4337-15

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[2341A2100DD/AAKC001030/A0A501010.999900]

NATIVE Act Tribal Tourism Cooperative Agreement; Solicitation of Proposals

AGENCY: Bureau of Indian Affairs (BIA), Interior.

ACTION: Notice.

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A. Program Description

A1. Authority

This opportunity is authorized by the Native American Tourism and Improving Visitor Experience Act of 2016 (Public Law 114-221) (NATIVE Act) in partnership with the federal government. The Department of the Interior, through Indian Affairs has been engaged in significant regionally focused Tribal tourism efforts since the inception of the NATIVE Act. The NATIVE Act requires identification of a means for delivering and coordinating Federal technical assistance and resources in collaboration with Federal partners, including the Secretary of the Interior, Secretary of Commerce and other Federal agencies and entities with tourism expertise.

A2. Background, Purpose and Program Requirements

It is very important to thoroughly review the Full Announcement to fully understand how to apply for this opportunity.

Background

The Secretary of the Interior (Secretary), through the Office of Indian Economic Development (OIED), Division of Economic Development (DED), is soliciting proposals from eligible federally recognized Tribes and Tribal organizations to support the implementation of the Native American Tourism and Improving Visitor Experience Act of 2016 (Public Law 114-221) (NATIVE Act) in partnership with the federal government. The Department of the Interior, through Indian Affairs, has been engaged in significant regionally focused Tribal tourism efforts since the inception of the NATIVE Act. The NATIVE Act requires identification of a means for delivering and coordinating Federal technical assistance and resources in collaboration with Federal partners, including the Secretary of the Interior, Secretary of Commerce and other Federal agencies and entities with tourism expertise.

In 2019, the Bureau awarded a multi-year cooperative agreement which focused on strengthening collaboration and coordination of Federal assets and resources to build and promote Tribal travel and tourism capacity on Federal and Tribal lands. The awardee for this new solicitation will build upon past efforts and serve as the facilitator between the Secretary of the Interior, Secretary of Commerce, Federal agencies, Indian tribes, tribal organizations, and Native Hawaiian organizations. The awardee, through a cooperative agreement, will continue to build, enhance and expand Federal tribal tourism inclusive of technical assistance, assets, and other potential resources needed to empower tribes and organizations to participate fully in the tourism industry. In addition, the recipient of this award will support the Federal government-to-government relationships with Tribal governments.

The successful entity or organization will also support a five-zone implementation in Alaska, Hawaii, Southwest, Northwest, and Eastern zones. The five-zone approach may be implemented through sub-awards and partnerships with subject matter experts or consultants that may include, but are not limited to universities and colleges, private consulting firms, and non-academic non-profit entities.

Eligibility for this solicitation are Native American Tribal governments (Federally recognized), Native American Tribal Organizations (Other than Federally recognized), Tribal Colleges and Universities, and Native Hawaiian Organizations. Indian tribes and Tribal Organizations are defined in Section 4 of the Indian Self-Determination and Education Assistance Act (ISDEAA) (25 U.S.C. 5304), including Tribal Consortia. Tribal Colleges and Universities are those institutions cited in Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note), any other institution that qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.), and Diné College, authorized in the Navajo Community College Act, Public Law 95-471, title II (25 U.S.C. 640a note). Native Hawaiian organization means a nonprofit organization: (A) that serves the interests of Native Hawaiians; (B) in which Native Hawaiians serve in substantive and policymaking positions, and; (C) that are recognized for having expertise in Native Hawaiian culture and heritage, including tourism. The cooperative agreement funding is to support the Native American Tourism and Improving Visitor Experience Act of 2016 (Public Law 114-221) (NATIVE Act).

The Department of the Interior, through the Office of Indian Affairs, has engaged in significant regionally focused Tribal tourism efforts since the inception of the NATIVE Act, including awarding in 2019 a multi-year cooperative agreement focused on strengthening collaboration and coordination related to travel and tourism on Tribal and Federal lands. This announcement continues and enhances past efforts to formalize a role for an organization or entity to serve as a facilitator between the Federal government led by the Secretary of the Interior and the Secretary of Commerce, and the tribal tourism industry representing Indian Tribes, Tribal organizations, and Native Hawaiian organizations to help identify and facilitate the delivery of existing Federal assets, programs, technical assistance and resources to support the capacity building of the tribal tourism industry to participate fully in the U.S. tourism industry. The NATIVE Act requires identifying a means for delivering and coordinating Federal technical assistance to tribes in collaboration with Federal partners and other entities with tourism expertise. The successful entity or organization will support a five-zone implementation in Alaska, Hawaii, Southwest, Northwest, and Eastern zones. The five-zone approach may be implemented through sub-awards and partnerships with subject matter experts or consultants that may include, but are not limited to universities and colleges, private consulting firms, and non-academic non-profit entities.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding

$2,000,000

B2. Expected Award Amount

Maximum Award

$2,000,000, annual funding

Minimum Award

$1,000,000, annual funding

Term

5-year term

OIED anticipates awarding one (01) Cooperative Agreement under this announcement.

B3. Anticipated Award Funding and Dates

Anticipated Award Date

October 30, 2023

B4. Number of Awards

Expected Number of Awards

01

B5. Type of Award

Funding Instrument Type

CA – Cooperative Agreement

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants

11 – Native American tribal organizations (other than Federally recognized tribal governments)
07 – Native American tribal governments (Federally recognized)
06 – Public and State controlled institutions of higher education
20 – Private institutions of higher education

Eligibility for Funding

The Office of the Assistant Secretary – Indian Affairs, through OIED, is soliciting proposals from Native American Tribal governments (Federally recognized), Native American Tribal Organizations (Other than Federally recognized), Tribal Colleges and Universities, and Native Hawaiian Organizations. Eligible applicants are Indian tribes and Tribal Organizations, as defined in Section 4 of the Indian Self-Determination and Education Assistance Act (ISDEAA) (25 U.S.C. 5304), including Tribal Consortia. Tribal Colleges and Universities are those institutions cited in Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note), any other institution that qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.), and Diné College, authorized in the Navajo Community College Act, Public Law 95-471, title II (25 U.S.C. 640a note). Native Hawaiian organization means a nonprofit organization: (A) that serves the interests of Native Hawaiians; (B) in which Native Hawaiians serve in substantive and policymaking positions, and; (C) that are recognized for having expertise in Native Hawaiian culture and heritage, including tourism. The cooperative agreement funding is to support the Native American Tourism and Improving Visitor Experience Act of 2016 (Public Law 114-221) (NATIVE Act).

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

No

C3. Other

Excluded Parties: BIA conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. BIA cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

D. Application and Submission Information

D1. Address to Request Application Package

The required method of submitting proposals is through Grants.gov. For information on how to apply for grants in Grants.gov, see the instructions available at https://www.grants.gov/help/html/help/Applicants/HowToApplyForGrants.htm. Proposals must be submitted to Grants.gov by the deadline established, no later than 5 p.m. EST, on September 30, 2023.

D2. Content and Form of Application Submission

The mandatory components, and forms identified below, must be included in the proposal package. Links to the mandatory forms can be found under the "package" tab on the NATIVE Act FY 2024 grant opportunity page at www.grants.gov. Any information in the possession of the BIA or submitted to the BIA throughout the process, including final work product, constitutes government records and may be subject to disclosure to third parties under the Freedom of Information Act (FOIA), 5 U.S.C. 552, and the Department of the Interior's FOIA regulations at 43 CFR part 2, unless a FOIA exemption or exception applies, or other provisions of law protect the information.

The Applicant is responsible to confirm that all mandatory documents have been properly uploaded and submitted within the Grants.gov system before the deadline. Following are the names of the required forms:

- 1. Cover Page
- 2. Cover Letter
- 3. Application for Federal Assistance (SF-424) [V4.0]
- 4. Budget Information for Non-Construction Programs (SF-424A) [V1.0]
- 5. Project Abstract Summary [V2.0]
  Project Narrative Attachment Form [V1.2]
- 6. Budget Narrative
  Line-Item Budget
- 7. Attachments [V1.2]
- 8. Key Contacts [V2.0]

1. Cover Page

A Cover Page must be included in the application and contain the following:

- Category of Funding for the NATIVE Act application (15.032)
- Proposal Title
- Total Amount of funding requested from the Program
- Full and Proper Name of the applicant organization
- For federally recognized Tribes, please utilize the name as listed in the Federal Register Notice 88 FR 2112 (1/12/2023) for *Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs.*
- Statement confirming the proposed work will have the potential to reach the intended goals and objectives.
- Confirm active registration in SAM, attaching print-out from sam.gov to the cover page. See instructions in D7. Other Submission Requirements.
- Provide active enrollment in ASAP and your Recipient ID with the BIA. Allow 3-4 weeks to complete all steps of enrollment prior to submission deadline. The organization must be enrolled in ASAP with BIA, current enrollment with other federal agencies is not sufficient. See instructions in D7. Other Submission Requirements.

