

# Forensic Casework DNA Backlog Reduction Program Formula Grant Announcement Fiscal Year 2004 May 18, 2004

The National Institute of Justice (NIJ), a component of the Office of Justice Programs, U.S. Department of Justice, is pleased to announce that funding is now available to States (including the District of Columbia and the Commonwealth of Puerto Rico) and units of local government through the fiscal year 2004 Forensic Casework DNA Backlog Reduction Program.<sup>1</sup> Funds are to be used by existing State and local crime laboratories that conduct DNA analysis to identify and test backlogged forensic DNA casework samples, whether in accredited or certified government-owned laboratories or through accredited or certified fee-for-service vendors. All forensic DNA casework samples analyzed using funding obtained through this announcement are to be included in the Combined DNA Index System (CODIS). Please read this announcement carefully for important information on eligibility, funding amounts, and application instructions.

**The deadline for applications is June 16, 2004.** Applications must be submitted online through the Office of Justice Programs' web-based Grants Management System (GMS). Begin the process early by registering at <http://www.ojp.usdoj.gov/fundopps.htm>.

## Table of Contents

I. Forensic Casework DNA Backlog Reduction Program Appropriations...	2
II. Program Description and Eligibility.....	2
III. Expected Results and Outcomes.....	2
IV. Use of Forensic DNA Backlog Reduction Funds.....	3
V. Fiscal Year 2004 application Process.....	4
VI. Required Forms and Documents.....	4
VII. Additional Requirements and Information.....	6
VIII. Expected Formula Funding Allocation by State.....	7

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<sup>1</sup> The U.S. Territories of American Samoa, Guam, the Northern Mariana Islands, and the U.S Virgin Islands also may be eligible for funding for existing laboratories.

## **I. Forensic Casework DNA Backlog Reduction Program Appropriations**

On January 23, 2004, President Bush signed the Consolidated Appropriations Act of 2004 (Public Law 108-199). The Act appropriated \$100 million to the U.S. Department of Justice for a DNA analysis and backlog reduction formula program. Approximately \$38 million of the appropriation is available for fiscal year 2004 formula grants to eliminate casework backlogs for DNA analysis.

## **II. Program Description and Eligibility**

The Forensic Casework DNA Backlog Reduction Program provides formula funding to State and local governments with existing crime laboratories that conduct DNA analysis. Funds are to be used by the crime laboratories to identify and test backlogged forensic DNA casework samples, whether in accredited or certified government-owned laboratories or through accredited or certified fee-for-service vendors. Funding is allocated based on crime statistics (number of sexual assaults and homicides reported to the FBI).

A total of \$38,249,204 is available in fiscal year 2004 for the Forensic Casework DNA Backlog Reduction Program. NIJ anticipates awarding funds to every eligible applicant who submits an application that meets the specific application requirements (including those concerning use of funds) and satisfies all other applicable requirements, including those that apply generally to NIJ and OJP grants.

## **III. Expected Results and Outcomes**

Applicants are required to assess all aspects of their forensic DNA evidence examination to identify bottlenecks and general inefficiencies that could be alleviated with forensic DNA casework funds. **The result of receiving this backlog reduction funding should be a demonstrated reduction in the number of forensic cases awaiting DNA analysis in the backlog as of May 18, 2004.** All eligible forensic DNA casework samples analyzed using funding obtained through this announcement are to be included in the Combined DNA Index System (CODIS). Award recipients will be required to report periodically to NIJ on their progress in achieving expected results and outcomes.

