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U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is seeking applications for funding under the Tribal Civil and Criminal Legal Assistance (TCCLA) Program. TCCLA provides funding to non-profits and organizations for quality legal assistance targeting members of Indian tribes and tribal justice systems and quality technical assistance to support development and enhancement of tribal justice systems. The goal of TCCLA is to enhance tribal court systems and improve access to civil and criminal court systems. This program furthers the Department's mission by providing assistance to promote the fair and impartial administration of justice at the tribal level.

Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance FY 2015 Competitive Grant Announcement

Eligibility

CATEGORY 1: TRIBAL CIVIL LEGAL ASSISTANCE GRANTS
Applicants in Category 1 are limited to non-profit organizations, as defined by Internal Revenue Code (I.R.C.) § 501(c)(3)), including tribal enterprises and educational institutions (public, private, and tribal colleges and universities), that provide legal assistance services for members of federally recognized Indian tribes pursuant to federal poverty guidelines, Indian tribes, or tribal justice systems. Federal poverty guidelines are updated every year by the U.S. Department of Health and Human Services (http://aspe.hhs.gov/poverty/14poverty.cfm).

CATEGORY 2: TRIBAL CRIMINAL LEGAL ASSISTANCE GRANTS
Applicants in Category 2 are limited to non-profit organizations, as defined by (Internal Revenue Code (I.R.C.) § 501(c)(3)), including tribal enterprises and educational institutions (public, private, and tribal colleges and universities)that provide legal assistance services to eligible individuals pursuant to federal poverty guidelines, federally recognized Indian tribes, or tribal justice systems. Federal poverty guidelines are updated every year by the U.S. Department of Health and Human Services (http://aspe.hhs.gov/poverty/14poverty.cfm)

CATEGORY 3: TRIBAL JUSTICE TRAINING AND TECHNICAL ASSISTANCE
Applicants in Category 3 are limited to national or regional membership organizations and associations whose membership or a membership section consists of judicial system personnel within tribal justice systems.

Tribal justice systems are defined as a federally recognized Indian tribe's entire judicial branch—including traditional methods and forums for dispute resolution, trial courts, appellate courts, inter-tribal courts, alternative dispute resolution systems, and circuit rider systems—established by inherent tribunal authority whether or not they constitute a court of record.

Judicial system personnel are defined as any judge, magistrate, court counselor, court clerk, court administrator, bailiff, probation officer, officer of the court, dispute resolution facilitator, or other official, employee (e.g., tribal defenders and tribal prosecutors), or volunteer within the tribal judicial system.

BJA welcomes applications that involve two or more entities; however, one eligible entity must be the applicant and the others must be proposed subrecipients. The applicant must be the entity with primary responsibility for administering the funding and managing the project/program. Only one application per lead applicant will be considered; however, subrecipients may be part of multiple proposals.

BJA may elect to make awards for applications submitted under this solicitation in future fiscal years, dependent on the merit of the applications and on the availability of appropriations.

For additional eligibility information, see Section C. Eligibility Information.

Deadline

Applicants must register with Grants.gov prior to submitting an application. All applications are due to be submitted and in receipt of a successful validation message in Grants.gov by 11:59 p.m. eastern time on June 9, 2015.

All applicants are encouraged to read this **Important Notice: Applying for Grants in Grants.gov.**

For additional information, see How To Apply in Section D. Application and Submission Information.

Contact Information

For technical assistance with submitting the application, contact the Grants.gov Customer Support Hotline at 800–518–4726 or 606–545–5035 or via e-mail to support@grants.gov. The Grants.gov Support Hotline hours of operation are 24 hours a day, 7 days a week, except federal holidays.

Applicants that experience unforeseen Grants.gov technical issues beyond their control that prevent them from submitting their application by the deadline must e-mail the BJA contact identified below **within 24 hours after the application deadline** and request approval to submit their application. Additional information on reporting technical issues is found under "Experiencing Unforeseen Grants.gov Technical Issues" in the How To Apply section.

For assistance with any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center at 1–800-851-3420, via totty at 301-240-6310 (hearing impaired only); email responsecenter@ncjrs.gov; fax to 301-240-5830; or web chat at https://webcontact.ncjrs.gov/ncjchat/chat.jsp. The NCJRS Response Center hours of operation are 10:00 a.m. to 6:00 p.m. eastern time, Monday through Friday and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date.

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Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance (CFDA #16.815)

A. Program Description

Overview
Authorized by the Indian Tribal Justice Technical and Legal Assistance Act of 2000, Title I (25 U.S.C. 3651, et seq. (Public Law 106-559)), BJA's Tribal Civil and Criminal Legal Assistance (TCCLA) grants enhance tribal justice systems and improve access to those systems. Targeted to non-profit organizations as defined in the eligibility section on the title page, the grants serve to strengthen and improve the representation of low-income tribal members who are litigants in civil causes of action and all indigent defendants in criminal proceedings *under the jurisdiction of Indian tribes*. Finally, a third category funds training and technical assistance (TTA) that supports the development and enhancement of tribal justice systems.

Program-Specific Information
From FY 2010 to 2014, the TCCLA program received congressional appropriations of $11,140,989, less program reductions, combined with $1,638,125 of Tribal Courts Assistance Program funds for a total of $12,779,114. With this sum, BJA made 28 awards: 11 awards in Category 1, Civil Legal Assistance and 11 awards in Category 2, Criminal Legal Assistance were made to 501(c)(3) nonprofits and Indian tribes[1]; and 6 awards in Category 3, TTA were made to national/regional membership organizations.

An overview of grantee activities seeking to improve access to justice in tribal communities reveals remarkable breadth, scope and opportunities for change in tribal communities. For example, grant-funded attorneys represent women in obtaining protection orders in domestic violence cases, assist grandparents who are raising their grandchildren obtain public benefits like Social Security and housing, and secure benefits for returning Native American veterans, aid native veterans.

Grantees of both Category 1 and 2 also focused on legal services other than legal representation of tribal members and other individuals as authorized in Categories 1 and 2, such as code development, training, education, and region-specific projects.

For Category 3, TCCLA TTA resources are open to TCCLA grantees and tribal justice systems, including non-DOJ grantees. The National American Indian Court Judges Association is providing TTA on holistic justice approaches to crime and violence in tribal communities. Visit NAICJA at www.naicja.org for more information. The American Probation and Parole Association (APPA) is providing TTA to tribal justice systems that are implementing the enhanced sentencing authority in the Tribal Law and Order Act. For more information, go to www.appa-net.org/.

Further information about the TCCLA program can be found in "Overview of the Bureau of Justice Assistance's Tribal Civil and Criminal Legal Assistance Program and Resources." This

[1] Awards to Indian tribes were made in FY 2010 and 2011 when Tribal Courts Assistance Program (TCAP) funding was added support TCCLA program. Since 2012, no TCAP funds (now Purpose Area #3, Tribal Justice Systems and Alcohol and Substance Abuse of the Coordinated Tribal Assistance Solicitation) were added.

overview identifies resources and eligibility guidelines for tribes seeking to obtain or provide civil and criminal legal assistance for their communities, explores program sustainment strategies, and outlines several promising practices for the provision of indigent legal assistance in tribal communities.