- Confirmation of other completed Mandatory Components identified in this Section (SF-424, Project Abstract Summary, etc.).
- Identification of Point of Contact personnel that will provide project oversight and management.
- Identification of notable partnerships such as Tribes, other Tribal Organizations or Entities.

2. Cover Letter

A cover letter is not to exceed one (1) page summarizing the interest and intent, complete with authorized signature(s) of organization leadership.

3. SF-424, Application for Federal Assistance [V4.0]

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. Individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), must complete the SF-424, Application for Federal Assistance-Individual form. All other applicants must complete the standard SF-424, Application for Federal Assistance. The required application forms are available with this announcement on Grants.gov. Please indicate the Legal Name of the organization that is consistent with other federal programs on all correspondences. For federally recognized Tribes, please utilize the name as listed in the Federal Register Notice 88 FR 2112 (1/12/2023) for *Indian Entities Recognized by and Eligible To Receive Services From the United States Bureau of Indian Affairs.*

The programmatic point of contact should be provided as the individual to contact pertaining to all matters of the application. The UEI indicated must match what is registered as a vendor in SAMs/FBMS. Identify the County and the Congressional Districts in the fields provided. The Authorized Representative should be the Tribal Leader or their official designee. The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personally identifiable information. Please note: Enter only the amount requested from this Federal program in the "Federal" funding box on the SF-424 Application form. Include any other Federal sources of funding in the "Other" box and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the "Budget Narrative" Section below).

The SF-424 [V4.0] form requires the County as well as the Congressional District number of the applicant, which can be found at https://www.house.gov/representatives/find-your-representative.

4. SF-424A, Budget Information for Non-Construction Programs

Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. For non-construction programs or projects, applicants must complete and submit the SF-424A, "Budget Information for Non-Construction Programs" form. All of the required application forms are available with this announcement on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200.

Applicants are required to utilize the SF-424A for the budget submission. The budget must identify the amount of grant funding requested and a comprehensive and itemized breakdown of all projected and anticipated expenditures, including contracted personnel fees, consulting fees (hourly or fixed), travel costs, data collection and analysis costs, computer rentals, report generation, drafting, advertising costs for a proposed project and other relevant project expenses, and their subcomponents.

- Data collection and analysis costs should be itemized in sufficient detail for the OIED review committee to evaluate the charges.
- Personnel may be charged directly or covered indirectly. Do not include the personnel costs or travel of consultants or contractors under this category. For any position, provide: the name of the individual (if known), their title; time commitment to the project in months; time commitment to the project as a percentage or FTE equivalent; annual salary; grant salary; wage rates; etc. Identify the project director or principal investigator, if known at the time of application. Costs of employee fringe benefits are allowances and services provided by employers to their employees in addition to regular salaries and wages. Typically, fringe benefit amounts are determined by applying a calculated rate for a particular class of employee (full-time or part-time) to the salary and wages requested. Fringe benefits, like salary, will also be as direct cost (Health insurance, Federal Insurance Contributions Act (FICA) taxes, retirement, taxes, etc.)
- Other expenses may include computer rental, report generation, drafting, and advertising costs for a proposed project.

5. Project Abstract Summary and **Project Narrative Attachment Form**

Project Narratives are not judged based on their length. Please do not submit any unnecessary attachments or documents beyond what is listed above, e.g., Tribal history, unrelated photos and maps. All information below will follow those structures in A2. Background, Purpose and Program Requirements.

The first paragraph of the project narrative must include the title and basic summary description of the proposed project. The Project Narrative must not exceed 50 pages. Supplemental information such as letters of support, graphs, charts, maps, photographs and other graphic and/or other relevant information may be included as an Attachments and not counted against the 50-page Project Narrative Limit. At a minimum, it should include:

- A detailed technical description of the project.

