



U.S. Department of Justice
Office on Violence Against Women (OVW)

OVW Fiscal Year 2018 Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction Solicitation

Release Date: on or about April 24, 2018

Eligibility

Eligible applicants are limited to: **Indian tribal governments that have jurisdiction over Indian Country.**
(See [Eligibility Information](#))

Deadlines

Applications are due by 11:59 p.m. Eastern Time (E.T.) on June 7, 2018.
(See [Submission Dates and Times](#))

Registration Information: To submit an application, all applicants must obtain a Data Universal Number System (DUNS) Number and register online with the System for Award Management (SAM) and with [Grants.gov](#). To ensure sufficient time to complete the registration process, applicants must obtain a DUNS Number and register online with SAM and with [Grants.gov](#) immediately, but no later than, **May 24, 2018.**
(See [Registration](#))

Letter of Registration: Applicants are strongly encouraged to submit a letter of registration to OVW.TribalJurisdiction@usdoj.gov by **May 24, 2018.** This will ensure that applicants are well-positioned to successfully submit an application by the deadline. Submitting a Letter of

Registration will not obligate a potential applicant to submit an application. Interested applicants who do not submit a Letter of Registration are still eligible to apply.

(See [Letter of Registration](#))

Pre-Application Information Sessions: OVW will conduct two web-based Pre-Application Information Sessions for entities interested in submitting an application for the Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction (Tribal Jurisdiction Program). Participation in these sessions is optional. Interested applicants who do not participate are still eligible to apply.

(See [Pre-Application Information Session](#))

Contact Information

For assistance with the requirements of this solicitation, email OVW at OVW.TribalJurisdiction@usdoj.gov. Alternatively, interested parties may call OVW at (202) 307-6026.

Submission and Notification Information

Submission: Applications for the Tribal Jurisdiction program will be submitted through Grants.gov. For technical assistance with [Grants.gov](#), contact the [Grants.gov](#) Customer Support Line at 1-800-518-4726.

The [Grants.gov](#) number assigned to this announcement is **OVW-2018-14565**.

Notification: OVW anticipates notifying all applicants of funding decisions by October 1, 2018.

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OVW Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction (CFDA# 16.025)

A. Program Description

Overview

The Office on Violence Against Women (OVW) is a component of the United States Department of Justice (DOJ). Created in 1995, OVW implements the Violence Against Women Act (VAWA) and subsequent legislation and provides national leadership on issues of sexual assault, domestic violence, dating violence, and stalking. Since its inception, OVW has supported a multifaceted approach to responding to these crimes through implementation of grant programs authorized by VAWA. By forging state, local, and tribal partnerships among police, prosecutors, judges, victim advocates, health care providers, faith leaders, organizations that serve culturally specific and underserved communities, and others, OVW grants help provide victims, across their life span, with the protection and services they need to pursue safe and healthy lives, while improving communities' capacity to provide justice for victims and hold offenders accountable.

About the OVW Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction (Tribal Jurisdiction Program)

This program is authorized by the Indian Civil Rights Act of 1968, as amended, 25 U.S.C. § 1304(f).

The Violence Against Women Reauthorization Act of 2013 (VAWA 2013) included a provision recognizing the authority of participating tribes to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit crimes of domestic violence or dating violence or violate certain protection orders in Indian Country. The Act also specified the rights that a participating tribe must provide to defendants in SDVCJ cases.

The Tribal Jurisdiction Program is designed to assist Indian tribes in exercising SDVCJ. Through this grant program, Indian tribes receive support and technical assistance for planning, developing, and implementing changes in their criminal justice systems necessary to exercise SDVCJ. The program encourages collaborations among tribal leadership, tribal courts, tribal prosecutors, tribal attorneys, tribal defenders, law enforcement, probation, service providers, and other partners to ensure that non-Indians who commit crimes of domestic violence, dating violence, and violations of protection orders are held accountable. The Tribal Jurisdiction Program encourages the coordinated involvement of the entire tribal criminal justice system and victim service providers to incorporate systemic change that ensures victim safety and offender accountability.

Program Scope

Activities supported by the Tribal Jurisdiction Program are determined by statute, federal regulations, and OVW policies. If an applicant receives an award, the funded project is bound by the provisions of this solicitation, the [DOJ Financial Guide](#), including updates to the guide after an award is made, the section of the [Solicitation Companion Guide](#) entitled “Post-Award Requirements for All Federal Grant Recipients,” and the conditions of the award.

Purpose Areas

In FY 2018, funds under the Tribal Jurisdiction Program may be used for the following statutory purposes:

1. to strengthen tribal criminal justice systems to assist Indian tribes in exercising SDVCJ, including:
 - A. law enforcement (including the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases);
 - B. prosecution;
 - C. trial and appellate courts;
 - D. probation systems;
 - E. detention and correctional facilities;
 - F. alternative rehabilitation centers;
 - G. culturally appropriate services and assistance for victims and their families; and
 - H. criminal codes and rules of criminal procedure, appellate procedure, and evidence;
2. to provide indigent criminal defendants with the effective assistance of licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe¹ prosecutes a crime of domestic violence or dating violence or a criminal violation of a protection order;
3. to ensure that, in criminal proceedings in which a participating tribe exercises SDVCJ, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and
4. to accord victims of domestic violence, dating violence, and violations of protection orders rights that are similar to the rights of a crime victim described in [section 3771\(a\) of Title 18](#), consistent with tribal law and custom.

