

Coverdell - Forensic Appendix

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Required Certifications

All certifications must be submitted using official templates at:
<https://bja.ojp.gov/program/coverdell/certifications>.

Important:

1. Certifications must be executed by an official familiar with requirements and authorized to certify on behalf of the applicant agency
2. Certifications must be from the agency applying directly to BJA, subrecipient certifications are not acceptable.

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

- **A certification and description regarding a plan for forensic science laboratories**
 - Submit only ONE version of each certification ([state](#) OR [local government](#), not both)
- **A certification regarding use of [generally accepted laboratory practices](#).**
- **A certification regarding [forensic science laboratory system accreditation](#).**
 - 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.

Note: *Applicants requesting funds for only medical examiner's offices or coroner's offices are not required to submit the certification regarding accreditation. (See 34 U.S.C. § 10562(2)).*

- **A certification and description regarding [use of funds for new facilities](#).**
 - 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).
- ***Note: Applicants must submit this certification even if no new facilities are being constructed.***
 - Information regarding the limitations of facilities costs can be found under [“Permissible Expenses”](#) outlined below.
 - Applicants must also specifically describe any new facility to be constructed, as well as the estimated costs of the facility.
- **A certification regarding [external investigations into allegations of serious negligence or misconduct](#) and the [External Investigations Attachment Template](#).**
 - 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 office, coroner’s office, law enforcement storage facility, or medical facility in the state that will receive a portion of the grant amount.”
 - In connection with the certification regarding external investigations, 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 [External Investigations Attachment Template](#).
 - See [“Guidance Regarding Allegations of Serious Negligence or Misconduct”](#) below for additional information.

Additional Application Components

- 1. Forensic Laboratory Accreditation Documentation:** 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 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, AC&ME, or other appropriate accrediting bodies. Per 34 U.S.C. § 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.”
- 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 plans in its proposal narrative to prepare and apply for accreditation in those disciplines.
- Accreditation document(s) should be attached as a separate file with an appropriately descriptive file name.

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

- 2. Accreditation Status of All Forensic Laboratories within the State (not applicable to Coverdell Competitive Applicants):** Each Coverdell Formula applicant is to prepare a list of all forensic science laboratories in the state specifying their accreditation status and, if applicable, the name of the accrediting body and the scope of each accreditation.
 - SAAs are expected to consider the accreditation status of all forensic science laboratories within their states.
 - For each forensic science laboratory within the state lacking accreditation, the SAA is to request funds in its application budget and include plans in its program narrative for such laboratories to prepare and apply for accreditation.
- 3. Statement Regarding Proposed Use of Funds to Address Challenges Posed by Opioids and/or Synthetic Drugs (not applicable to Coverdell Competitive Applicants):** A Coverdell Formula applicant that does not intend to use at least 61 percent of its FY 2026 Coverdell allocation for opioid and/or synthetic drug- related projects, must affirm this in writing. This statement should specify the approximate percentage and be signed by the authorized representative of the applicant.
- 4. Tribal Authorizing Resolution (if applicable):** Read information on whether you may need to submit a [Tribal Authorizing Resolution](#).
- 5. Timeline:** Provide a timeline listing key activities and milestones, and the quarters during which they will take place.