- Resume and Qualifications of all identified personnel who would provide project oversight and management must be submitted. These individual(s) may be a full-time FTEs brought on specifically for the 5-year duration of the project, or be a portion of an FTE allocation. The utilization of various personnel must be demonstrated as necessary and reasonable with compensation that is commensurate to similar industry standards. The responsibilities of those project personnel, with sufficient qualifications to fulfill those responsibilities, must be demonstrated by the Applicant. If new staff members are to be hired, applicants should describe the recruitment and hiring process. Common challenges include, but not limited to, identification and retention of qualified staff, policies and procedures that delay hiring, etc. Applicants must describe accessibility of potential candidates and include contingency plans to describe how the project will progress until vacant positions are filled.
  - All strategic planning and workforce development, as it collaborates and elevates the program, must be mindful of federal duplication of efforts, co-mingling of funding resources, double-dipping, or over allocating of FTE resources that can satisfy personnel involvement in other programs without violating the regulation and policy of each entity.
  - All planning and development must be justified and commensurate with the needs of the program. They must be necessary and reasonable to accomplish the program objectives.
- Applicants must also demonstrate qualifications for key partnerships and of any consultants, as well as those responsible for project management oversight, towards the implementation of project activities. Applicants must describe the role of the partner organization and staff, including relevant expertise and experience, as well as clear roles and responsibilities for project implementation. If formal agreements have not been established at the time of application, the applicant must describe plans to finalize any partnership agreements, including firm commitments and contingency plans for these partners. The resumes of key consultants and personnel to be retained, if available, and the names of subcontractors, if applicable, may be included as an attachment to the application and will not be counted towards the 50-page limitation.
- A description of the project objectives, milestones, timelines, and a work plan will correlate to the technical description of the language immersion project.
  - Deliverables of work plan measurable milestones that are produced according to the associated timeline should be identified of status in the interim reporting.
  - Deliverables as yearly or final term should be submitted in those appropriate reporting periods.

6. Budget Narrative and **Line-Item Budget**

Reference Section *3. SF-424, Application for Federal Assistance [V4.0] and 4. SF-424A, Budget Information for Non-Construction Programs*, to correlate Object Class Categories and Totals that will be expanded and justified in this Section. The project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. Applicants shall include a narrative description of the items included in the project budget. When applicable, the value of in-kind contributions of goods and services will be provided to complete the project when cost share is identified to be included (reference Section *C. Eligibility Information of this Announcement*). Cost categories can include, but are not limited to, those costs items included on the SF424A or SF424C (SF-424C is not utilized for OIED grants).

The Budget Narrative will include additional spreadsheets and narrative formats to help itemize and fully break-down the individual budget items. Do not provide any blanket budget estimates that are not supported with documentation, itemized breakdown, and narrative justification. Rounding should be avoided.

7. Attachments [V1.2]

Utilize the “attachments form” to include any additional documents such as Tribal resolutions, letters of support, etc. The attachments form can also be used to include any other attachments related to the proposal.

8. Key Contacts [V2.0]

Please list the county(ies) where the project is located and congressional district number(s) where the project is located. Applicants must include the Key Contacts information page that includes:

- Project Manager’s contact information including address, email, desk, and cell phone number.
- Please make sure the System for Award Management (SAM) number used to apply is active, not expired, with a current UEI number on the SF-424.
- Please make sure an active Automated Standard Application for Payment (ASAP) number is provided. Applicants must have an ASAP number for the BIA to be eligible.

Special Note

Please make sure that the System for Award Management (SAM) number used to apply is active, not expired, with a current Unique Entity Identifier (UEI) number on the SF-424. Please make sure an active Automated Standard Application for Payment (ASAP) number is provided. Applicants must have an ASAP number and be enrolled with the BIA to be eligible. Please list counties where the project is located and congressional district number where the project will be located.

Conflict of Interest Disclosure

Per the Financial Assistance Interior Regulation (FAIR), 2 CFR §1402.112, applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

(a) *Applicability*.

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

(b) *Notification*.

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(c) *Restrictions on lobbying*. Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR part 18 and 31 U.S.C. 1352.

(d) *Review procedures*. The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

(e) Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (see also 2 CFR part 180).

Single Audit Reporting Statement

All U.S. states, local governments, federally recognized Indian tribal governments, and non-profit organizations expending $750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. U.S. state, local government, federally recognized Indian tribal government, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the Federal Audit Clearinghouse website.

