



Tribal Courts Assistance Program: FY 2005 Competitive Grant Announcement

Eligibility

Applicants are limited to federally recognized tribal governments, including Alaska Native villages and corporations, and authorized intertribal consortia. Recipients of prior year BJA tribal court planning grants are only eligible to compete under Category III—Enhancing or Continuing the Operation of Tribal Courts.

GMS Application Submission Deadline: January 27, 2005

**This deadline is firm and will not be extended.
Document upload can be time consuming; please plan accordingly.**

Table of Contents

About OJP	1
About BJA	1
About the Tribal Courts Assistance Program	1
Background	1
FY 2005 Tribal Court Assistance Program	2
Eligibility	3
Match Requirement.....	3
Amount and Length of Awards.....	3
Review Process	4
How To Apply	5
Attachments	8
Budget Detail Worksheet (Attachment #1)	8
Program Narrative (Attachment #2)	9
Other Program Attachments (Attachment #3)	9
Selection Criteria	10
Selection Criteria for Categories I and II	10
Selection Criteria for Category III.....	11
Performance Measures.....	12
Submission Deadline	13
Other Requirements	14
Purchase of American-Made Equipment and Products.....	14
Civil Rights Compliance	14
Limited English Proficiency.....	14
Faith-Based and Community Organizations.....	14
Anti-Lobbying Act	15
Confidentiality and Human Subjects Protection	15
Evaluation.....	15
Additional Information	16

About OJP

The Office of Justice Programs (OJP), U.S. Department of Justice (DOJ), was created in 1984 to provide federal leadership in developing the nation's capacity to prevent and control crime, administer justice, and assist crime victims. OJP carries out this mission by forming partnerships with other federal, state, and local agencies, as well as national and community-based organizations. OJP is dedicated to comprehensive approaches that empower communities to address crime, break the cycle of substance abuse and crime, combat family violence, address youth crime, hold offenders accountable, protect and support crime victims, enhance law enforcement initiatives, and support advancements in adjudication. OJP also works to reduce crime in Indian Country, enhance technology's use within the criminal and juvenile justice systems, and support state and local efforts through technical assistance and training.

OJP administers more than \$100 million in grants to Indian Country. These programs help tribal governments address issues involving crime, violence, and substance abuse in their communities. OJP's American Indian and Alaska Native Affairs Desk and DOJ's Office of Tribal Justice (OTJ) work to secure resources to improve law enforcement and justice systems on tribal lands.

About BJA

The Bureau of Justice Assistance (BJA), a component of the Office of Justice Programs, U.S. Department of Justice, supports innovative programs that strengthen the nation's criminal justice system. Its primary mission is to provide leadership and a range of assistance to local criminal justice strategies to make America's communities safer. BJA accomplishes this mission by providing funding, training, technical assistance, and information to state and community criminal justice programs and by emphasizing the coordination of federal, state, and local efforts. BJA's specific goals are to help communities reduce and prevent crime, violence, and drug abuse and to improve the functioning of the criminal justice system.

BJA will work with OJP's American Indian and Alaska Native Affairs Desk, OTJ, and other federal agencies and culturally appropriate organizations to maintain focus with the field and to ensure that the program's goals and objectives are achieved.

About the Tribal Courts Assistance Program

Background

BJA's Tribal Courts Assistance Program (TCAP) is one of the U.S. Department of Justice's primary initiatives for providing court-related support to tribal justice systems. Since fiscal year (FY) 1999, BJA has awarded 259 grants to federally recognized American Indian and Alaska Native communities through a highly competitive process.

TCAP's goal is to develop new tribal courts, improve the operations of existing tribal courts, and provide funding for technical assistance and training of tribal court staff. The objective in reaching this goal is to help tribal governments develop, enhance, and continue the operation of tribal judicial systems, including intertribal court systems.

Both onsite and offsite technical assistance and training is available to all grantees. Technical assistance also is provided to help grantees develop program goals and measure how well these goals are being met.