## IV. Use of Forensic DNA Backlog Reduction Funds

### A. Permissible Uses of Funds

1. **Supplies.** Funds may be used to acquire laboratory supplies for DNA analyses and validation studies and for other expenses directly attributable to forensic DNA analyses.
2. **Overtime.** Funds may be used for overtime of laboratory staff directly engaged in the handling, screening, and/or analysis of forensic evidence that may contain DNA. Any payments for overtime must be in accordance with the applicable provisions of the OJP *Financial Guide* available at <http://www.ojp.usdoj.gov/FinGuide>. Appropriate pro-rating is required.
3. **Consultant and Contractor Services.** Funds may be used to hire consultants and/or temporary contract staff to handle, screen, and/or analyze forensic evidence that may contain DNA, or to contract with qualified or accredited fee-for-service vendors to conduct DNA analyses.
4. **Travel.** Funds may be used for the reasonable expenses of travel to outsourcing laboratories to review procedures and practices prior to initial sample shipment and an additional unannounced inspection. Travel expenses must comply with applicable provisions of the OJP *Financial Guide*.
5. **Administrative Expenses.** No more than 3 percent of the total amount of a grant awarded under this program may be used for administrative expenses.

### B. Uses of Funds that Are Not Permitted

1. **Construction.**
2. **Renovation.**
3. **Laboratory and Computer Equipment.** Funds may not be used for upgrading, replacing, leasing, or purchasing laboratory equipment, instrumentation, or computer hardware or software.
4. **Personnel.** Funds may not be used to hire new staff or to pay salaries for existing staff, other than overtime as discussed above.
5. **Administrative Expenses that Exceed 3 Percent of the Award Amount.**

### **C. Supplanting Not Allowed**

Forensic Casework DNA Backlog Reduction Funds may not supplant State or local funds. Federal funds must be used to increase the amount of funding that would, in the absence of Federal funds, be made available from State or local sources for forensic casework DNA analyses.

## **V. Fiscal Year 2004 Application Process**

### **A. Due Date for Applications; Use of GMS**

Complete proposals must be submitted through OJP's online Grants Management System (GMS) by 9:00 p.m. eastern time on **June 16, 2004**. Extensions to this deadline are not permitted. **NIJ will not accept faxed or mailed proposals**. NIJ reserves the right to reject incomplete applications, those not responsive to the scope of this announcement, or those not complying with format requirements.

Eligible applicants who do not submit an application for the Forensic Casework DNA Backlog Reduction Program by the June 16, 2004, deadline will **not** receive funds from the 2004 program.

Begin the application process early by registering with GMS at <http://www.ojp.usdoj.gov/fundopps.htm>

### **B. How to Apply**

All applications for Forensic Casework DNA Backlog Reduction Program funding **must** be submitted through OJP's automated Grants Management System.

The GMS system is intended to expedite and streamline the receipt, review, and processing of applications. We will accept your application **only** through the online GMS applications system. Applicants may call the toll-free GMS Hotline at 1-888-549-9901 to receive technical assistance with the online application process. The GMS Hotline is open Monday through Friday, 7:00 a.m. to 9:00 p.m. eastern time.

Applicants must possess a Dun and Bradstreet Data Universal Numbering System (DUNS) number in order to apply for funding using GMS. Please call 1-800-333-0505 to obtain a DUNS number if your agency does not already have one. Please note: A DUNS number may be requested online at <https://eupdate.dnb.com/requestoptions.html>, but the online process can take up to 30 days.

## **VI. Required Forms and Documents**

Those interested in submitting applications in response to this announcement must complete the required application forms and related documents. You will complete some of the forms shown as part of the development of your user profile during the GMS online application process; others must be attached to your application file on GMS. (GMS accepts only PDF, Word, and Text document formats. It does not accept zip files or executable files.)

For additional assistance, see NIJ's "Guidelines: How to Submit Applications" at <http://www.ojp.usdoj.gov/nij/funding.htm>.

**Proposal Abstract.** The proposal abstract is a very important part of the application. When read separately from the rest of the application, the abstract should serve as a succinct and accurate description of the proposed work. Applicants should concisely describe project goals and objectives, project plans, and methods for achieving the goals. Once an award has been granted, the abstract is computerized and serves as a summary available to all interested parties for the duration of the grant.