Certification Regarding Lobbying

Applicants requesting more than $100,000 in Federal funding must certify to the statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying. If this application requests more than $100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

Disclosure of Lobbying Activities

Applicants and recipients must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. Applicants and recipients must complete and submit the SF-LLL, "Disclosure of Lobbying Activities" form if the Federal share of the proposal or award is more than $100,000 and the applicant or recipient has made or has agreed to make any payment using non- appropriated funds for lobbying in connection with the application or award. The SF-LLL form is available with this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 and 31 USC 1352 for more information on when additional submission of this form is required.

Overlap or Duplication of Effort Statement

Applicants must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regards to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regards to activities, costs, or time commitment of key personnel". If any such overlap exists, provide a complete description of overlaps or duplications between this proposal and any other federally funded project or application in regards to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. The statement and the description of overlap or duplication, when applicable, may be provided within the proposal or as a separate attachment to the application. If at any time a proposal is awarded funds that would be overlapping or duplicative of the funding requested from BIA, the applicant must immediately notify the BIA point of contact. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount.

D3. Unique Entity Identifier and System for Award Management (SAM)

Identifier and System for Award Management (SAM.gov) Registration: This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a Unique Entity Identifier (UEI) which replaces the Data Universal Numbering System (DUNS) number from Dun & Bradstreet in April 2022. A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s).

Register with the System for Award Management (SAM)

Applicants can register on the SAM.gov website. The "Help" tab on the website contains User Guides and other information to assist you with registration. The Grants.gov "Register with SAM" page also provides detailed instructions. Applicants can contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities will be assigned a Unique Entity Identifier (UEI). Entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been made to the entity's IRS information. There is no cost to register with SAM.gov. There are third-party vendors who will charge a fee in exchange for registering entities with SAM.gov; please be aware you can register and request help for free. If applicable, foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

D4. Submission Dates and Times

Due Date for Applications

09/29/2023

Application Due Date Explanation

Electronically submitted applications must be submitted no later than 5:00 p.m., ET, on the listed application due date.

Addresses

All Applications must be electronically submitted in grants.gov, no physical or electronic submissions will be accepted. All correspondence will be via email or phone at the contacts below.

For Further Information Contact

If you have questions regarding the application process, please contact Ms. Jo Ann Metcalfe, Grant Officer, telephone (410) 703-3390; email jo.metcalfe@bia.gov.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

D5. Intergovernmental Review

Prior to application submission, U.S. state and local government applicants should visit the OMB Office of Federal Financial Management website and view the "State Point of Contact (SPOC) List" to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 "Intergovernmental Review of Federal Programs." States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state's prior review requirements for Federal assistance applications.

D6. Funding Restrictions

Limitations

OIED will verify that all sources of federal funding are not overlapping in any way to be "double-dipping" (Subpart E of 2 CFR 200.400, and 2 CFR 200.403). All program goals and targets must adhere to the submitted budget and no portion may be utilized for anything outside of NATIVE Act objectives.

OIED grant funding must be expended in accordance with applicable federal statutory and regulatory requirements, including 2 CFR part 200. As part of the grant application review process, OIED may conduct a review of an applicant's prior OIED grant(s). Applicants currently under BIA sanction Level 2 or higher resulting from noncompliance with the Single Audit Act are ineligible for a OIED grants. Applicants at Sanction Level 1 will be considered for funding.

Under no circumstances can OIED fund construction or construction related activities.

OIED funding once awarded, must stay in alignment with the approved Statement of Work. Due to the nature of this solicitation and the facilitation of OIED discretionary grant programs, changes to the SOW will not be allowable. Adjustments, as appropriate, will be evaluated at any yearly re-evaluations.

Only one application will be accepted from an eligible entity. Applications should address one cohesive project and any submissions that contain multiple project proposals will not be considered. OIED will apply the same objective ranking criteria to each proposal. NATIVE Act awards may not be used for:

- Sub-awarding to another federal agency;
- Establishing or operating a Tribal office;
- Supplementing employment or income for current positions not significantly and directly involved in the proposed project (e.g., positions like Executive Directors with little to no described involvement in the proposed work); International travel;
- Legal fees;
- Application fees associated with permitting;
- Contract negotiation fees;

Required Indirect Cost Statement to be submitted with Application

All organizations must include the applicable statement from the following list in their application, and attach to their application any documentation identified in the applicable statement:

We are:

- A U.S. state or local government entity receiving more than $35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.
- A U.S. state or local government entity receiving less than $35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.
- A [insert your organization type; U.S. states and local governments, do not use this statement] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: "Attached is a copy of our most recently approved but expired rate agreement. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made." *or* "Attached is a copy of our current negotiated indirect cost rate agreement."]
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date.

- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] against [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs). However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in §2 CFR 200.68]. We understand that we must notify BIA in writing if we establish an approved rate with our cognizant agency at any point during the award period.
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization's indirect rate; must be 10% or higher]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% to be charged against modified total direct project costs as defined in 2 CFR §200.68. We understand that we must notify BIA in writing if we establish a negotiated rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and that such changes are subject to review, negotiation, and prior approval by BIA.
- A [insert your organization type] that is submitting this proposal for consideration under the "Cooperative Ecosystem Studies Unit Network", which has a Department of the Interior-approved indirect cost rate cap of 17.5%. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement per 2 CFR §1402.414. If we do not have an approved indirect cost rate with our cognizant agency, we understand that we must charge indirect costs against the modified total direct cost base defined in 2 CFR §200.68 "Modified Total Direct Cost (MTDC)". We understand that we must request prior approval from BIA to use the 2 CFR 200 MTDC base instead of the base identified in our approved indirect cost rate agreement. We understand that BIA approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR §200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.
- A [insert your organization type] that will charge all costs directly.

Indirect Cost Additional Information

The Applicant must submit a current copy of their signed Indirect Cost Agreement, with all mandatory documents (Budget Narrative, SF-424, SF-424A, etc.) supporting the appropriate application of those negotiated rates.

D7. Other Submission Requirements

UEI and SAMs Vendor Registration

Please make sure that the System for Award Management (SAM) number used to apply is active, not expired, with a current Unique Entity Identifier (UEI) number on the SF-424.

BIA ASAP Registration

Please make sure an active Automated Standard Application for Payment (ASAP) number is provided. Applicants must have an ASAP number and be enrolled with the BIA to be eligible.

E. Application Review Information

E1. Criteria

It is important to review Section *A2. Background, Purpose and Program Requirements* for application segment parameters that lead into the Criteria.

The NATIVE Act is a call to action of the Federal government to identify existing programs, technical assistance and resources that can support tourism capacity building of Indian Tribes, Tribal organizations, and Native Hawaiian organizations to participate fully in the tourism industry. The Federal government will continue to maintain and respect our government – to – government relationship with Tribal governments. The recipient will be engaging in a cooperative agreement with the Office of Indian Economic Development (OIED) through the Division of Economic Development (DED) as identified in the NATIVE Act. A cooperative agreement means that the recipient will work in collaboration with the DED and other entities and organizations with subject matter expertise, as deemed appropriate and necessary by the DED to carry out two broad categories of activities: (1) identify where technical assistance is needed through consultation with Indian tribes, tribal organizations, and Native Hawaiian organizations to empower them to participate fully in the tourism industry; and (2) to identify a means for the delivery of Federal and other technical assistance and facilitate the delivery of assistance in collaboration with the DED, Federal agencies and other entities with subject matter expertise as appropriate. The recipient will also coordinate with the DED to establish metrics and measures to measure the effectiveness of the recipient in strengthening tourism opportunities for Indian tribes, tribal organizations, and Native Hawaiian organizations. The Parties will regularly consult on activities carried out pursuant to the NATIVE Act. Furthermore:

a) The DED will perform periodic organizational assessments of the recipients to include the analysis of effectiveness of websites, staffing, board development, tribal outreach, partnerships, collaborations with academic institutions, etc.
b) The recipient will provide regular reports to the DED for annual reporting to Congress.
c) Additional duties of the Parties include the following:

Criterion 1 – Plan & Outreach **Maximum Points: 20**
The extent to which the proposal demonstrates how to work with DED to develop a comprehensive plan for coordination and outreach to the tribal tourism community, which shall include a process for identifying the needs and issues of the tribal tourism industry. Outreach will include coordination with Federal agencies, tribal organizations, academic institutions, and industry partners.

Criterion 2 – Database **Maximum Points: 20**
The extent to which the proposal demonstrates how to establish and maintain an in-depth database of existing tribal and Native Hawaiian tourism program representatives and programs as a federal resource to inform program and resource development and delivery.

Criterion 3 – Communication **Maximum Points: 20**
The extent to which the proposal demonstrates how to support Federal Government-to-Government communications with tribal leaders on tourism related issues by providing database, reports on effective outreach, and other pertinent information as may be requested by the DED.