Goals, Objectives, and Deliverables
The goals of TCCLA are to 1) enhance the operations of tribal justice systems and improve access to those systems, and 2) provide TTA for development and enhancement of tribal justice systems. Related objectives are to provide quality technical and legal assistance and to encourage collaboration among grantees, Indian tribes, and tribal justice communities to enhance the provision of legal services in tribal justice systems. Grantee objectives have included providing procedural justice and enhancing due process in tribal civil and criminal legal procedures, legal infrastructure enhancements, public education, and TTA for the development and enhancement of tribal justice systems.

In Categories 1 and 2, funding may be awarded to 501(c)(3) non-profit organizations to collaborate with tribal justice systems to provide direct legal representation in civil and criminal proceedings under the jurisdiction of Indian tribes. This may include strategies to collaborate with private, public, or tribal colleges and universities to create clinical programs that serve these goals. Clinical programs may also provide legal services to tribes. These services might include code development and legal representation. Programs may also provide assistance to enhance the operation of tribal justice systems in addressing tribal safety issues, such as alternatives to incarceration and enhanced sentencing authority under the Tribal Law and Order Act (TLOA) and special domestic violence criminal jurisdiction under the Violence Against Women Reauthorization Act of 2013 (VAWA).

In Category 3, funding will be used to provide regional and national training to tribal court professionals across the United States. This training can include tools such as a distance learning module for tribal judicial personnel, online tools, and printed information for public education, code development, and the dissemination of training information to help build capacity in tribal justice systems.

Any grantees that have subgrantees will be required to collect and report on TCCLA performance measures for all subgrantees; identify and explain trends from the performance measure data submissions, including data collection practices and assessing subgrantee capacity for reporting during site visits and phone calls; and will make recommendations for improvement.

Tribal Law and Order Act of 2010
Applicants and tribal criminal justice systems are encouraged to review the Indian Civil Rights Act of 1968 (25 U.S.C. 1302), as amended by Section 234 of TLOA (Public Law 111-211). TLOA amendments to the Indian Civil Rights Act provide for enhanced tribal court sentencing authority in criminal cases when tribal courts use qualified judges; set forth additional minimum standards for tribal courts with respect to defendant rights (including the right to effective assistance of qualified counsel); make publicly available tribal criminal codes, rules of evidence, and rules of criminal procedure of the tribal government before charging a defendant; and record the criminal proceedings in which the tribal court invoked TLOA's enhanced sentencing authority. BJA encourages the use of TCCLA resources to assist tribes in the exercise of these new authorities.

Evidence-Based Programs or Practices
OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates
- Integrating evidence into program, practice, and policy decisions within OJP and the field
- Improving the translation of evidence into practice

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The OJP CrimeSolutions.gov web site is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

B. Federal Award Information

BJA estimates that it will make up to five awards for the amounts and project periods indicated below. Applicants may submit their applications under any of the following categories. Applicants should clearly indicate in the abstract under which category they are applying.

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law.
Award Categories

CATEGORY 1: TRIBAL CIVIL LEGAL ASSISTANCE GRANTS. Grant Amount: Up to $875,000 each. Project Period: Up to 24 months. Competition ID: BJA-2015-4219.
BJA anticipates making one or more awards under Category 1. Applicants may request any dollar amount up to $875,000. Applicants requesting funding for projects that serve a small number of tribes are encouraged and should request significantly fewer funds.

Under Category 1, applications are solicited to provide civil legal assistance services for members of Indian tribes pursuant to the federal poverty guidelines, Indian tribes, and tribal justice systems. These services may include guardian ad-litem appointments, court-appointed special advocates, and development and enhancement of tribal court policies, procedures, and code.

CATEGORY 2: TRIBAL CRIMINAL LEGAL ASSISTANCE GRANTS. Grant Amount: Up to $875,000 each. Project Period: Up to 24 months. Competition ID: BJA-2015-4220.
BJA anticipates making one or more awards under Category 2. Applicants may request any dollar amount up to $875,000. Applicants requesting funding for projects that serve a small number of tribes are encouraged and should request significantly fewer funds.

Under Category 2, applications are solicited to provide criminal legal assistance services for low income individuals pursuant to the federal poverty guidelines, Indian tribes, and tribal justice systems. Services may include adult criminal actions, juvenile delinquency actions, and guardian ad-litem appointments arising out of criminal delinquency acts or development and development and enhancement of tribal court policies, procedures, and code.

CATEGORY 3: TRIBAL JUSTICE TRAINING AND TECHNICAL ASSISTANCE. Grant Amount: Up to $500,000. Project Period: Up to 24 months. Competition ID: BJA-2015-4221.

BJA anticipates making one award under Category 3. Resources will support the current TCCLA grantees and subgrantees and, as resources allow, non-DOJ grantees who are federally recognized Indian tribes or their tribal justice systems.

Under Category 3, applications from TTA providers must demonstrate the capacity to:

- Deliver national or regional scope TTA to tribal justice systems.
- Coordinate to ensure no duplication of trainings and work closely with BJA and all DOJ tribal justice system TTA providers.

The selected TTA provider shall provide the following:

- Develop and implement a plan to compile a needs assessment. Develop outreach activities (surveys, meetings, and other innovative activities) to obtain input from TCCLA grantees and tribal justice systems in compiling an informed needs assessment. The needs assessment should incorporate findings from the 2014 National Tribal Courts Survey conducted by the Bureau of Justice Statistics (BJS) and other national studies where tribal justice system-related data exists. The findings from all these activities will guide TTA development and delivery.
- Plan and conduct two training events based on gaps in service currently provided to tribal justice systems. The ideas proposed should not duplicate services already funded, including training provided under BJA's Justice Systems and Alcohol and Substance Abuse program of the Coordinated Tribal Assistance Solicitation and by other TCCLA partners who are offering training on issues including effective advocacy and exercising enhanced sentencing authority. For FY 2015, one of the priorities for BJA, based on feedback from the field, will be to fund TTA on implementing holistic approaches in the representation of tribal members in tribal courts, which could include collaboration between civil and criminal indigent defense and other related services for tribal members to enhance outcomes for clients consistent with the TCCLA program and principles of healing and wellness. One document that might be helpful is DOJ's and the U.S. Department of the interior's Expert Working Group Report: Native American Traditional Practices. Other resources can be found on the BJA web site at: www.bja.gov/ProgramDetails.aspx?Program_ID=88.
- Develop and implement online tools and printed materials to support the trainings outlined in the bullet above. Training and materials described below should include education for the public, tribal members, tribal justice systems, and Indian tribes on legal assistance and Indian Country justice systems and technical assistance (TA) available to grantees in Categories 1 and 2. Training will be developed in conjunction with BJA.
- Provide ongoing TA to TCCLA grantees (awarded in FY 2011 to present) and/or tribal justice systems including at least three onsite assistance visits during the project period. TA formats include, but are not limited to, telephone, distance learning, web-based, written, and/or onsite assistance.

