

**DEPARTMENT OF JUSTICE****Bureau of Justice Statistics****[OJP No. 1069]****RIN 1121-ZA26****National Criminal History Improvement Program ("NCHIP") Advanced State Award Program ("ASAP")**

November 7, 1995.

**AGENCY:** Department of Justice, Office of Justice Programs, Bureau of Justice Statistics.**ACTION:** Notice of program plan.

**SUMMARY:** The Bureau of Justice Statistics (BJS) is publishing this notice to announce the initiation of the National Criminal History Improvement Program (NCHIP) Advanced State Award Program (ASAP). The grant program implements the grant provisions of the Brady Handgun Violence Prevention Act and the National Child Protection Act of 1993, and those provisions of the Violent Crime Control and Law Enforcement Act of 1994, which pertain to the establishment, maintenance, or use of criminal history records and criminal record systems.

**DATES:** Eligible states must submit applications on or before December 31, 1995.

**ADDRESSES:** Applications should be sent to Application Coordinator, the Bureau of Justice Statistics, 633 Indiana Avenue, N.W., 11th Floor, Washington, D.C. 20531.

**FOR FURTHER INFORMATION CONTACT:** Carol G. Kaplan, Chief, Criminal History Improvement Programs, (202) 307-0759. The BJS fax number is (202) 307-5846.

**SUPPLEMENTARY INFORMATION:**

The National Criminal History Improvement Program

The National Criminal History Improvement Program (NCHIP) implements the grant provisions of the Brady Handgun Violence Prevention Act (Brady Act), 103 Pub.L. 159, 107 Stat. 1563, the National Child Protection Act of 1993, 103 Pub.L. 209, 107 Stat. 2490, and those provisions of the Violent Crime Control Act of 1994, 103 Pub.L. 322, 108 Stat. 1796, which pertain to the improvement of criminal history record systems.

The appropriation for the NCHIP program in Fiscal Year 1995 was \$100 Million. Of this amount, \$6 Million was transferred to the FBI to support implementation of the National Instant Criminal Background Check System (NICS), \$5 Million was awarded for

program evaluation, firearm related research, and state technical assistance, and \$88 Million is for direct awards to the states.

The NCHIP "core" program, as described in the Program Announcement issued by the Bureau of Justice Statistics (BJS) in November 1994, assists states in improving the quality and accessibility of criminal history records in support of the national record system, NICS. \$83 Million was designated for this component of the NCHIP program. Consistent with legislative preference for states with the least advanced computerized criminal history files, \$5 Million of this \$83 Million represents supplemental awards to 5 states designated as least-advanced priority states.

The Advanced State Award Program (ASAP), formerly referred to as the "extended core" program, is supported with \$5 Million from the Fiscal Year 1995 appropriation.

The NCHIP program builds on earlier efforts supported by the Bureau of Justice Statistics and the Bureau of Justice Assistance (BJA). These include the BJS-administered Criminal History Record Improvement Program (CHRI) and the BJA-administered Byrne Formula 5% set-aside program. As described in the November 1994 program announcement, NCHIP is closely coordinated with the Byrne Formula program and with related activities being undertaken by the FBI and the Bureau of Alcohol, Tobacco, and Firearms.

The Advanced State Award Program

The goal of the NCHIP Advanced State Award Program (ASAP) is to assist states in the identification of persons other than felons who are prohibited from purchasing firearms under 18 U.S.C. Sec. 922(g) and (n), as amended. This effort supports the goal of the permanent system established under Section 102(b) of the Brady Act by enhancing the effectiveness of the National Instant Criminal Background Check System (NICS).

The focus of the Advanced State Award Program is on the specific provisions (other than those pertaining to disqualified convicted felons) of 18 U.S.C. Sec. 922 (g) and (n), as amended by the Violent Crime Control Act of 1994, for which relevant data are available in state and local databases. The Federal Bureau of Investigation is implementing the Federal segment of the NICS and will make available to states, through the NICS, data which are available from or through the Federal systems.

Applications for funding under the Advanced State Award Program should focus on one or more of the following categories of persons prohibited from purchase of firearms:

Anyone who—

- is an unlawful user of, or addicted to, any controlled substance;
- has been adjudicated as a mental defective or been committed to a mental institution;
- is an alien who is illegally or unlawfully in the United States;
- is subject to any court order restraining them from threatening or committing acts of domestic violence or abuse;
- is under indictment for an offense punishable by imprisonment for more than 1 year.

The objective of the Advanced State Award Program is to build a body of knowledge on the access and retrieval of data on these categories of prohibited persons for use by all the states; applicants should not focus exclusively on benefits to their own state.

**Definitions:** Final Regulations defining the categories stated above have not yet been issued. Pending release of such final definitions, applicants may refer to Appendix B for the current working definitions of prohibited classes other than felons. States will be advised of any changes in such definitions where applicable.

States should recognize that the definitions in Appendix B may be narrower than applicable definitions for prohibited firearm purchasers under state legislation. For purposes of the ASAP program, applicable state definitions which place broader restrictions on purchase of firearms may be used in defining eligible projects in those states. In those states, applicants should cite relevant state legislation, where pertinent.

**Eligibility Criteria**

To be eligible to apply for additional NCHIP funding under the Advanced State Award Program, a state must be a participant in the FBI's Interstate Identification Index (III) at the date of application. The same agency that submitted the state's original NCHIP application should submit the state's application for ASAP funding. If an exception is necessary (for example, in the case of a successor agency), contact your BJS grant monitor.

**Allowable Costs**

Costs associated with developing access to databases on persons other than felons, who are ineligible to purchase a firearm, are allowed.