Budget Guidelines

Permissible Expenses

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 [DOJ 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.
6. **Accreditation:** Funds may be used to prepare for laboratory accreditation by appropriate accrediting bodies for forensic science and/or medicolegal death investigation per 34 U.S.C. §10562(2). Funds may also be used for application and maintenance fees charged by appropriate accrediting bodies. Coverdell awardees must use grant funds to prepare and apply for accreditation (within two years) for any Coverdell grant-funded unaccredited forensic laboratory system (*medical examiner and/or coroner's offices are excluded from this accreditation requirement*).
7. **Education, training, and certification:** Funds may be used for appropriate internal and external training of staff that 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 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. **Limitations on Facilities Costs:** Funds may be used for program expenses related to facilities including renovation and/or construction, provided that the expenses are directly attributable to improving forensic science or medical examiner/coroner services. The Coverdell law limits the amount of funds that may be used for the costs of a new facility or facilities (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.
 - Grants that exceed 0.6 percent of the total available funds. If an applicant state receives grants whose total amount exceeds 0.6 percent of the total available funds in a given year, 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 plus 40 percent of the amount of the grant in excess of 0.6 percent of the total available funds. For example:
 - If the total available Coverdell funds in a given year was \$10,000,000, 0.6% of total funding would be \$60,000. ($\$10,000,000 \times 0.006 = \$60,000$)
 - If the applicant received \$100,000, the amount of the grant that can be used for the costs of any new facility cannot exceed the sum of 80% of 0.6% of the total available funds plus 40 percent of the amount of the grant in excess of 0.6 percent of the total available funds.
 - $((\$10,000,000 \times 0.006) \times .8) + ((\$100,000 - \$60,000) \times 0.4) =$
 - $(\$60,000 \times 0.8) + (\$40,000 \times 0.4) =$
 - $\$48,000 + \$16,000 = \$64,000$
9. **Administrative expenses:** Not more than 10 percent of the total amount of a Coverdell grant (direct or indirect) may be used for a recipient's administrative expenses.
10. **Forensic genetic genealogical DNA analysis:** 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.
11. **Addressing challenges with opioids and/or synthetic drugs:** Applicants 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 as described in the note under the purpose of the funding section of the NOFO. Additionally, Formula Applicants must annotate each line item in the budget as "opioid- and/or synthetic drug-related" (addressing the opioid and/or synthetic drug crisis) or "non-opioid- or synthetic drug-related."
- Formula Applicants should plan to allocate at least 61 percent of the Coverdell grant (commensurate with each state's specifically identified need) to address

the challenges to the forensic science community posed by opioids and synthetic drugs.

- Formula applicants that do not intend to use at minimum the percentage of its Coverdell allocation for opioid or synthetic drug related projects, must affirm this in writing.

Expenses that are not Permitted

1. **Funds to conduct research**, although 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.

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

Budget proposals should include the funding needed to implement the proposed activities. In preparing their budget proposals, applicants should consider what types of costs are allowable, if awarded funding. Costs are allowable when they are reasonable, allocable to, and necessary for the performance of the project funded under the federal award and when they comply with the funding statute and agency requirements, including the conditions of the award and the cost principles set out in [2 C.F.R. Part 200, Subpart E](#) and the [DOJ Grants Financial Guide](#).

Definitions

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

1. **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.
2. **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 NOFO.
3. **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 NOFO.

4. **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.

Notice Regarding DNA Testing Budget Guidelines

All traditional (e.g., non-genetic genealogy) 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 during the testing portion of this program must be maintained pursuant to all applicable federal privacy requirements, including those described in 34 U.S.C. § 12592(b)(3).

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 the final policy, when issued. Additional reporting for FGGS activities is required as part of the [Paul Coverdell Forensic Science improvement program performance measure questionnaire](#).

Guidance Regarding Allegations of Serious Negligence or Misconduct

Important Note on Referrals: 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.

Special Guidance on the External Investigations Certification: 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:

1. A government entity exists
2. with an appropriate process in place
3. to conduct independent, external investigations
4. into allegations of serious negligence or misconduct
5. substantially affecting the integrity of the forensic results
6. committed by employees or contractors
7. 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.

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. OJP grants, including certifications provided in connection with such grants, are subject to review by OJP and/or DOJ's Office of the Inspector General.

Additional Information: 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 take into account in determining whether the certification may be properly 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 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

One: 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 under these facts. Nevertheless, the official authorized to make the certification on behalf of the applicant agency must be satisfied that the IAD at issue 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.

Two: A state intends to distribute Coverdell award funds to state and local forensic laboratories and medical examiners/coroners' 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/coroner's offices, both at the state and local levels.

Guidance: Execution of the certification might be appropriate under 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).

Three: A city has applied for a Coverdell award, and all funds will go to the city's forensic laboratory. There is a process in place whereby the city's district attorney (DA) may appoint an independent investigator to conduct an investigation into allegations concerning the city's forensic laboratory. If the DA appoints an independent investigator, the investigator will have authority to investigate allegations of serious negligence or misconduct by both laboratory employees and contractors.

Guidance: Execution of the certification might be appropriate under these facts. In this regard, however, the certifying official must be satisfied that the process at issue (appointment of an independent investigator by the city DA) includes procedures under which allegations involving the laboratory are submitted to or are made known to the DA, and that the DA's authority and responsibility to appoint an independent investigator to conduct investigations of such allegations is sufficiently delineated in city policies and/or regulations so that the appropriate process in place is clearly defined.

Four: 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.

Five: 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.)

Six: A local forensic laboratory, which is intended to receive a portion of the funds from a Coverdell award to 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 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.

Seven: An applicant agency (a forensics laboratory) intends to employ a contractor or a non-governmental 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.

Eight: 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.

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