- Develop and disseminate up to three publications to be determined in conjunction with BJA, as well as other program- and training-related materials. One publication will be focused on Alaska Native Tribal Justice Systems, to be coordinated with TCCLA grantees, Alaska Tribal Court Judges Association, and/or the Tanana Chiefs Association who hosts an annual tribal courts conference in Alaska.
- Conduct distance learning training, as appropriate, to complement classroom training.
- Attend and present at national DOJ events providing information on TCCLA and tribal legal assistance activity and opportunities through TCCLA.
- Provide scholarships to support tribes with inadequate resources to attend tribal justice systems trainings, specifically the two trainings that will be provided as deliverables under Category 3.
- Coordinate with the BJA tribal TTA partners, the BJA National Training and Technical Assistance Center, and other partners and federal agencies as appropriate to the projects.

Type of Award[2]
BJA expects that it will make awards from Category 1, Civil Legal Assistance and Category 2, Criminal Legal Assistance of the solicitation in the form of a grant.

BJA expects that it will make all Category 3, Training and Technical Assistance awards from this solicitation in the form of a cooperative agreement, which is a particular type of grant used if BJA expects to have ongoing substantial involvement in award activities. Substantial involvement includes direct oversight and involvement with the grantee organization in implementation of the grant, but does not involve day-to-day project management. See Administrative, National Policy, and other Legal Requirements, under Section F. Federal Award Administration, for details regarding the federal involvement anticipated under an award from this solicitation.

Financial Management and System of Internal Controls
If selected for funding, the award recipient must:

(a) Establish and maintain effective internal control over the federal award that provides reasonable assurance that the non-federal entity is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework", issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).

(b) Comply with federal statutes, regulations, and the terms and conditions of the federal awards.

(c) Evaluate and monitor the non-federal entity's compliance with statute, regulations and the terms and conditions of federal awards.

[2] *See generally* 31 U.S.C. §§ 6301-6305 (defines and describes various forms of federal assistance relationships, including grants and cooperative agreements (a type of grant)).

(d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.

(e) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the non-federal entity considers sensitive consistent with applicable federal, state and local laws regarding privacy and obligations of confidentiality.

In order to better understand administrative requirements and cost principles, award applicants are encouraged to enroll, at no charge, in the Department of Justice Grants Financial Management Online Training available here.

Budget Information

Cost Sharing or Match Requirement
This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

Pre-Agreement Cost Approvals
OJP does not typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. If approved, pre-agreement costs could be paid from grant funds consistent with a grantee's approved budget, and under applicable cost standards. However, all such costs prior to award and prior to approval of the costs are incurred at the sole risk of an applicant. Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs. Should there be extenuating circumstances that appear to be appropriate for OJP's consideration as pre-agreement costs, the applicant should contact the point of contact listed on the title page of this announcement for details on the requirements for submitting a written request for approval. See the section on Costs Requiring Prior Approval in the Financial Guide, for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver
With respect to any award of more than $250,000 made under this solicitation, recipients may not use federal funds to pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent 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.[3] The 2015 salary table for SES employees is available on the Office of Personnel Management web site. Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The Assistant Attorney General (AAG) for OJP may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget.

[3] This limitation on use of award funds does not apply to the non-profit organizations specifically named at Appendix VIII to 2 C.F.R. part 200.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs
OJP strongly encourages applicants that propose to use award funds for any conference-, meeting-, or training-related activity to review carefully—before submitting an application—the OJP policy and guidance on "conference" approval, planning, and reporting available at www.ojp.gov/financialguide/PostawardRequirements/chapter15page1.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most such costs for cooperative agreement recipients and of some such costs for grant recipients; and (3) set cost limits, including a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)
If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section under "Solicitation Requirements" in the OJP Funding Resource Center.

C. Eligibility Information

For additional eligibility information, see Title page.

Cost Sharing or Match Requirement
For additional information on cost sharing and match requirement, see Section B. Federal Award Information.

Limit on Number of Application Submissions
If an applicant submits multiple versions of the same application, BJA will review only the most recent system-validated version submitted. For more information on system-validated versions, see How To Apply.

D. Application and Submission Information

What an Application Should Include
Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of their application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude the recipient from accessing or using award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are determined to be nonresponsive to the scope of the solicitation, or that do not include application elements that BJA has designated to be critical, will neither proceed to peer review nor receive further consideration. Under this solicitation, BJA has designated the following application elements as critical: Project Abstract, Program Narrative, Budget Detail Worksheet, Budget Narrative, Tribal Agreements for Project Services (for Categories 1 and 2 only, if applicable), Project Timeline, Resumes, I.R.S. determination letter recognizing 501(c)(3) tax exempt status and public charity classification, and Memorandums of Understanding. Applicants may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one document, it must contain **both** narrative and detail information. Please review the "Note on File Names and File Types" under How To Apply to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Abstract," "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. Also, OJP recommends that resumes be included in a single file.

1. **Information to Complete the Application for Federal Assistance (SF-424)**
   The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. Grants.gov and OJP's Grant Management System (GMS) take information from the applicant's profile to populate the fields on this form. When selecting "type of applicant," if the applicant is a for-profit entity, select "For-Profit Organization" or "Small Business" (as applicable).

   Intergovernmental Review: This funding opportunity (program) **is not** subject to Executive Order 12372. (In completing the SF-424, applicants are to make the appropriate selection in response to question 19 to indicate that the "Program is not covered by E.O. 12372.")

2. **Project Abstract**
   Applications should include a high-quality "Project Abstract" that summarizes the proposed project in 400 words or less, not to exceed one page. Project abstracts should be—

   - Written for a general public audience
   - Submitted in MS Word
   - Submitted as a separate attachment with "Project Abstract" as part of its file name
   - Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins

   The abstract should provide an overall summary of the project and include the following clearly labeled and delineated:

   - Legal name of applicant, project title,[4] funding requested
   - Identify which category the application is for: Category 1, Civil Legal Assistance, Category 2, Criminal Legal Assistance, or Category 3,Training and Technical Assistance

[4] Title of project should reflect applicants local activity, please do NOT use the "Tribal Civil and Criminal Legal Assistance Program" as your project title. The title is shared within BJA, DOJ, and if warranted publicly (i.e., examples of applications posted to the BJA website). One TCCLA application has been posted in the past.

- Identify the project as legal representation, legal services other than legal representation of tribal members and other individuals as authorized in Categories 1 and 2, or other (provide description)
- Project's purpose, goals, deliverables, outcomes
- Define the target population for the project(s) and jurisdictional context
- Define strategies, program design elements and/or coordination plan used
- For Category 1 and 2 applicants, including subgrantees, identify for each project in the application:
  - Legal representation: number of anticipated new cases, number of tribe(s) served of number of tribes in service area (i.e. 3 tribes of 5 tribes served)
  - Legal services other than legal representation of tribal members and other individuals as authorized in Categories 1 and 2 : number of participants for each project and number of tribe(s) served of number of tribes in service area (3 tribes of 5 tribes served), and / or
  - Other activity: number of participants of the number of tribes, number of tribes served of the number of tribes in service area
- For Category 3 applicants, identify TTA strategy and subcontract agreements with key partners

As a separate attachment, the project abstract will **not** count against the page limit for the program narrative.