Contact information and a training calendar for BJA's Tribal Courts Assistance Program can be found on the National Tribal Justice Resource Center's web site (www.tribalresourcecenter.org).

FY 2005 Tribal Courts Assistance Program

Funding under this competitive grant announcement is contingent on the availability and amount of FY 2005 funding for the Tribal Courts Assistance Program.

There are three separate categories for which federally recognized tribes may apply:

- **Category I—Planning and Implementing an Intertribal Court System for Smaller Service Populations.** Applications are sought from consortia of tribal governments (at least two per consortium), each of which serves a population of less than 1,000 people, to plan, develop, and implement a tribal court system where none currently exists. This category focuses on smaller tribes, located contiguous to or near other tribal governments, for which the creation of an intertribal court is economically and administratively feasible. Grant funds may be used to facilitate the development and initial implementation of an intertribal court system that will be designed to meet the needs of more than one tribe in the same geographic region.

Distances of several hundred miles separating tribes and rugged or inhospitable terrain can adversely affect the development of a collaborative partnership by making it logistically too difficult or economically unfeasible to establish an intertribal court. In these severe circumstances, and given that a tribal government can succinctly justify such hardships and incorporate this information into its application under the problem definition section of its program narrative (see Selection Criteria), such a tribe may apply as a single entity.

- **Category II—Planning and Implementing a Single-Tribe Court System.** Applications are sought from tribal governments that serve a population equal to or greater than 1,000 people for the development and initial implementation of a tribal court that will meet their needs. Tribal governments may apply for grant funds to facilitate the development and initial implementation of a tribal court system where none currently exists.
- **Category III—Enhancing or Continuing the Operation of Tribal Courts.** Applications are sought from tribal communities, regardless of the size of their service populations, to enhance or continue the operation of existing tribal courts. Initiatives may include, but are not limited to, establishing a core structure for a tribal court, improving case management, training court personnel, developing code, acquiring additional equipment and software, enhancing prosecution and indigent defense, supporting probation diversion and alternative sentencing programs, accessing services, focusing on juvenile services and multidisciplinary protocols for victims of child physical and sexual abuse, and structuring intertribal or tribal appellate systems.

If a tribal government is a member of an intertribal consortium that submits an application, it may NOT submit an individual application or an application as part of a different consortium.

Eligibility

The following eligibility criteria apply:

- Applicants are limited to federally recognized tribal governments, including Alaska Native villages and corporations, and authorized intertribal consortia (see 25 U.S.C. § 450b[e]).
- Under this solicitation, a tribal government or intertribal consortium may submit only one application (i.e., a tribal government may not be a part of two applications. For example, a tribal government that is part of an intertribal consortium may NOT also submit an application for its own court.).
- Only one tribal government may serve as the applicant agency for an intertribal consortium. Eligibility is also dependent on the applicant receiving and retaining written authorization from each of its federally recognized member tribes and then certifying, in its application, that such partnership was established before this solicitation's submission deadline.
- Recipients of prior year BJA tribal court planning grants are only eligible to compete under Category III—Enhancing or Continuing the Operation of Tribal Courts.

Match Requirement

The FY 2005 Tribal Courts Assistance Program does NOT require a match. However, BJA encourages applicants to contribute cash from tribal sources and to detail in-kind contributions that support program goals and objectives under the sustainment section of the program narrative (see Selection Criteria). It is not so much the dollar amount, but the total amount of the indicated community involvement that is important. For example, in-kind contributions may be shown through the use of tribal meeting facilities or office space during or after program hours and other nontribal community meeting facilities such as churches and school gymnasiums; lay and professional volunteers working in concert with a drug court or afterschool youth program; and relevant office equipment (e.g., computers, printers, copiers, Internet access, and recreational equipment). Also, using a tribal newsletter or public service announcements to disseminate tribal justice-related information to the community can be an in-kind service.

Note: If a court-related position(s) is established under the program, total costs associated with salary and fringe benefits may not exceed 50 percent of the amount of the grant.