Criterion 4 – Collaboration **Maximum Points: 20**
The extent to which the proposal demonstrates how to work in collaboration with, and in support of, the DED and other entities and organizations with distinctive experience, as deemed appropriate and necessary by the DED, to develop a plan for the delivery, facilitation and coordination of technical assistance and resources to Indian tribes, tribal organizations and businesses, and Native Hawaiian organizations. The Bureau will also engage with additional expertise and resources to carry out the intent of the NATIVE Act as needed.

Criterion 5 – Technical Assistance **Maximum Points: 20**
The extent to which the proposal demonstrates how to provide supplemental facilitation of federal resources and technical assistance to Indian tribes, tribal organizations, and Native Hawaiian organizations including opportunities that support projects which integrate federal assets and tribal/Native Hawaiian heritage.

Qualified recipient will demonstrate past performance working with and understanding Federal funding regulations and policies. This shall include developing workplans, budgets, travel plans, metrics, reporting, audits and organizational staffing plans.

E2. Review and Selection Process

Prior to award, the program will review any applicant statement regarding potential overlap or duplication between the project to be funded and any other funded or proposed project in terms of activities, funding, or time commitment of key personnel. Depending on the circumstances, the program may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or the BIA may choose not to fund the selected project.

The program may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the BIA is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program may use that determination as a basis for making an award to another applicant.

Prior to award, the program will evaluate the risk posed by applicants as required in 2 CFR 200.205. Programs document applicant risk evaluations using the BIA's "Financial Assistance Recipient Risk Assessment" form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently $250,000), the BIA is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The BIA will consider this information when completing the risk review. The BIA uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in 2 CFR 200.207 should be applied the award.

Upon receiving an application, OIED will determine whether the application is complete and that the proposed project does not duplicate or overlap previous or currently funded OIED projects. Any proposal that is received after the date and time in Section *D4. Submission Dates and Times* of this notice will not be reviewed. OIED will utilize the GrantSolutions Application Review Module, comprised of non-federal personnel, to evaluate the proposals against the ranking criteria. Proposals will be evaluated using the criteria listed below, with a maximum achievable total of 100 points.

- Criterion 1 – Plan & Outreach — Maximum Points: 20
- Criterion 2 – Database — Maximum Points: 20
- Criterion 3 – Communication — Maximum Points: 20
- Criterion 4 – Collaboration — Maximum Points: 20
- Criterion 5 – Technical Assistance — Maximum Points: 20

Final award selections will be determined by the Director of OIED, as approved by the Assistant Secretary--Indian Affairs and the Associate Deputy Secretary, DOI, or their designee. Applicants not selected for award will be notified in writing and will receive the ARM reviewer scores and comments. Those who are not selected for funding may request a debrief on their application.

E3. CFR – Regulatory Information

See the BIA Award Terms and Conditions for the general administrative and national policy requirements applicable to Service awards. BIA will communicate any other program- or project-specific special terms and conditions to recipients in their notices of award.

E4. Anticipated Announcement and Federal Award Dates

F. Federal Award Administration Information

F1. Federal Award Notices

Upon being selected for the award, successful applicants will receive a notification of the selection of their application for funding. BIA will notify the applicant selected for award by email and public notice. A notice of selection is not an authorization to begin performance on an agreement. This notice will detail the next steps in the awarding process. Once all clearances and reviews have been conducted, a Notice of Award will be issues from GrantSolutions. No work or fund drawdowns can begin prior to the indicated Period of Performance. Once the first drawdown is complete, the Terms and Conditions in the Notice of Award will be binding. No pre-award costs incurred prior to the receipt of a Notice of Award and the Period of Performance will be reimbursed. The Notice of Award is the only authorizing document to begin performance.

Organizations determined to be ineligible, and those applications found to be incomplete, will be notified immediately and will not be included in the consideration for funding by the Objective Review Panel.

F2. Administrative and National Policy Requirements

See the "DOI Standard Terms and Conditions" for the administrative and national policy requirements applicable to DOI awards.

Data Availability

Per the Financial Assistance Interior Regulation (FAIR), 2 CFR §1402.315:

(a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.