3. Program Narrative

The program narrative must respond to the solicitation and Selection Criteria 1-4 listed below in the order given. The program narrative should be double-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins, and should not exceed 15 pages. Number pages "1 of 15," "2 of 15," etc.

If the program narrative fails to comply with these length-related restrictions, BJA may consider such noncompliance in peer review and in final award decisions.

The following sections should be included as part of the program narrative:

a. Statement of the Problem
b. Project Design, Implementation and Sustainment of activity/effort/program
c. Capabilities and Competencies
d. Plan for Collecting the Data Required for this Solicitation's Performance Measures
   To assist the Department with fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111–352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. OJP will require any award recipient, post award, to provide the data requested in the "Data Grantee Provides" column so that OJP can calculate values for the "Performance Measures" column. For Category 1 and 2, award recipients will be required to submit performance metric data quarterly through BJA's online Performance Measurement Tool (PMT) located at www.bjaperformancetools.org. A complete questionnaire with all the required performance measures can be found at www.bjaperformancetools.org/help/TCCLAPerformanceMeasures.pdf. For Category 3, award recipients will be required to submit performance metric data quarterly through

BJA's online Training and Technical Assistance Reporting Portal located at: www.bjatraining.org. Performance measures for this solicitation are as follows:

Objectives	Performance Measure	Data Grantee Provides
Category 3, Objective 1: Increase the knowledge of criminal and tribal justice practitioners through: • In-person training • Web-based learning • Distance learning using CD/DVDs • Developing or revising training curricula	Percentage of in-person or web-based participants who successfully completed the program Percentage of in-person or web-based participants who rated the training as satisfactory or better Percentage of in-person or web-based participants trained and subsequently demonstrated performance improvement Percentage of organizations that rated the training as satisfactory or better Number of curricula developed Number of curricula that were pilot tested Percentage of curricula that were revised after pilot testing	Number of **in-person trainees** who: • Attended each training • Completed each training • Completed an evaluation • Rated the training as satisfactory or better • Completed a pre- and post-test • Had an improved post-test score over their pre-test Number of **web-based trainees** who: • Started the training • Completed the training • Completed an evaluation • Rated the training as satisfactory or better • Completed a pre- and post-test • Had an improved post-test score over their pre-test Number of **organizations** that: • Received CD/ DVDs • Received CD/DVDs that responded to the survey • Rated the CD/DVD as satisfactory or that the CD/DVD met their training needs Number of **training curricula**: • Developed • Pilot tested • Revised after being pilot tested
Category 3, Objective 2: Increase a criminal justice agency's ability to solve problems and/or modify policies or practices	Percentage of agencies that rated services as satisfactory or better Percentage of agencies that implemented one or more recommendations	For the current reporting period: • Number of onsite visits completed • Number of agencies that completed an evaluation of services • Number of agencies that rated the services as satisfactory or better • Number of reports submitted to requesting agencies after onsite visits • Number of requesting agencies that implemented one or more of the report recommendations 6 months after onsite visit

	Percentage of individuals who received peer visits who reported that the visit to the other agency was useful in providing information on policies or practices Percentage of people who received peer visits who implemented one or more policies or practices 6 months after they were observed Percentage of requesting agencies of other onsite services who rated the services provided as satisfactory or better Number of web sites developed Number of web sites maintained Number of publications developed Number of publications disseminated Percentage of resolved calls for assistance	• Number of peer-to-peer visits completed • Number of people who received peer visits who completed an evaluation • Number of people who received peer visits who reported that the visit was useful in providing information on policies or practices • Number of people who received peer visits who implemented one or more policies or practices 6 months after they were observed • Number of people who received peer visits • Number of requesting agencies who completed an evaluation • Number of requesting agencies that rated the services provided as satisfactory or better • Number of web sites developed • Number of web sites maintained • Number of publications developed • Number of publications disseminated • Number of information requests • Number of information requests responded to
Category 3, Objective 3: Increase the dissemination of information to help build capacity in tribal justice systems	Number of conferences or forums held Percentage of advisory/focus groups evaluated as satisfactory or better Number of publications developed Number of publications disseminated Percentage of evaluations rating the materials as satisfactory or better	For the current reporting period: • Number of advisory/focus groups held • Number of advisory/focus group attendees who completed an evaluation • Number of advisory/focus group attendees rated the advisory/focus group as satisfactory or better • Number of documents produced as a result of advisory/focus groups • Number of documents disseminated to the field as a result of advisory/focus groups • Number of evaluations provided • Number of agencies that rated the product as satisfactory or better

	Number of training activities conducted. Percentage of participants who rated the training as satisfactory or better.	• Number of training activities conducted • Number of trainees who completed an evaluation • Number of trainees who rated the training satisfactory or better

BJA does not require applicants to submit performance measures data with their applications. Performance measures are included as an alert that BJA will require successful applicants to submit specific data as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP Funding Resource Center web page (ojp.gov/funding/Explore/SolicitationRequirements/EvidenceResearchEvaluationRequirements.htm). Applicants whose proposals may involve a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that web page.

4. Budget Detail Worksheet and Budget Narrative

a. Budget Detail Worksheet

For Categories 1 and 2, applicants should budget for the costs of travel and accommodations for advocate(s) or attorney(s) to attend two to three trainings during the grant period. Any applicant who has more than 20 subgrantees must budget $15,000 per award for travel resources for training. For Category 3, applicants should budget for the cost of travel and accommodations for staff and speakers to travel to three DOJ-sponsored grant meetings and adequate level of speakers/presenters to travel to TCCLA events.

Applicants who are new grantees are encouraged to budget travel resources for sponsored financial management training, offered regionally. For locations and dates of the trainings, see www.esi-bethesda.com/OJPtraining/registration.html. Applicants who have previously received a grant award from BJA and have participated in this training as part of that previous award are encouraged to take the online version of the training.

Applicants must also budget funding to travel to one 2-day national training sponsored by BJA's TCCLA TTA provider for the Tribal Civil and Criminal Legal Assistance Program. Provide a reasonable best estimate of travel costs.

A sample Budget Detail Worksheet can be found at www.ojp.gov/funding/Apply/Resources/BudgetDetailWorksheet.pdf. Applicants that submit their budget in a different format should include the budget categories listed in the sample budget worksheet.

For questions pertaining to budget and examples of allowable and unallowable costs, see the Financial Guide at www.ojp.gov/financialguide/index.htm.

b. Budget Narrative

The Budget Narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

Applicants should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality. Further, applicants should substantiate the need for all equipment budgeted.