Amount and Length of Awards

BJA is basing its FY 2005 award structure on the applicant tribe's or tribal consortium's population as determined by the latest U.S. Census published figures. The U.S. Census tribal population figures include off-reservation trust lands that compose "Indian Country," as defined in 18 U.S.C. 1151. For more information, go to the National Tribal Justice Resource Center's web site (www.tribalresourcecenter.org) or call its toll-free hotline at 1-877-97NTJRC (1-877-976-8572).

The application should include a request for funding within the following guidelines. BJA will determine the number of awards under each category, based on available resources, the number of submissions received, criteria set forth in this solicitation, and other considerations.

- **Category I—Planning and Implementing an Intertribal Court System for Smaller Service Populations.** These grants are for consortia of tribal governments (at least two per consortium), each of which serves a population of less than 1,000 people. Grants shall not exceed \$200,000, per consortium. The minimum project period for these awards is 24 months.
- **Category II—Planning and Implementing a Single-Tribe Court System.** These grants are for tribes serving populations equal to or greater than 1,000 people. Grants shall not exceed \$200,000. The minimum project period for these awards is 24 months.
- **Category III—Enhancing or Continuing the Operation of Tribal Courts.** These grants, described below, vary according to the size of the Indian resident/service populations. The minimum project period for these awards is 24 months.
 - **Tier I.** Designated for tribes and tribal consortia that want to enhance or continue the operation of existing tribal courts serving populations of less than 2,500 people. Grants shall not exceed \$250,000.
 - **Tier II.** Designated for tribes that want to enhance or continue the operation of existing tribal courts serving populations of at least 2,500 and not greater than 10,000 people. Grants shall not exceed \$350,000.
 - **Tier III.** Designated for tribes that want to enhance or continue the operation of existing tribal courts serving populations of more than 10,000 people. Grants shall not exceed \$450,000.

Note: Applicants under all tiers of Category III must include information about their current operating budget in their submissions under the problem definition section of their program narrative (see Selection Criteria). If the applicant's historic caseload does not support the designated award amount, the applicant should apply only for an amount that is both appropriate and applicable for its tribal court. If the applicant fails to provide an accurate account of its docket, its application may be considered for a lower level of funding that is consistent with its historic caseload, or it may be deemed ineligible for an award. An application will be deemed ineligible if information provided to BJA indicates that funding consistent with the tribe's historic caseload would require significant programmatic and/or budgetary adjustments to the tribe's application and therefore prevent a fair comparison of the application with those of other applicants.

Review Process

All applications will be peer reviewed. BJA will assess peer review results and make recommendations to the Director of BJA, who will make final award recommendations to OJP's Assistant Attorney General.

Funding decisions will be made on the basis of several criteria, including the merit and strengths of the application. Consideration also may be given for other factors including, but not limited to, geographic and regional balance. Applications that meet all eligibility requirements will be evaluated according to the selection criteria. Peer reviewers' recommendations are advisory only. The final award decision is made

by the Assistant Attorney General. BJA will negotiate specific terms of the awards with the selected applicants.

How To Apply

The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.608, titled “Tribal Court Assistance Program.”

OJP requires that funding applications be submitted through the OJP Grants Management System (GMS). To access the system go to <https://grants.ojp.usdoj.gov>. Applications submitted via GMS must be in one of the following formats: Microsoft Word (*.doc), PDF (*.pdf), or text (*.txt).

If you experience difficulties at any point in this process, please call the GMS Help Desk at 1-888-549-9901.

Step 1: Signing On

- If you already have a GMS user ID, proceed to GMS sign in. Even if your organization already has a user ID, you will not be considered registered for the solicitation until you have signed on to GMS and entered the appropriate solicitation. To do so, please proceed to step 2.
- If you do not have a GMS user ID, select “New User? Register Here.” After you have completed all of the required information, be sure to click “Create Account” at the bottom of the page and note your user ID and password, which are case sensitive.
- Beginning October 1, 2003, a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number must be included in every application for a new award or renewal of an award. The DUNS number will be required whether an applicant is submitting an application on paper, through OJP’s Grants Management System, or using the governmentwide electronic portal (Grants.gov). **An application will not be considered complete until the applicant has provided a valid DUNS number.** Individuals who would personally receive a grant or cooperative agreement from the federal government are exempt from this requirement.