**Program Narrative.** The program narrative must address the project objectives, the expected results, and the implementation approach. The program narrative also must specifically describe how expenditures of grant funds will reduce the number of forensic cases currently awaiting DNA analysis. As part of the program narrative, a unit of local government must certify the proportion of the State's total number of rapes and homicides reported to the FBI it investigated during 2002.

The program narrative must not exceed 10 double-spaced pages, no matter the amount of funding requested. (Appendices, government forms, tables, charts, and figures do not count toward the page limit.)

Applicants **must** attach to their application as appendices:

1. A certification from an appropriate official of the applicant agency that –
  - (a) the applicant has implemented, or will implement no later than 120 days after submission of its application, a comprehensive plan for expeditious analysis of forensic DNA casework, and that the plan requires each DNA analysis to be carried out in a forensic science laboratory – whether government-operated or private – that satisfies Federal quality assurance standards for forensic DNA testing,
  - (b) each DNA analysis conducted under the applicant's plan will be maintained pursuant to all applicable Federal privacy requirements, including those described in 42 U.S.C. § 14132(b)(3),
  - (c) each analysis of the applicant's forensic DNA samples conducted under this fiscal year 2004 program will be carried out in a forensic science laboratory that complies with the Federal quality assurance standards for forensic DNA testing and is either accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or certified as accredited by the National Forensic Science Technology Center (NFSTC) for compliance with the Federal standards, and

- (d) all eligible forensic DNA casework samples analyzed under this program will be submitted for inclusion in CODIS.
2. If the applicant's forensic science laboratory (or laboratories) will conduct forensic DNA analysis, proof (such as an accreditation certificate) that the applicant's laboratory is accredited or certified to conduct DNA analysis in compliance with the Federal standards.
3. A statement from an appropriate official of the applicant agency (such as the director of the applicant's forensic laboratory) that –
- (a) certifies the number of forensic cases currently awaiting DNA analysis that can be analyzed within 18 months using the Federal funding requested in this fiscal year 2004 application. This number should reflect the number of cases that can be analyzed *above and beyond* those that can be analyzed using other sources of funding, including existing Federal funding. The 18-month period runs from the date of an award of fiscal year 2004 funding.
- (b) certifies that any funds remaining under any previous award from NIJ for DNA casework backlog reduction will be utilized for authorized purposes before any funds are drawn down from any award made under this fiscal year 2004 announcement.

## VII. Additional Requirements and Information

**Record Maintenance and Access.** Each State or local unit of government within the State that receives funding under this program must maintain adequate records relating to the receipt and use of the grant amount. The Attorney General and the Comptroller General of the United States (or designee thereof) will have access to these records for audit and examination purposes.

**Reporting Requirement.** Each State and unit of local government that receives funding under this program must submit a report within 180 days of the end of the award period. The report must include a summary and assessment of the program carried out with the Fiscal 2004 grant, and shall cite the number of additional forensic cases that were analyzed and reduced from the casework DNA analysis backlog as a result of the fiscal year 2004 grant.

These requirements supplement the general OJP grant administration and reporting requirements. For details, see the OJP Office of the Comptroller's "Post Award instructions" at: <http://www.ojp.usdoj.gov/oc/postaward/> and the OJP *Financial Guide* at: <http://www.ojp.usdoj.gov/FinGuide> .

**Award Period.** In general, NIJ will limit its grants under this program to a maximum period of 18 months after receipt of funding.

**Performance Measures.** To ensure compliance with the Government Performance and Results Act (Public Law 103-62), this announcement notifies applicants that program

performance is measured by the number of forensic laboratories with improved analytical and technological capabilities with respect to DNA. Award recipients will be required to collect and report data relevant to this measure.

**Funds May Not Be Used to Lobby.** Award recipients may not use any Federal funds, either directly or indirectly, in support of the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval of OJP. For more information, see “NIJ Guidelines for Submitting Applications” at <http://www.ojp.usdoj.gov/nij/funding.htm> and the OJP *Financial Guide*.