The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

c. Non-Competitive Procurement Contracts In Excess of Simplified Acquisition Threshold

If an applicant proposes to make one or more non-competitive procurements of products or services, where the non-competitive procurement will exceed the simplified acquisition threshold (also known as the small purchase threshold), which is currently set at $150,000, the application should address the considerations outlined in the OJP Financial Guide.

d. Pre-Agreement Cost Approvals

For information on pre-agreement costs, see Section B. Federal Award Information.

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only if the applicant has a federally approved indirect cost rate. (This requirement does not apply to units of local government.) Attach a copy of the federally approved indirect cost rate agreement to the application. Applicants that do not have an approved rate may request one through their cognizant federal agency, which will review all documentation and approve a rate for the applicant organization, or, if the

applicant's accounting system permits, costs may be allocated in the direct cost categories. For the definition of Cognizant Federal Agency, see the "Glossary of Terms" in the Financial Guide. For assistance with identifying your cognizant agency, please contact the Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, obtain information needed to submit an indirect cost rate proposal at http://ojp.gov/funding/Apply/Resources/IndirectCosts.pdf.

5. **Tribal Agreements for Project Services (Categories 1 and 2 only, if applicable)**
Applicants who conduct legal services other than legal representation of tribal members and other individuals as authorized in Categories 1 and 2, and other purposes consistent with this authorization (25 U.S.C. 3651 et seq. (Public Law 106-559)) must submit either:

   1) documentation (such as performance metrics, or founding documents for the organization) to show that the applicant has provided services to tribes or members of tribes that it proposes to serve under the application for at least 7 years, OR
   2) a written agreement, tribal resolution, or equivalent form of legal enactments with each tribe, stating their support for the project and its commitment to participate in the project if it is selected for funding.

   If the document is an agreement and the applicant is unable to submit, with the application, a fully-executed (i.e., signed) copy of appropriate legal documentation as described above, the applicant should, at minimum, submit an unsigned, draft version of such legal documentation as part of its application. If selected for funding, BJA will make use of and access to funds contingent on receipt of the fully-executed legal documentation.

6. **Applicant Disclosure of High Risk Status**
Applicants are to disclose whether they are currently designated high risk by another federal grant making agency. This includes any status requiring additional oversight by the federal agency due to past programmatic or financial concerns. If an applicant is designated high risk by another federal grant making agency, you must email the following information to OJPComplianceReporting@usdoj.gov at the time of application submission:

   - The federal agency that currently designated the applicant as high risk
   - Date the applicant was designated high risk
   - The high risk point of contact name, phone number, and email address, from that federal agency
   - Reasons for the high risk status

   OJP seeks this information to ensure appropriate federal oversight of any grant award. Unlike the Excluded Parties List, this high risk information does not disqualify any organization from receiving an OJP award. However, additional grant oversight may be included, if necessary, in award documentation.

7. **Additional Attachments**

   a. Project Timeline; include a one-page project timeline with tasks and deliverables, expected completion date, and responsible part.

   b. **Resumes:** include resumes or vitae for key positions.

c. I.R.S. Determination Letter: include a copy of the current I.R.S. Determination Letter recognizing the applicant's 501(c)(3) tax exempt status and public charity classification.

d. **Memorandums of Understanding (MOUs):** include MOUs that outline partners' responsibilities.

e. **Emerging Issues:** include a one-page description on regional emerging issues of tribal justice, criminal justice, civil legal assistance or indigent defense services or tribal-state-local-federal intergovernmental collaboration.

f. **Applicant disclosure of pending applications**
Applicants are to disclose whether they have pending applications for federally funded grants or sub grants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation. The disclosure should include both direct applications for federal funding (e.g., applications to federal agencies) and indirect applications for such funding (e.g., applications to state agencies that will subaward federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- The federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

SAMPLE

Applicants should include the table as a separate attachment, with the file name "Disclosure of Pending Applications," to their application. Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page (e.g., "[Applicant Name on SF-424] does not have pending applications submitted within the last 12 months for federally funded grants or sub grants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.").

8. **Financial Management and System of Internal Controls Questionnaire**
   In accordance with 2 CFR 200.205, federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a federal award. To facilitate part of this risk evaluation, **all** applicants (other than an individual) are to download, complete, and submit this form.

9. **Disclosure of Lobbying Activities**
   All applicants must complete this information. Applicants that expend any funds for lobbying activities are to provide the detailed information requested on the form Disclosure of Lobbying Activities (SF-LLL). Applicants that do not expend any funds for lobbying activities are to enter "N/A" in the text boxes for item 10 ("a. Name and Address of Lobbying Registrant" and "b. Individuals Performing Services").

How To Apply

Applicants must register in, and submit applications through Grants.gov, a "one-stop storefront" to find federal funding opportunities and apply for funding. Find complete instructions on how to register and submit an application at www.Grants.gov. Applicants that experience technical difficulties during this process should call the Grants.gov Customer Support Hotline at **800-518-4726** or **606–545–5035**, 24 hours a day, 7 days a week, except federal holidays. Registering with Grants.gov is a one-time process; however, **processing delays may occur, and it can take several weeks** for first-time registrants to receive confirmation and a user password. OJP encourages applicants to **register several weeks before** the application submission deadline. In addition, OJP urges applicants to submit applications 72 hours prior to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

BJA strongly encourages all prospective applicants to sign up for Grants.gov email notifications regarding this solicitation. If this solicitation is cancelled or modified, individuals who sign up with Grants.gov for email updates will be notified.

Note on File Names and File Types: Grants.gov only permits the use of certain specific characters in names of attachment files. Valid file names may include only the characters shown in the table below. Grants.gov is designed to reject any application that includes an attachment(s) with a file name that contains any characters not shown in the table below.

Characters	Special Characters		
Upper case (A – Z)	Parenthesis ( )	Curly braces { }	Square brackets [ ]
Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Underscore (__)	Comma (,)	Semicolon (;)	Apostrophe (')
Hyphen (-)	At sign (@)	Number sign (#)	Dollar sign ($)
Space	Percent sign (%)	Plus sign (+)	Equal sign (=)
Period (.)	**When using the ampersand (&) in XML, applicants must use the "&" format.**		

Grants.gov is designed to forward successfully submitted applications to OJP's Grants Management System (GMS).

GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com," ".bat," ".exe," ".vbs," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip." GMS may reject applications

with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

All applicants are required to complete the following steps:

OJP may not make a federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time the federal awarding agency is ready to make a federal award, the federal awarding agency may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their applications for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The identifier is used to for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866–705–5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

2. **Acquire registration with the System for Award Management (SAM). SAM replaces the Central Contractor Registration (CCR) database** as the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires all applicants (other than individuals) for federal financial assistance to maintain current registrations in the SAM database. Applicants must be registered in SAM to successfully register in Grants.gov. Applicants must **update or renew their SAM registration annually** to maintain an active status.

   Applications cannot be successfully submitted in Grants.gov until Grants.gov receives the SAM registration information. **The information transfer from SAM to Grants.gov can take up to 48 hours.** OJP recommends that the applicant register or renew registration with SAM as early as possible.