Organizations should verify that they have a DUNS number or take the steps necessary to obtain one as soon as possible. Applicants can receive a DUNS number at **no cost** by calling the dedicated toll-free DUNS number request line at 1-800-333-0505.

Step 2: Selecting/Registering for the Program

- After you have logged onto the system using your user ID and password, click on “Funding Opportunities.”
- Select the “Bureau of Justice Assistance” from the drop-down list and click “Search.” This will narrow the list of solicitations within the Office of Justice Programs to those in BJA.
- From the list of BJA grants, find “Tribal Courts Assistance Program” and click “Apply Online.”

- Confirm that your organization is eligible to apply for this program by reading the text on the screen. If eligible, proceed by clicking “Continue.”

Step 3: Completing Overview Information

- Select the type of application your are submitting by choosing “Application Non-Construction” in the “Type of Submission” section.
- Select “New” in the drop-down box for “Type of Application.”
- If your state has a review and comment process under Executive Order 12372 (<http://policy.fws.gov/library/rgeo12372.pdf>), then select either “Yes” and the date you made this application available under that review or “N/A” because this program has not been selected by your state for such a review. If your state does not have such a process, then select “No. Program Not Covered by E.O. 12372.”
- Click “Save and Continue.”

Step 4: Completing Applicant Information

- Answer “Yes” or “No” to the question about whether or not your organization is delinquent on any federal debt.
- The rest of this page will prepopulate from the information you submitted during the registration process. Check this information for accuracy and relevance to your organization and make any needed changes.
- Click “Save and Continue.”

Step 5: Completing Project Information

- Provide a title that is descriptive of your project.
- List the geographic areas to be affected by the project.
- Enter a start date for the project that is either on or after **July 1, 2005** and an end date 24 months later.
- Select all of the congressional districts that are affected by this application. To select multiple districts, hold down the CTRL key while making your selections.
- Enter the amount of the grant for which your organization is applying (no more than \$450,000) in the federal line under the “Estimated Funding” section. Enter the amount of other contributions in the appropriate lines to explain the origins of the match.
- Click “Save and Continue.”

Step 6: Uploading Attachments

- You will be asked to upload three attachments to the online application system. (See the Attachments section for detailed instructions.)
 1. The Budget Detail Worksheet (Attachment #1).
 2. The Program Narrative (Attachment #2).
 3. Other Program Attachments (Attachment #3).
- To upload these documents, click “Attach.” A new window will open. To continue, click “Browse” and find the file on your computer or the network drive from which you wish to upload, then click “Upload Your Document.” A window that says “File Upload Successful” should pop up. Next to the upload list, the notation should change to “Attachment OK.” Repeat these steps for all three uploads.

Note: Depending on the size of the attachment and/or your computer connection, this process can take several hours. The system will shut down promptly at the deadline. Any incomplete application will not be accepted, and no exceptions will be granted. Please plan accordingly.

- If you encounter any difficulties uploading your file, click on “Tips for Successful Upload.” This document will explain the usual problems with uploading files and will help you through them.
- Click “Save and Continue.”

Step 7: Completing the Assurances and Certifications

- You will need to accept both the assurances document and the certifications document. To do so, click on the links marked “Assurances” and “Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements.”
- Read both documents. At the bottom of each one, click the “Accept” button.
- When you have accepted both documents, enter the correct personal information for the person submitting the application.
- Click the box next to the text at the bottom of the page to certify that the person submitting the application is authorized to accept these assurances and certifications.
- Click “Save and Continue.”

Step 8: Reviewing the SF-424

- By answering the questions contained in GMS, you have completed the Standard Form 424 (SF-424) and forms required to apply for grant funding. Take a moment to review the SF-424 to ensure that it is accurate.

- If you need to make changes to any portion of the application, simply click that section along the left side of the screen and be sure to click “Save and Continue” after making any changes.
- When you are sure that the information is accurate, click “Continue.”