**Financial Audits.** Applicant agencies that expend \$500,000 or more in Federal funds (from all sources including pass-through awards) during a fiscal year will be required to submit organization-wide audit reports. Audits must be performed in accordance with Office of Management and Budget Circular A-133. For more information, see chapter 19 of the OJP *Financial Guide* at <http://www.ojp.usdoj.gov/FinGuide>.

**Guidance and Information.** Applicants who want additional guidance and information may contact the U.S. Department of Justice Response Center at 1-800-421-6770. Center staff can provide assistance or refer applicants to an appropriate NIJ professional. Applicants who have questions about GMS or need technical assistance with applying online can contact the GMS Hotline at 1-888-549-9901, Monday-Friday, 7:00 a.m. to 9:00 p.m. Eastern Time (except Federal holidays).

If you would like to speak with someone at the National Institute of Justice (NIJ) about this announcement, please call the Program Manager, John Behun at 1-202-616-9794 or Janelle Buchanan at 1-202-307-0650.

## **VIII. Expected Formula Funding Allocation by State**

In general, NIJ will allocate funds for forensic DNA casework backlog reduction based upon the total number of sexual assaults/rapes and murders/homicides reported to the FBI for 2002, the most current year for which such data is available. The number of qualifying State and local applicants also will affect grant amounts.

A portion of the total funds available for fiscal year 2004 will be allocated for awards to existing crime laboratories within each State, including laboratories operated at the State and local levels. These allocations will be based on the number of reported rapes and homicides in the State relative to that national total of reported rapes and homicides.<sup>2</sup> Units of local government with existing DNA laboratories may apply directly to NIJ for a portion of the funds allocated for awards with their States. Units of local government must certify

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<sup>2</sup> Any awards to American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands will be determined by a different method.

the proportion of the State's total rapes and homicides they investigated in 2002. These figures will be used to allocate funds among eligible crime laboratories within a particular State.

The estimated aggregate amounts that NIJ expects to allocate to eligible government crime laboratories within each State are as follows:

<b>STATE</b>	<b>Estimated Aggregate Amount for State and Local Crime Labs</b>
<b>Total funding</b>	\$38,249,204
Alabama	\$669,629
Alaska	\$185,195
Arizona	\$679,161
Arkansas	\$305,027
California	\$4,287,056
Colorado	\$764,269
Connecticut	\$275,750
Delaware	\$130,726
District of Columbia	\$179,067
Florida	\$2,609,069
Georgia	\$923,932
Hawaii	\$134,811
	(con't)

<b>STATE</b>	<b>Estimated Aggregate Amount for State and Local Crime Labs</b>
Idaho	\$181,450
Illinois	\$1,786,245
Indiana	\$750,652
Iowa	\$286,303
Kansas	\$378,900
Kentucky	\$433,029
Louisiana	\$722,396
Maine	\$133,109
Maryland	\$641,033
Massachusetts	\$663,842
Michigan	\$2,056,888
Minnesota	\$811,930
Mississippi	\$473,540
Missouri	\$611,415
Montana	\$86,129
Nebraska	\$174,301
Nevada	\$377,539
New Hampshire	\$155,918
New Jersey	\$573,287
New Mexico	\$401,369
New York	\$1,632,030
North Carolina	\$934,145
North Dakota	\$57,193
Ohio	\$1,816,203
Oklahoma	\$590,989
Oregon	\$445,966
Pennsylvania	\$1,482,580
Rhode Island	\$148,428
South Carolina	\$768,354
South Dakota	\$126,641
Tennessee	\$922,570
Texas	\$3,339,635
Utah	\$337,027
Vermont	\$47,320
Virginia	\$758,141
Washington	\$993,380
West Virginia	\$131,066
Wisconsin	\$473,540
Wyoming	\$55,490
Puerto Rico	\$345,538