   Information about SAM registration procedures can be accessed at www.sam.gov.

3. **Acquire an Authorized Organization Representative (AOR) and a Grants.gov username and password**. Complete the AOR profile on Grants.gov and create a username and password. The applicant organization's DUNS number must be used to complete this step. For more information about the registration process, go to www.grants.gov/web/grants/register.html.

4. **Acquire confirmation for the AOR from the E-Business Point of Contact (E-Biz POC).** The E-Biz POC at the applicant organization must log into Grants.gov to confirm the applicant organization's AOR. Note that an organization can have more than one AOR.

5. **Search for the funding opportunity on Grants.gov.** Use the following identifying information when searching for the funding opportunity on Grants.gov. The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.815, titled "Tribal Civil

and Criminal Legal Assistance Grants, Training, and Technical Assistance*"* and the funding opportunity number is BJA-2015-4218.

6. **Select the correct Competition ID.** Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If applying to a solicitation with multiple Competition IDs, select the appropriate Competition ID for the intended purpose area of the application.

7. **Submit an application consistent with this solicitation by following the directions in Grants.gov.** Within 24–48 hours after submitting the electronic application, the applicant should receive two notifications from Grants.gov. The first will confirm the receipt of the application and the second will state whether the application has been successfully validated, or rejected due to errors, with an explanation. It is possible to first receive a message indicating that the application is received and then receive a rejection notice a few minutes or hours later. Submitting well ahead of the deadline provides time to correct the problem(s) that caused the rejection. **Important:** OJP urges applicants to submit applications **at least 72 hours prior** to the application due date to allow time to receive validation messages or rejection notifications from Grants.gov, and to correct in a timely fashion any problems that may have caused a rejection notification.

   Click here for further details on DUNS, SAM, and Grants.gov registration steps and timeframes.

Note: Duplicate Applications
If an applicant submits multiple versions of an application, BJA will review only the most recent system-validated version submitted. See Note on File Names and File Types under How To Apply.

Experiencing Unforeseen Grants.gov Technical Issues
Applicants that experience unforeseen Grants.gov technical issues beyond their control that prevent them from submitting their application by the deadline must contact the Grants.gov Customer Support Hotline or the SAM Help Desk to report the technical issue and receive a tracking number. Then applicant must e-mail the BJA contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** and request approval to submit their application. The e-mail must describe the technical difficulties, and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any Grants.gov Help Desk or SAM tracking number(s). **Note: BJA *does not* automatically approve requests*.*** After the program office reviews the submission, and contacts the Grants.gov or SAM Help Desks to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the applicant failed to follow all required procedures, which resulted in an untimely application submission, OJP will deny the applicant's request to submit their application.

The following conditions are generally insufficient to justify late submissions:
- Failure to register in SAM or Grants.gov in sufficient time
- Failure to follow Grants.gov instructions on how to register and apply as posted on its web site
- Failure to follow each instruction in the OJP solicitation

- Technical issues with the applicant's computer or information technology environment, including firewalls.

Notifications regarding known technical problems with Grants.gov, if any, are posted at the top of the OJP funding web page at
www.ojp.gov/funding/Explore/CurrentFundingOpportunities.htm**.**

E. Application Review Information

Selection Criteria
The following five selection criteria will be used to peer review each application, with the different weight given to each based on the percentage value listed after each individual criterion. For example, the first criterion, "Statement of the Problem," is worth 20 percent of the entire score in the application review process.

1. **Statement of the Problem (20 percent)**
   For Category 1, Civil Legal Assistance and 2, Criminal Legal Assistance applicants:
   - Demonstrate an understanding of the complex issues confronting Indian tribes and tribal justice systems and access to legal assistance in tribal communities and native villages. Summarize findings using current and relevant research, evaluation, and statistics. Data sources may be applicant's own data (i.e., needs assessment) and/or federal agency data (i.e., BJS, National Institute of Justice (NIJ), BJA, or Access to Justice or other published sources).
   - Clearly define the scope of the problem that the proposed project seeks to impact.
   - Describe the size and demographic makeup of the population that will be candidates for proposed services. Include how the applicant determines which Indian tribe(s) receive services in their respective service area. Identify the number of tribes in your service area.
   - Describe past legal service (civil, criminal, training, and technical assistance) activities and outcomes, innovative and cost effective strategies used, and coordination/ collaboration initiatives which assisted the applicant to strengthen and improve representation of low income individuals in civil causes of action and indigent defendants in criminal proceedings, and support the development and enhancement of tribal justice systems.

   For Category 3, TTA applicants:
   - Demonstrate an understanding of the complex legal and jurisdictional issues confronting tribal justice systems and access to legal assistance experienced by low income individuals and families. Identify challenges for resources to sustain fair and impartial administration of justice in tribal justice systems. Discuss the need for tribal capacity development, enhancement of tribal justice systems, and access or improvement of civil and criminal legal assistance of Indian tribes and related organizations.
   - Clearly define the scope of the problem that the proposed project seeks to impact. Discuss the breadth and depth of the problems.
   - Identify targeted audiences; include TCCLA grantees, tribal justice system, and others. Describe the size and demographic makeup of the population that will be candidates for proposed services. Include how the applicant determines which Indian tribe(s) receive services in their respective service area.

2. Project Design and Implementation (30 percent)

For Category 1, Civil Legal Assistance and 2, Criminal Legal Assistance applicants:

- Identify your application activity (i.e., legal representation, legal services other than legal representation of tribal members and other individuals as authorized in Categories 1 and 2, other) and describe your proposed project.
- Describe the goal(s), objectives, deliverables, and outcomes to effectively develop, implement, and sustain the project. Describe your practical sustainment strategies and how it will be implemented. Identify project status: planning, implementation, or expansion/enhancement phase. In the description, provide an estimate of the number of new cases to be opened and/or the number of project services.
- Identify anticipated litigants and/or clients including Indian tribes and tribal justice systems, if appropriate. For Category 2, tribal members and non-Indian indigent defendants, Indian tribes, and tribal justice systems are eligible for services. Include how prioritization and selections will be made to determine where to focus resources among the eligible tribes, then identify which tribes and/or members of which tribes will be served with federal resources.
- Describe your strategy for communicating expectations for services.
- Describe the expected outcomes of proposed project. Include a plan on collection of client satisfaction surveys and strategies to increase volume of completed surveys.
- Describe a plan for assessing your, and any subgrantees, project's TTA needs. Describe your plan to educate entry-level personnel on working effectively with tribes and tribal justice systems.
- Describe how the applicant anticipates the project's implementation will improve the effectiveness and efficiency of the delivery of services.
- Discuss the establishment of an advisory committee that regularly convenes tribal leadership, legal service organizations, civil legal aid offices, and tribal public defenders with the goal of fostering collaboration and cooperation and minimizing duplication. Include how the committee's input helps or hurts the project, timing and deliverables.

