <u>grants@ncjrs.gov</u> 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 <u>grants@ncjrs.gov</u> **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,
- 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 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

Page 29 of 36 O-BJA-2023-171701 "Experiencing Unforeseen Technical Issues" section in the OJP Grant Application Resource Guide.

# **Application Review Information**

#### **Review Process**

OJP reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the solicitation. See the OJP Grant Application Resource Guide for information on the application review process for this solicitation.

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 entity. Among other things to help assess whether an applicant with one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant entity 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 its organization that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant entity.

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 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 30th. See the <u>OJP Grant Application Resource Guide</u> 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 Page 30 of 36 O-BJA-2023-171701 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 <u>OJP</u> 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 <u>OJP Grant Application Resource Guide</u> for more information.

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

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

<u>Required reports</u>. Award recipients typically must submit quarterly financial reports, performance metrics, 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.)

In addition, Coverdell grantees are required to submit a final report that must, among other things: (1) include a summary and assessment of the program carried out with FY 2023 grant funds, (2) identify the number and type of cases accepted during the FY 2023 award period by the forensic laboratory or laboratories that received FY 2023 grant funds, (3) cite the specific improvements in forensic science and medical examiner/ coroner services (including any reduction in forensic analysis backlog) that occurred as a direct result of the FY 2023 grant award, and (4) detail the progress of any unaccredited forensic science service provider that received FY 2023 grant funds toward obtaining accreditation.

Further, as noted earlier under "Eligibility Information," for each fiscal year of an award, recipients will be required to report to BJA on an annual basis:

- 1. The number and nature of any allegations of serious negligence or misconduct substantially affecting the integrity of forensic results.
- 2. Information on the referrals of such allegations (e.g., the government entity or entities to which referred, the date of referral).
- 3. The outcome of such referrals (if known as of the date of the report).
- 4. If any such allegations were not referred, the reason(s) for the nonreferral.

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Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

See the <u>OJP Grant 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), and contact information for Grants.gov and JustGrants, see the 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 on the Freedom of Information and Privacy Act (5 U.S.C. §§ 552 and 552a).

# Provide Feedback to OJP

See the <u>OJP Grant Application Resource Guide</u> for information for information on how to Provide Feedback to OJP.

# **Performance Measures**

All Coverdell grantees are required to report specific programmatic metrics (see <u>Performance Measures</u>).

# **Application Checklist**

# FY 2023 Paul Coverdell Forensic Science Improvement Grants Program (Formula)

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

#### **Pre-Application**

#### Before Registering in Grants.gov:

 Acquire or renew your Entity's <u>System Award Management (SAM) Registration</u> <u>Information</u> (see <u>OJP Grant Application Resource Guide</u>)

#### Register in Grants.gov

- Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password (see <u>OJP Grant Application Resource Guide</u>)
- Acquire AOR confirmation from the E-Business Point of Contact (E-Biz POC) (see OJP Grant 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>OJP</u> <u>Grant Application Resource Guide</u>)
- Sign up for Grants.gov email <u>notifications</u> (optional) (see <u>OJP Grant Application</u> <u>Resource Guide</u>)
- Read Important Notice: Applying for Grants in Grants.gov
- Read OJP policy and guidance on conference approval, planning, and reporting available at <u>https://www.ojp.gov/funding/financialguidedoj/iii-postaward-</u> requirements#6g3y8 (see OJP Grant Application Resource Guide)

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

 Review the "<u>Overview of Legal Requirements Generally Applicable to OJP Grants</u> and Cooperative Agreements - FY 2023 Awards" in the <u>OJP Funding Resource</u> Center.

#### **Review the Scope Requirement**

• The federal amount requested is within the allowable limit listed in the solicitation.

#### **Review Eligibility Requirement:**

• Review the Eligibility section on the cover page and Eligibility Information section in the solicitation.

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# **Application Step 1**

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
- Submit Intergovernmental Review (if applicable)

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

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

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**

- Standard Applicant information (SF-424 information from Grants.gov)
  Proposal Abstract
- Proposal Narrative

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

- Budget Worksheet and Narrative (attachment)
- 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

- Coverdell Statutory Certifications
  - Certification as to Plan for Forensic Science Laboratories Application from

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a State

- Certification as to Generally Accepted Laboratory Practices and Procedures
- Certification as to Forensic Science Laboratory System Accreditation
- Certification as to Use of Funds for New Facilities
- Certification as to External Investigations
- External Investigations Attachment
- Forensic Laboratory Accreditation Documentation (if applicable)
- Accreditation Status of All Forensic Laboratories within the State
- Statement Regarding Proposed Use of Funds to Address Challenges Posed by the Opioids and/or Synthetic Drugs (if applicable)
- Potential Environmental Impact Coversheet and Checklist

# **Disclosures and Assurances**

- Disclosure of Lobbying Activities (SF-LLL) (see OJP Grant Application Resource) Guide)
- Applicant Disclosure of Duplication in Cost Items (see OJP Grant Application **Resource Guide**)
- DOJ Certified Standard Assurances (see <u>OJP Grant 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>OJP Grant Application Resource Guide</u>)
  Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)
- (see OJP Grant Application Resource Guide)

# 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 Application Submission Validation Errors Quick Reference Guide 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 JustGrants.Support@usdoj.gov regarding technical difficulties. See the OJP Grant Application Resource Guide for additional information.

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#### **Standard Solicitation Resources**

OJP Grant Application Resource Guide 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>Virtual Q&A Sessions</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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