Mandatory Program Requirements

Applicants that receive funding under the Tribal Jurisdiction Program will be required to engage in the following activities:

Inter-tribal Technical Assistance Working Group (ITWG) on SDVCJ Participation

The ITWG is a working group of tribal representatives who exchange views, information, and advice about how tribes may best exercise SDVCJ and address responses to domestic violence, dating violence and violations of protection orders. Applicants need not be current members but will be expected to join and participate in the ITWG if they receive an award.

Prior Submission of Documentation Related to Exercise of Special Domestic Violence Criminal Jurisdiction

Grantees must submit documentation to OVW that demonstrates their readiness to exercise SDVCJ before using grant funds to support the prosecution, conviction, and incarceration of non-Indian offenders. Unless a grantee has already been designated as

¹The term "participating tribe" means an Indian tribe that elects to exercise SDVCJ over the Indian Country of that tribe.

a Pilot Project tribe by the Department of Justice, OVW will require grantees to submit the questionnaire as outlined in [Appendix F](#).

Activities that Compromise Victim Safety and Recovery and Undermine Offender Accountability

The following activities have been found to jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions:

1. Procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or gender of their children;²
2. Procedures or policies that compromise the confidentiality of information and/or privacy of persons receiving OVW-funded services;
3. Procedures or policies that require victims to take certain actions (e.g., seek an order of protection, receive counseling, participate in couples counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.) in order to receive services;
4. Procedures or policies that fail to include conducting safety planning with victims;
5. Project designs and budgets that fail to account for the access needs of individuals with disabilities, with limited English proficiency, or who are Deaf or hard of hearing;
6. The use of pre-trial diversion programs without prior OVW review and approval of the program or the automatic placement of offenders in such program;
7. Couples counseling, family counseling, or any other manner or joint victim-offender counseling as a routine or required response to sexual assault, domestic violence, dating violence, or stalking;
8. Offering or ordering anger management programs for offenders as a substitute for batterer's intervention programs;
9. Relying on batterer intervention programs that do not use court monitoring to hold batterers accountable for their behavior;
10. Issuance of mutual restraining orders of protection except in cases where both parties file a claim and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense;
11. Requiring that victims bear the costs associated with: (1) the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault, or stalking offense; (2) the filing, issuance, registration, modification, enforcement, dismissal, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence, dating violence, or stalking; (3) the filing of criminal charges against the offender; or (4) the filing, issuance, registration, modification, enforcement, dismissal or service of a warrant, protection order, petition for a protection order, or witness subpoena; and
12. Policies or practices that discourage accepting cases when victims do not have physical evidence.

²If an award is made, the recipient will also be subject to statutory prohibitions on discrimination. For further information on these civil rights requirements, see the section "

Violence Against Women Act Non-Discrimination Provision" under "F. Federal Award Administration Information."

This list is not exhaustive. Applications that propose any activities that compromise victim safety and recovery or undermine offender accountability may receive a deduction in points during the review process or may be eliminated from consideration entirely.

Out-of-Scope Activities

The activities listed below are out of the program scope and they will not be supported by Tribal Jurisdiction Program funding.

1. Research projects (This does not include program assessments conducted only for internal improvement purposes. For information about DOJ regulations on research involving human subjects, see “Research and Protection of Human Subjects” in the [Solicitation Companion Guide](#)).
2. Prosecuting cases of sexual assault that do not involve spouses, intimate partners, or dating partners.
3. Prosecuting cases that do not involve domestic violence, dating violence, and/or violations of a protection order.
4. Purchase or lease of vehicles.

Applications that propose activities that are deemed to be substantially out-of-scope may receive a deduction in points during the review process or may be eliminated from consideration entirely.

Unallowable Activities

OVW has determined the activities listed below to be unallowable, and they will not be supported by Tribal Jurisdiction Program funding.

1. Lobbying, except with explicit statutory authorization;
2. Fundraising;
3. Purchase of real property;
4. Physical modifications to buildings, including minor renovations (such as painting or carpeting); and
5. Construction.

Applicants that propose unallowable activities may receive a deduction in points during the review process or may be eliminated from consideration entirely.

An application that is deemed deficient in more than one of the aforementioned categories (activities that compromise victim safety, out-of-scope activities, unallowable activities) may not be considered for funding.

B. Federal Award Information

Availability of Funds

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. There is no guarantee that funds will be available in the future. Therefore, OVW encourages applicants to develop a plan to sustain project activities if federal funding through this program ceases to be available. Also, OVW may elect to make awards in a future fiscal year for applications submitted under this solicitation but not selected for FY 2018 funding, depending on the merits of the applications and on the availability of funding.