For Category 3, TTA applicants:

- Describe a plan for assessing TTA needs. Consider additional sources (i.e., BJS data collection or NIJ tribal research and evaluation portfolio) or practices to further inform assessing TTA needs.
- Describe the goals, objectives, deliverables, and outcomes needed to effectively assist TCCLA grantees and tribal justice systems. See pages 6-8 for list of deliverables and BJA's priorities. Include a sentence that the applicant is not duplicating existing training(s) and TA provided by other DOJ tribal TTA providers (see www.justice.gov/tribal/training-and-technical-assistance).
- Summarize the research/evaluation base for strategies, practices and models, and indigenous justice practices and other emerging practices which you propose to use.
- Describe how TTA will be provided and include a description of how you will coordinate with BJA. Discuss the varied TTA for grantees focusing on project implementation, scope creep, and performance and for tribal justice systems which will depend on requests. If a collaborative team will provide TTA, describe how the team will develop and implement plans and provide TTA including coordination on matters such as publication planning, development, and review.
- Describe a communication plan to inform TCCLA grantees, BJA tribal grantees, and other interested tribal justice systems on availability of TTA.
- Describe a plan to develop a process to assess, review, and approve TA requests.

- Describe a plan to collaborate with other BJA and DOJ TTA partners to assist BJA with Tribal-State-Local and Intergovernmental Collaboration activities, which includes attending quarterly meetings, sharing information among subject matter experts, and contributing toward publication development.
- Include a plan for participating in BJA's quarterly tribal-state-local intergovernmental collaboration team meeting, which identifies deliverables to use in coordination of intergovernmental collaboration projects and discusses coordination of resources to address needs identified in TA requests received from tribes or tribal justice systems.

3. **Capabilities and Competencies (30 percent)**

For Categories 1, Civil Legal Assistance and 2, Criminal Legal Assistance applicants:

- Describe the management structure, project staffing, and grant/cooperative agreement coordinator.
- Demonstrate the capability of current project staff to implement this project and work in tribal communities and villages.
- Provide personnel and subcontractors who meet both criteria below:
  A) subject matter expertise and educational credentials and
  B) either 1) *demonstrated experience* in tribal government, law enforcement or tribal justice systems, federal-tribal-state relations and intergovernmental protocols, tribal culture and community dynamics, community relations or protocols including tribal colleges and universities, and working knowledge of the federal trust responsibility and Indian law; or 2) for entry-level positions, training on working effectively with Indian tribes and the study of the current tribe(s) and tribal justice system(s) in the service area.

For Category 3, TTA applicants:

- Describe the management structure, project staffing, and grant/cooperative agreement coordinator. Include proposed project's key position descriptions.
- Describe the applicant's and staff expertise in offering TTA to TCCLA grantees and tribal justice systems. Demonstrate the applicant's ability to provide culturally competent curricula based on adult learning theory.
- Describe the applicant's ability to provide proactive, comprehensive, culturally appropriate, user-friendly TTA. Describe protocols for the assessment and delivery of TA. Provide examples of both successful and unsuccessful efforts to provide training sessions, tools developed, distance learning, and onsite TA visits.
- Provide personnel and subcontractors who meet both criteria below:
  A) subject matter expertise and educational credentials and
  B) *demonstrated experience* in tribal government, law enforcement and tribal justice systems and services, federal-tribal-state relations and intergovernmental protocols, tribal culture and community dynamics, community relations or protocols including tribal colleges and universities, and working knowledge of the federal trust responsibility.
- Describe the organization's membership or membership section which should consist of judicial system personnel within tribal justice systems. Identify how many judges, prosecutors, probation officers, public defenders, and others are from Indian tribes, tribal organizations (i.e., Indian Legal Services), and state, local and federal agencies, and identify a total number of the membership/membership section. Describe how this membership section participates in either providing information for TA activities or provides the actual services or other activity.

- Describe your organization's experience in helping a tribal-state-local intergovernmental collaboration project. The applicant will be expected to participate in BJA's tribal-state-local intergovernmental collaboration team and provide TA when requested.
- Develop uniform protocols to assess and deliver TA, monitor implementation, evaluate services, and follow-up with requestors.
- List all partners, consultants, and provide their resumes.

4. Plan for Collecting the Data Required for this Solicitation's Performance Measures (10 percent)

For all applicants:

- Describe the process for measuring project performance, including meeting timelines and deliverables, and obtaining input and feedback from customers and stakeholders.
- Identify who will collect and report the data, who is responsible for performance measures, how the data will be stored, how any personally identifiable information (PII) will be protected, and how the information will be used to guide the program. Award recipients will be required to report the performance measures in BJA's online Performance Measurement Tool (PMT) or the TTA Reporting Portal.

5. Budget (10 percent)

For all applicants:

- Provide a budget that is complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities). Budget narratives should demonstrate how applicants will maximize cost effectiveness of grant expenditures. Budget narratives should demonstrate cost effectiveness in relation to potential alternatives and the goals of the project.[5]
- The budget must support the strategies and approaches outlined in the project design, and include a narrative to describe the expenditures under each cost area and how it will contribute to the overall program goals.
- Provide budget details and narrative on subcontract agreements with all key partners confirming their work commitment and involvement with the proposed work, if the applicant is awarded.
- Refer to the additional Budget and Budget Narrative requirements on pages 12-13 for more detailed information.

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation.

Peer reviewers will review the applications submitted under this solicitation that meet basic minimum requirements. For purposes of assessing whether applicants have met basic minimum requirements, OJP screens applications for compliance with specified program requirements to help determine which applications should proceed to further consideration for award. Although program requirements may vary, the following are common requirements applicable to all solicitations for funding under OJP grant programs:

- Applications must be submitted by an eligible type of applicant

[5] Generally speaking, a reasonable cost is a cost that if, in its nature or amount, does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the costs.

- Applications must request funding within programmatic funding constraints (if applicable)
- Applications must be responsive to the scope of the solicitation
- Applications must include all items designated as "critical elements"
- Applicants will be checked against the General Services Administration's Excluded Parties List

For a list of critical elements, see "What an Application Should Include" under Section D. Application and Submission Information.

BJA may use either internal peer reviewers, external peer reviewers, or a combination to assess applications meeting basic minimum requirements on technical merit using the solicitation's selection criteria. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is not a current DOJ employee. An internal reviewer is a current DOJ employee who is well-versed or has expertise in the subject matter of this solicitation. A peer review panel will evaluate, score, and rate applications that meet basic minimum requirements. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations for award recommendations and decisions may include, but are not limited to, underserved populations, geographic diversity, strategic priorities, past performance under prior BJA and OJP awards, and available funding.

