

## 2018 - National Criminal History Improvement Program (NCHIP) Special Conditions

The following program specific requirements are imposed by the Federal sponsoring agency concerning special requirements of law, program requirements, and other administrative requirements. These requirements apply to this Agreement and must be passed on to subgrant award recipients.

1. Grantee agrees that AFIS (Automated Fingerprint Identification System) equipment purchased under this award will conform to the American National Standards Institute (ANSI) Standard, "Data Format for the Interchange of Fingerprint, Facial & Other Biometric Information" (ANSI/NIST-ITL 1-2007 PART 1) and other reporting standards of the FBI.
2. Grantee is or will be following a comprehensive strategy for information sharing systems to improve the functioning of the criminal justice system, with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole. Further, the strategy must be developed in consultation with State and local officials with emphasis on the recommendation of officials whose duty it is to oversee, plan, and implement integrated information technology systems, and contain-- (a) a definition and analysis of integration in the State and localities developing integrated information sharing systems; (b) an assessment of the criminal justice resources being devoted to information technology; (c) State and local resource needs; (d) Federal, State, regional, and local information technology coordination requirements; and (e) statewide priorities for planning and implementation of information technology systems.
3. Grantee agrees that activities supported under this award will be coordinated with Federal, State, and local activities relating to homeland security and presale firearm checks, as appropriate.
4. In order to ensure that the National Criminal History Improvement Program (NCHIP) and the NICS Act Record Improvement Program (NARIP) are realizing the objectives in the most productive manner, the grantee agrees to participate in a comprehensive evaluation effort. It is anticipated that the evaluation will take place during the course of the program and will likely involve each participating state. It is expected that the evaluation will have a minimal impact on state program personnel and resources.
5. Grantee agrees that criminal justice information systems designed, implemented, or upgraded with NCHIP or NARIP funds will be compatible, where applicable, with the National Incident-Based Reporting System (NIBRS), the National Crime Information Center system (NCIC 2000), the National Criminal Instant Background Check System (NICS), the Integrated Automated Fingerprint Identification System (IAFIS), and applicable national, statewide or regional criminal justice information sharing standards and plans.
6. Grantee has or intends to establish a program that enters into the National Crime Information Center (NCIC) records of: (a) Protection orders for the protection of persons from stalking or domestic violence; (b) Warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; and (c) Arrests or convictions of

persons violating protection orders intended to protect victims from stalking or domestic violence.

7. Grantee agrees that activities funded under this award will be closely coordinated with related activities supported with OJP, State, local, or tribal funds.
8. Protective order systems developed with funds awarded under this grant will be designed to permit interface with the National Protective Order file maintained by the FBI.
9. Grant funds may be used only for the purposes in the grantee's approved application. The grantee shall not undertake any work or activities that are not described in the approved grant award, and that use staff, equipment, or other goods or services paid for with OJP grant funds, without prior written approval from DCJ.
10. Within 45 calendar days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds \$20,000 in award funds, the grantee must provide the program manager with the following information and itemized costs:
  - a. name of event;
  - b. event dates;
  - c. location of event;
  - d. number of federal attendees;
  - e. number of non-federal attendees;
  - f. costs of event space, including rooms for break-out sessions;
  - g. costs of audio visual services;
  - h. other equipment costs (e.g., computer fees, telephone fees);
  - i. costs of printing and distribution;
  - j. costs of meals provided during the event;
  - k. costs of refreshments provided during the event;
  - l. costs of event planner;
  - m. costs of event facilitators; and
  - n. any other costs associated with the event.

The grantee must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with grant funds:

- a. meals and incidental expenses (M&IE portion of per diem);
- b. lodging;
- c. transportation to/from event location (e.g., common carrier, Privately Owned Vehicle (POV)); and,
- d. local transportation (e.g., rental car, POV) at event location.

Note that if any item is paid for with registration fees, or any other non-award funding, then that portion of the expense does not need to be reported.

Further instructions regarding the submission of this data, and how to determine costs, are available in the OJP Financial Guide Conference Cost Chapter.

11. Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by DCJ prior to obligation or expenditure of such funds.

12. Grantee integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS.

The grantee must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, grantees of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of grantee obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Grantee Integrity and Performance Matters, including Grantee Reporting to FAPIIS), and are incorporated by reference here.

13. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award grantee at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award grantee may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)
14. Grantee agrees that federal funds under this award will be used to supplement but not supplant state or local government funds.
15. Grantee agrees to submit reports as required by DCJ documenting all relevant project activities during the period of support under this award. This report will include detailed information about the project funded.
16. Grantee agrees that it will submit quarterly financial reports to DCJ, not later than 15 days after the end of each calendar quarter. The final report shall be submitted not later than 45 days following the end of the award period.
17. To support public safety and justice information sharing, OJP requires the grantee to use the National Information Exchange Model (NIEM) specifications and guidelines for this particular grant. Grantee shall publish and make available without restriction all schemas generated as a result of this grant to the component registry as specified in the guidelines. For more information on compliance with this special condition, visit <https://niem.gov/>.
18. The value or amount of any "non-federal share," "match," or cost-sharing contribution incorporated into the approved budget for this award is part of the "project cost" for purposes of the Part 200 Uniform Requirements, and is subject to audit. In general, the rules and restrictions that apply to award funds from federal sources also apply to funds in the OJP-approved budget that are provided as "match" or through "cost sharing."
19. None of the following activities will be conducted either under the OJP Federal action or a related third party action:

New construction.

Any renovation or remodeling of a property either (a) listed on or eligible for listing on the National Register of Historic Places or (b) located within a 100-year floodplain.

A renovation which will change the basic prior use of a facility or significantly change its size.

Research and technology whose anticipated and future application could be expected to have an effect on the environment.

Implementation of a program involving the use of chemicals.

Consequently, the subject Federal action meets OJP's criteria for a categorical exclusion as contained in paragraph 4.(b) of Appendix D to Part 61 of the Code of Federal Regulations. Additionally, the proposed action is neither a phase nor a segment of a project which when viewed in its entirety would not meet the criteria for a categorical exclusion.