Step 9: Submitting the Application

- A list of application components will appear on the screen. It should say “Complete” before each component. If it says “Incomplete,” then click on the word and it will take you back to the section that needs to be completed. At the top of that screen, it will explain what is missing.

Note: If the applicant notifies BJA in advance of the deadline of its inability to submit an application electronically and demonstrates that it has made reasonable efforts to comply with the requirement to submit its application electronically, BJA **may**, at its discretion, allow submission of the application in a paper version via overnight express only. (General mail delivery is still delayed by heightened security screenings in the D.C. area.) The applicant must continue its efforts to submit an application electronically. An application approved for submission in hard copy/paper version will be accepted only if it is postmarked no later than the date of the application deadline.

Attachments

Budget Detail Worksheet (Attachment #1)

The applicant must provide a budget that (1) is complete, detailed, reasonable, allowable, and cost effective in relation to the proposed activities, (2) shows the cost calculations demonstrating how the applicant arrived at the total amount requested, and (3) provides a brief supporting budget narrative to link costs with project implementation (see below for more information regarding the budget). Please note that the budget should indicate the amount of any in-kind contributions or indirect donations to be contributed to the program.

Applicants must submit **both** a budget worksheet and a budget narrative in one file. The worksheet provides the detailed computation for each budget item (often in spreadsheet format). The narrative justifies or explains each budget item and relates it to project activities.

- **Budget Worksheet.** The budget worksheet must list the cost of each budget item and show how the cost was calculated. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee to be paid through grant funds. The budget worksheet should present a complete and detailed itemization of all proposed costs. **Note:** Total costs specified in the Budget Detail Worksheet must match the total amount requested.
- **Budget Narrative.** The budget narrative should closely follow the content of the budget worksheet and provide justification for all proposed costs. For example, the narrative should explain how fringe benefits were calculated, how travel costs were estimated, why particular items of equipment or supplies must be purchased, and how overhead or indirect costs (if applicable) were calculated. The budget narrative should justify the specific items listed in the budget worksheet (particularly supplies, travel, information technology/equipment, and personnel) and demonstrate that all costs are reasonable.

Pay SPECIAL ATTENTION AND RESPOND ACCORDINGLY to the following budgetary items.

Travel. Tribes must allocate at least \$40,000 over the grant period to cover travel and miscellaneous costs associated with BJA-sponsored trainings, conferences, and other meetings. Upon receiving a grant, recipients must develop a training agenda in conjunction with BJA. Recipients under categories I and II are required to participate in specially designed training programs.

Note: Grant recipients under TCAP cannot use funding to travel to, attend, or participate in trainings sponsored by other entities unless the grant recipient, in a timely matter, (1) coordinates its request with the technical assistance provider and (2) receives written approval from its BJA program manager prior to the actual training event.

Information Technology. If a tribe is planning to enhance its information technology system, all purchased equipment and software must be capable of supporting information sharing among justice systems and must be compliant with appropriate national standards. The OJP Justice Standards Clearinghouse provides further information (www.it.ojp.gov/jsr/intro/intro03.html).

Personnel Costs. No match is required. However, if a court-related position(s) is established under the program and supported with BJA funds, total costs associated with salary and fringe benefits may not exceed 50 percent of the amount of the grant.

A sample budget worksheet form that can be used as a guide to assist applicants in the preparation of the budget worksheet and budget narrative is available on OJP's web site (www.ojp.usdoj.gov/forms.htm).

Program Narrative (Attachment #2)

The program narrative must respond to the selection criteria (numbers 1-5) in the order given for the appropriate category. Submissions that do not adhere to the format will be ineligible.

The program narrative must be double spaced, using a standard 12-point font (Times New Roman preferred) with 1-inch margins, and must not exceed 20 pages. (Please number pages "1 of 20," "2 of 20," etc.)