OJP reviews applications for potential discretionary awards to evaluate the risks posed by applicants before they receive an award. This review may include but is not limited to the following:

1. Financial stability and fiscal integrity
2. Quality of management systems and ability to meet the management standards prescribed in the Financial Guide
3. History of performance
4. Reports and findings from audits
5. The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities
6. Proposed costs to determine if the Budget Detail Worksheet and Budget Narrative accurately explain project costs, and whether those costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the Assistant Attorney General, in consultation with the DOJ Office of Tribal Justice, who also may consider factors including, but not limited to, peer review ratings, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

F. Federal Award Administration

Federal Award Notices
OJP award notification will be sent from GMS. Recipients will be required to log in; accept any outstanding assurances and certifications on the award; designate a financial point of contact; and review, sign, and accept the award. The award acceptance process involves physical

signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

Administrative, National Policy, and other Legal Requirements
If selected for funding, in addition to implementing the funded project consistent with the agency-approved project proposal and budget, the recipient must comply with award terms and conditions, and other legal requirements, including but not limited to OMB, DOJ or other federal regulations which will be included in the award, incorporated into the award by reference, or are otherwise applicable to the award. OJP strongly encourages prospective applicants to review the information pertaining to these requirements **prior** to submitting an application. To assist applicants and recipients in accessing and reviewing this information, OJP has placed pertinent information on its Solicitation Requirements page of the OJP Funding Resource Center.

Please note in particular the following two forms, which applicants must accept in GMS prior to the receipt of any award funds, as each details legal requirements with which applicants must provide specific assurances and certifications of compliance. Applicants may view these forms in the Apply section of the OJP Funding Resource Center and are strongly encouraged to review and consider them carefully prior to making an application for OJP grant funds.

- Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

- Standard Assurances

Upon grant approval, OJP electronically transmits (via GMS) the award document to the prospective award recipient. In addition to other award information, the award document contains award terms and conditions that specify national policy requirements[6] with which recipients of federal funding must comply; uniform administrative requirements, cost principles, and audit requirements; and program-specific terms and conditions required based on applicable program (statutory) authority or requirements set forth in OJP solicitations and program announcements, and other requirements which may be attached to appropriated funding. For example, certain efforts may call for special requirements, terms, or conditions relating to intellectual property, data/information-sharing or -access, or information security; or audit requirements, expenditures and milestones, or publications and/or press releases. OJP also may place additional terms and conditions on an award based on its risk assessment of the applicant, or for other reasons it determines necessary to fulfill the goals and objectives of the program.

Prospective applicants may access and review the text of mandatory conditions OJP includes in all OJP awards, as well as the text of certain other conditions, such as administrative conditions, via Mandatory Award Terms and Conditions page of the OJP Funding Resource Center.

As stated above, BJA anticipates that it will make any award from Category 3 of this announcement in the form of a cooperative agreement. Cooperative agreement awards include standard “federal involvement” conditions that describe the general allocation of responsibility for execution of the funded program. Generally-stated, under cooperative agreement awards,

[6] *See generally* 2 C.F.R. 200.300 (provides a general description of national policy requirements typically applicable to recipients of federal awards, including the Federal Funding Accountability and Transparency Act of 2006 (FFATA).

responsibility for the day-to-day conduct of the funded project rests with the recipient in implementing the funded and approved proposal and budget, and the award terms and conditions. Responsibility for oversight and redirection of the project, if necessary, rests with BJA.

In addition to any "federal involvement" condition(s), OJP cooperative agreement awards include a special condition specifying certain reporting requirements required in connection with conferences, meetings, retreats, seminars, symposium, training activities, or similar events funded under the award, consistent with OJP policy and guidance on conference approval, planning, and reporting.

General Information about Post-Federal Award Reporting Requirements
Recipients must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with 2 CFR Part 200. Future awards and fund drawdowns may be withheld if reports are delinquent.

Special Reporting requirements may be required by OJP depending on the statutory, legislative or administrative obligations of the recipient or the program.

G. Federal Awarding Agency Contact(s)

For additional Federal Awarding Agency Contact(s), see the Title page.

For additional contact information for Grants.gov, see the Title page.

H. Other Information

Provide Feedback to OJP on This Solicitation
To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, the application submission process, and/or the application review/peer review process. Feedback may be provided to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. Replies are **not** sent from this mailbox. If you have specific questions on any program or technical aspect of the solicitation, **you must** directly contact the appropriate number or email listed on the front of this solicitation document. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your resume to ojppeerreview@lmbps.com. The OJP Solicitation Feedback email account will not forward your resume. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization have submitted an application.

Application Checklist

FY 2015 Tribal Civil and Criminal Legal Assistance Grants, Training, and Technical Assistance

This application checklist has been created to assist in developing an application.

What an Applicant Should Do: Grants.gov

Prior to Registering in Grants.gov:
_____ Acquire a DUNS Number (see page 20*)*
_____ Acquire or renew registration with SAM (see page 20)
To Register with Grants.gov:
_____ Acquire AOR and Grants.gov username/password (see page 20)
_____ Acquire AOR confirmation from the E-Biz POC (see page 20*)*
To Find Funding Opportunity:
_____ Search for the Funding Opportunity on Grants.gov (see page 20*)*
_____ Select the correct Competition ID (see page 21*)*
_____ Download Funding Opportunity and Application Package (see page 21)
_____ Sign up for Grants.gov email notifications (optional) (see page 19)
_____ Read Important Notice: Applying for Grants in Grants.gov
After application submission, *receive Grants.gov email notifications that:*
_____(1) application has been received,
_____(2) application has either been successfully validated or rejected with errors (see page 21)
If no Grants.gov receipt, and validation or error notifications are received:
_____ contact the NCJRS Response Center regarding experiencing technical difficulties (see page 21)

General Requirements:

_____ Review the Solicitation Requirements in the OJP Funding Resource Center.

Scope Requirement:

The federal amount requested is within the allowable limit(s) of-
_____$875,000 Category 1, Civil Legal Assistance or Category 2, Criminal legal Assistance
_____$500,000 Category 3, Training and Technical Assistance

Eligibility Requirement: See title page.

What an Application Should Include:

_____ Application for Federal Assistance (SF-424) (see page 11)
_____ *Project Abstract (see page11)
_____ *Program Narrative (see page 12)
_____ *Budget Detail Worksheet (see page 12*)*
_____ *Budget Narrative (see page 13)
_____ Employee Compensation Waiver request and justification (if applicable) (see page 9)
_____ Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/PostawardRequirements/chapter15page1.htm

(see page 10)
_____ Disclosure of Lobbying Activities (SF-LLL) (see page 19)
_____ Indirect Cost Rate Agreement (if applicable) (see page 16)
_____ *Tribal Agreements (if applicable) (see page 17)
_____ Applicant Disclosure of High Risk Status (see page 17)
_____ Additional Attachments (see page 17)
_____*Project Timeline
_____*Resumes/Curriculum Vitae
_____*I.R.S. Determination Letter Recognizing the Applicants 501(c)(3) tax exempt status
_____*MOUs
_____Emerging Issues in Indian Country
_____ Applicant Disclosure of Pending Applications see page 20)
_____ Financial Management and System of Internal Controls Questionnaire (if applicable) (see page 19)

*** Note:** These elements are the basic minimum requirements for applications. Applications that do not include these elements shall neither proceed to peer review nor receive further consideration by BJA.