(b) The Federal Government has the right to:
   (1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and
   (2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

Potential awardees are encouraged to educate themselves on intellectual property rights and the protection of ownership to language materials, history, music and dance, ceremonies, and other forms of knowledge and cultural practices that originate from Native communities. Moreover, potential recipients are encouraged to learn how such rights may be transferred via contracting with third parties that produce resources, data, and materials developed as a result of OIED funding. OIED is unable to provide legal advice or guidance on this matter.

F3. Reporting

Financial Reports

All recipients must use the SF-425, Federal Financial Report form for financial reporting. At a minimum, all recipients must submit financial reports semi-annually. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports that will be cumulative and at the frequency established in the Notice of Award. The only exception to the interim financial reporting requirement is if the recipient is required to use the SF 270/271 to request payment and requests payment at least once annually through the entire award period of performance. We will describe all financial reporting requirements in the Notice of Award.

The applicant must deliver all products and data required by the Notice of Award for the proposed project to OIED within 30 days of the end of each 6-month period, and 120 days after completion of the project. The reporting periods will be established in the terms and conditions of the Notice of Award.

OIED requires that deliverable products be provided in both digital format and submitted in the GrantSolutions system. Reports can be provided in either Microsoft Word or Adobe Acrobat PDF format. Spreadsheet data can be provided in Microsoft Excel, Microsoft Access, or Adobe PDF formats. All vector figures should be converted to PDF format. Raster images can be provided in PDF, JPEG, TIFF, or any of the Windows metafile formats. Contracts between the grantee and any consultants conducting award activities must include deliverable products and require that the products be prepared in the format described above.

The contract should include budget amounts for all printed and digital copies to be delivered in accordance with their agreement. In addition, the contract must specify that all products generated by a consultant belong to the grantee and cannot be released to the public without the grantee's written approval. Products include, but are not limited to, all reports and technical data obtained, maps, status reports, and the final report.

Performance Reports

Performance reports must contain a comparison of actual accomplishments within the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. At a minimum, all recipients must submit performance reports semi-annually. Final reports are due no later than 120 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.

The applicant must deliver all products and data required by the Notice of Award for the proposed project to OIED within 30 days of the end of each 6-month period, and 120 days after completion of the project. The reporting periods will be established in the terms and conditions of the Notice of Award.

OIED requires that deliverable products be provided in both digital format and submitted in the GrantSolutions system. Reports can be provided in either Microsoft Word or Adobe Acrobat PDF format. Spreadsheet data can be provided in Microsoft Excel, Microsoft Access, or Adobe PDF formats. All vector figures should be converted to PDF format. Raster images can be provided in PDF, JPEG, TIFF, or any of the Windows metafile formats. Contracts between the grantee and any consultants conducting award activities must include deliverable products and require that the products be prepared in the format described above.

The contract should include budget amounts for all printed and digital copies to be delivered in accordance with their agreement. In addition, the contract must specify that all products generated by a consultant belong to the grantee and cannot be released to the public without the grantee's written approval. Products include, but are not limited to, all reports and technical data obtained, maps, status reports, and the final report.

Significant Development Reports

Events may occur between the scheduled performance reporting dates which have significant impact upon the supported activity. In such cases, recipients are required to notify the BIA in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impact the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify BIA in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

Conflict of Interest Disclosures

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the U.S. Office of Government Ethics website for more information on these restrictions. BIA will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, BIA will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies BIA may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of the award.

Other Mandatory Disclosures

The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non- Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including suspension or debarment.

Reporting Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with Appendix XII to 2 CFR 200.

G. Federal Awarding Agency Contact(s)

G1. Program Technical Contact

For **programmatic technical assistance**, contact:

If you have questions regarding the application process, please contact Ms. Jo Ann Metcalfe, Grant Officer, telephone (410) 703-3390; email jo.metcalfe@bia.gov.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

G2. Program Administration Contact

For **program administration assistance**, contact:

If you have questions regarding the application process, please contact Ms. Jo Ann Metcalfe, Grant Officer, telephone (410) 703-3390; email jo.metcalfe@bia.gov.

Individuals in the United States who are deaf, deafblind, hard of hearing, or have a speech disability may dial 711 (TTY, TDD, or TeleBraille) to access telecommunications relay services.

G3. Application System Technical Support

For **Grants.gov technical registration and submission, downloading forms and application packages**, contact:

Grants.gov Customer Support

1-800-518-4726

Support@grants.gov

H. Other Information

Payments

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the BIA program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Bureau will include recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.