Other Program Attachments (Attachment #3)

This attachment must include the following materials:

- A project timeline containing each project goal, related objective, activity, expected completion date, and responsible person or organization.
- Letters of support and commitment and memoranda of understanding, where appropriate. If letters of support cannot be uploaded as part of Attachment #3, they may be faxed to 202-354-4147 by **January 27, 2005**. The applicant must include the application number that is assigned by GMS (e.g., 2005-F001-DC-IC) on all faxed documents.

Selection Criteria

Selection Criteria for Categories I and II

Tribal governments without a functioning tribal court or without a comprehensive plan to establish a tribal court are encouraged to submit an application for a **Category I (intertribal)** or **Category II (single-tribe)** court system. Applicants for intertribal grants must list all the federally recognized tribes that will be partners and provide a statement certifying their participation under the problem definition section of their program narrative. Applicants will be evaluated and rated by a peer review panel according to the criteria outlined below.

1. Problem Definition (15 points)

Identify the population the court will serve and the geographic area it will cover. Include socioeconomic data for the area, if available. Identify the problems the proposal addresses and the commitment of the tribe(s) to resolve these problems. In doing so, identify and discuss the civil, juvenile, and criminal caseloads that the project will address. Include information about violent crimes, property crimes, domestic violence, child welfare, juvenile offenses, alcohol and substance abuse, other priority crimes that are committed, and other issues that may arise in the proposed area.

2. Program Strategy (30 points)

Describe year 1 and year 2 goals and objectives and how they will be accomplished. Detail not only the proposed court's purpose, structure, and operation, but also the strategy the tribe(s) will take to ensure that the court may sufficiently coordinate services with law enforcement, corrections, treatment providers, and the community. Include information about those tribal and nontribal agencies that need to collaborate to implement the strategy.

In addition, describe the project advisory team and who will serve as BJA's point-of contact. This team may be either an existing or a newly formed group. If the application is for an intertribal grant, a minimum of one person from each tribe should participate on the advisory team. Explain how these members will support the elements defined in the implementation plan, provide oversight and input into projected outlays, and ensure that appropriate personnel—such as judges, court administrators, clerks, etc.—attend and participate in BJA-required trainings. Include letters of support and commitment and memoranda of understanding, where appropriate. Discuss how the community will be involved in planning the tribal court.

3. Implementation Plan (25 points)

Establish a comprehensive timeline that describes each project goal, related objective, and activity; identify expected beginning and completion dates; and discuss how data from each (see Performance Measures) will be collected and managed so that reports provided to BJA are timely, thorough, and complete. Identify the individual(s) who will be responsible for collecting data. Briefly explain how each task will support and/or enhance the development of the tribe's justice system.

4. Program Effectiveness and Evaluation (10 points)

Explain how the applicant will know if the program works. Describe the kind of data the tribe or consortium has collected and will collect to guide the focus of planning the tribal court (see Performance Measures). Explain how the applicant will assess the impact of its efforts. A clear connection should be maintained from the proposed program strategy to the issues identified in the problem definition. Explain what will be measured, who will measure it, and how the information

will be used. If available, applicants are encouraged to describe their current data collection instruments. If data are not being collected, this must be stated in the application.

5. Sustainment (10 points)

Discuss how the advisory team members and partners will identify resources to complement this project. Outline a strategy for continuing the project when the federal grant period ends.

6. Budget and Narrative (10 points)

Applicants must provide a proposed budget that is complete, detailed, reasonable, allowable, and cost effective in relation to the activities to be undertaken. Applicants also must demonstrate that expenses for travel, information technology, and personnel follow above-mentioned guidelines listed in the Budget Detail Worksheet section.

Selection Criteria for Category III

Tribal governments that want to enhance or continue to operate their tribal court may submit an application based on the population the court serves. The cover page must indicate the tier (I, II, or III) under which the applicant is applying.

1. Problem Definition (15 points)

Identify the problems the proposal addresses and the tribe's commitment to resolve these problems. In doing so, identify and discuss the historic caseload/offenses that the proposed project of the tribal court will address. Describe the current operation of the tribal court and the cost to sustain it. Include information that defines the current caseload, staffing patterns, and services. Include information about violent crimes, property crimes, domestic violence, child welfare, juvenile offenses, alcohol and substance abuse, and other priority crimes that are committed and other issues that arise within jurisdictional boundaries.

2. Program Strategy (30 points)

Describe year 1 and year 2 goals and objectives and how they will be accomplished. Detail not only the proposed court's purpose, structure, and operation, but also the tribe's strategy to ensure that the court may sufficiently coordinate services with law enforcement, corrections, treatment, and the community. Include information about those tribal and nontribal agencies that need to collaborate to implement the strategy.

In addition, describe the project advisory team and who will serve as BJA's point-of-contact. This team must be an existing group. Explain how these members will support the elements defined in the implementation plan, provide oversight and input into projected outlays, and ensure that appropriate personnel—such as judges, court administrators, clerks, etc.—participate in BJA-sponsored trainings. Include letters of support and commitment and memoranda of understanding, where appropriate. Discuss how the community will be involved in the continuing operation of the tribal court.

3. Implementation Plan (25 points)

Establish a comprehensive timeline that describes each project goal, related objective and activity; identify expected beginning and completion dates; and discuss how data from each (see Performance Measures) will be collected and managed so that reports provided to BJA are timely, thorough, and complete. Identify the individual(s) who will be responsible for collecting data. Briefly explain how each task will support and/or enhance the development of the tribe's justice system.

4. Program Effectiveness and Evaluation (10 points)

Explain how the applicant will know if the program works. Describe the kind of data the tribe has collected and will collect to guide the focus of implementing the tribal court (see Performance Measures). Explain how the applicant will assess the impact of its efforts. A clear connection should be maintained from the proposed program strategy to the issues identified in the problem definition. Explain what will be measured, who will measure it, and how the information will be used. If available, applicants are encouraged to describe their current data collection instruments. If data are not being collected, this must be stated in the application.

5. Sustainment (10 points)

Discuss how the advisory team members and partners will identify resources to complement this project. Outline a strategy for continuing the project when the federal grant period ends.

6. Budget and Narrative (10 points)

Applicants must provide a proposed budget that is complete, detailed, reasonable, allowable, and cost effective in relation to the activities to be undertaken. Applicants also must demonstrate that expenses for travel, information technology, and personnel follow above-mentioned guidelines listed in the Budget Detail Worksheet section.

Performance Measures

To ensure compliance with the Government Performance and Results Act (GPRA), Public Law 103-62, grantees are required to collect and report data that measure the results of program performance. All applicants are required to address the outcome and process measures listed below. Grantees will be required to provide the data that will be aggregated from all the grantees to inform program performance. In addition to incorporating this information into their submission's narrative, applicants are required to address the type of information they will collect, who will collect it, the methods of collection, and how the information will be reported. Grantees also are expected to provide interim data in their semiannual progress reports and to submit project results as part of their final progress report.

Program Objectives	Performance Measures	Data To Be Provided By Grantees
Develop or enhance court capacity.	<p>Output Measure: Number of new single-tribal or intertribal courts established.</p> <p>Intermediate Outcome Measure: Average percent increase over the prior year in the number of cases handled by courts receiving enhancing or continuing operations grant awards.</p> <p>Output Measure: Total number of cases handled.</p> <p>Output Measure: Number of full-time equivalent (FTE) judicial positions created or funded under the grant award.</p> <p>Output Measure: Number of other FTE positions created or funded under the grant award.</p>	<p>Progress Reporting on the implementation of the program.</p> <p>Number of cases filed in the court in the year prior to implementation.</p> <p>Number of cases filed in the court during the reporting period.</p> <p>Number of judicial positions created as a result of the grant during the reporting period.</p> <p>Number of nonjudicial court positions created as a result of the grant during the reporting period.</p>
Increase or enhance integration of tribal justice information systems.	<p>Intermediate Outcome Measure: Percentage of established single-tribe or intertribal courts that are equipped with functioning information systems.</p> <p>Intermediate Outcome Measure: Percentage of established single-tribe or intertribal courts that actively support information sharing with justice systems in accordance with national standards.</p>	<p>Progress Reporting documenting the establishment of a functioning information system.</p> <p>Progress Reporting documenting information sharing between court agencies and/or jurisdictions, consistent with national IT standards set by BJA</p>

Submission Deadline

New GMS users must create a user account before submitting an application (see How To Apply, step 1). **Applications for this program are due by 8:00 pm, e.t., on January 27, 2005.** Faxed or mailed applications or supplemental materials will not be accepted, except as described under How To Apply.

Other Requirements

Purchase of American-Made Equipment and Products

It is the sense of Congress, as conveyed through each year's appropriations act, that to the greatest extent practicable, all equipment and products purchased with grant funds should be American made.

Civil Rights Compliance

All recipients of federal grant funds must comply with nondiscrimination requirements contained in federal laws. If a court or administrative agency makes a finding of discrimination against a recipient of funds on grounds of race, color, religion, national origin, gender, disability, or age after a due process hearing, the recipient must forward a copy of the finding to the Office for Civil Rights of the Office of Justice Programs.

Limited English Proficiency

Recipients of OJP financial assistance are required to comply with several federal civil rights laws, including Title VI of the Civil Rights Act of 1964 (Title VI) and the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Grantees are encouraged to consider the need for language services for LEP persons served or encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs.

The U.S. Department of Justice has issued guidance for grantees to assist them in complying with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov, by contacting OJP's Office for Civil Rights at 202-307-0690, or by writing to the following address:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 7th Street NW., Eighth Floor
Washington, DC 20531

Faith-Based and Community Organizations

It is OJP policy that faith-based and community organizations that statutorily qualify as eligible applicants under OJP programs are invited and encouraged to apply for assistance awards. Faith-based and community organizations will be considered for awards on the same basis as any other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated against on the

basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or people working in the organization.

Anti-Lobbying Act

The Anti-Lobbying Act (18 U.S.C. § 1913) recently was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352.

The Office of Management and Budget (OMB) is currently in the process of amending the OMB cost circulars (www.whitehouse.gov/omb/circulars/index.html) and the common rule (codified at 28 C.F.R. Part 69 for U.S. Department of Justice grantees) to reflect these modifications. However, in the interest of full disclosure, all applicants must understand that no federally appropriated funding made available under this grant program may be used, either directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express approval by OJP. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing OMB circulars.

Confidentiality and Human Subjects Protection

U.S. Department of Justice regulations (28 C.F.R. Part 22) require applicants for BJA funding to submit a Privacy Certificate as a condition of approval of any grant application or contract proposal that contains a research or statistical component under which personally identifiable information will be collected. In addition to the regulations in Part 22, regulations concerning protection of human subjects are set forth in 28 C.F.R. Part 46. In general, 28 C.F.R. Part 46 requires that all research involving human subjects conducted or supported by a federal department or agency be reviewed and approved by an Institutional Review Board before funds are expended for that research.

General information regarding Confidentiality and Human Subjects Protection can be found on the National Institute of Justice web site (www.ojp.usdoj.gov/nij/humansubjects). Sample formats of the Privacy Certificate, Transfer Agreement, and Single Project Assurance for submission to BJA can be found on the OJP web site (www.ojp.usdoj.gov/forms.htm).

Evaluation

Pending the availability of funds, BJA and the National Institute of Justice may identify a number of sites under the Tribal Courts Assistance Program to participate in a national evaluation. The goal of this evaluation is to gain practical, measurable, and descriptive information and to provide feedback to interested agencies and organizations about processes and early outcomes.

Additional Information

For general information about BJA programs, training, and technical assistance, contact BJA at 202-616-6500 or visit the BJA home page at www.ojp.usdoj.gov/BJA.

For specific information about this solicitation, contact Bob Brown, BJA Policy Office, at 202-616-3297 or robert.brown@usdoj.gov.

The OJP *Financial Guide*, which contains information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records, is available on the OJP web site at www.ojp.usdoj.gov/FinGuide. This document governs the administration of funds by all successful applicants and their contractors.