Award Period

OVW has the discretion to make awards for greater or lesser lengths of time and will negotiate any project activity modifications needed as a result of changes to the estimated award period. Initial awards under the Tribal Jurisdiction Program are for **36 months**. With acceptable performance, grantees will be eligible for non-competitive supplemental funding for an additional 24 months (a total award period of up to 5 years). Budgets submitted with this application must reflect **36 months** of project activity, and the total “estimated funding” on the SF-424 must reflect **36 months**. Generally, the award period will start on October 1, 2018.

Award Amounts

Applicants should not exceed the award amounts listed in this solicitation and should carefully consider the resources needed to successfully implement the proposed project.

Awards under the Tribal Jurisdiction Program for FY 2018 will be made for up to **\$450,000** for the entire **36 months**. The award minimum for the Tribal Jurisdiction Program is **\$300,000**.

OVW has the discretion to award grants for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants prior to awarding a grant.

The Tribal Jurisdiction Program typically makes awards in the range of \$300,000 - \$450,000. OVW estimates that it will make up to 10 awards for an estimated \$3,500,000.

Awards will be made as cooperative agreements. Cooperative agreements are a form of award when OVW expects to have ongoing substantial involvement in award activities. For this program, the substantial involvement includes review of relevant legal documentation prior to approval to use grant funds to exercise SDVCJ. See [Appendix F](#).

Types of Applicants

In FY 2018, OVW will accept applications for the Tribal Jurisdiction Program from the following:

New: applicants that have never received funding under the Tribal Jurisdiction Program;

Continuation: applicants that have an existing award under the Tribal Jurisdiction Program. Continuation funding is not guaranteed. Applicants that received funding for 24 months in FY 2016, are eligible to apply for an additional 36 months of funding non-competitively. Continuation applicants with a substantial amount of funds remaining, without adequate justification, may not be considered for funding in FY 2018. If the applicant has 50% or more of funds remaining in the existing award, as of March 31, 2018, it is not eligible for FY 2018 funding through this program.

Tribal Jurisdiction grant recipients that received a 36-month award in FY 2016 or FY 2017 award are NOT eligible to apply.

C. Eligibility Information

Eligible Applicants

It is very important that applicants review this information carefully. Applications that are submitted by ineligible entities or that do not meet all program eligibility requirements will not be considered for funding.

Eligible Entities

Indian tribal governments that have jurisdiction over Indian Country

“Indian tribal government” means a tribe, band, pueblo, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation (as defined in, or established pursuant to, the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.)), that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

Under 18 U.S.C. § 1151, the term “Indian Country,” means (a) all land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation, (b) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or without the limits of a state, and (c) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same.

OVW anticipates making awards to tribes that are at various stages of preparedness with regard to exercising SDVCJ.

Cost Sharing or Match Requirement

This program has no match or cost sharing requirement.

Limit on Number of Applications

OVW will consider only one application per organization in response to this solicitation. If an applicant submits multiple versions of the same application, OVW will review only the most recent system-validated version submitted before the deadline.

D. Application and Submission Information

Address to Request Application Package

The complete application package is available on [Grants.gov](https://www.grants.gov) or at the [OVW website](#). Applicants wishing to request a paper copy of the application materials should contact OVW.TribalJurisdiction@usdoj.gov.

Pre-Application Information Session

OVW will conduct a pre-application information session for entities interested in submitting an application for the Tribal Jurisdiction Program. Participation in the session is optional. Interested applicants who do not participate are still eligible to apply. During the session, OVW staff will review the Tribal Jurisdiction Program requirements, review the solicitation, and allow for a brief question and answer period. The session is tentatively scheduled for:

Tuesday, May 8, 2018, 1:00 p.m. E.T.

Anyone interested in submitting an application to the Tribal Jurisdiction Program may register to participate in the pre-application information session. The total number of participants for the session may be limited. Registration is on a first-come-first-served basis, and space is not guaranteed. Interested participants from the same agency/jurisdiction are strongly encouraged to participate together so that as many interested applicants as possible can join. OVW reserves

the right to deny multiple registrations from a single agency/jurisdiction.

To register, contact the Tribal Jurisdiction Program at OVW.TribalJurisdiction@usdoj.gov or at (202) 307-6026. **Please state in the subject line “pre-application information session.”** Registration must be received at least one day prior to the start of the session. Participants are not registered until they receive a confirmation email. Interested applicants needing language assistance should contact the Tribal Jurisdiction Program at OVW.TribalJurisdiction@usdoj.gov or at (202) 307-6026 as soon as possible, but no later than four weeks prior to the application deadline.

Content and Form of Application Submission

The information below (“**Letter of Registration**” through “**Additional Required Information**”) describes the full content and form of application submission.

Letter of Registration

Applicants intending to apply for FY 2018 funding under this program are strongly encouraged to submit a letter of registration. The letter should state that the applying organization is registered and current with [SAM](#) and with [Grants.gov](#). The letter should be submitted to OVW at OVW.TribalJurisdiction@usdoj.gov by **May 24, 2018**. This will ensure that the applicant is well-positioned to successfully submit a proposal by the application deadline. This letter will not obligate the applicant to submit an application. See [Appendix B](#) for a sample Letter of Registration.

Application Contents

This section describes what is included in a complete application package. Applicants should anticipate that failure to submit an application that contains all of the specified elements will negatively affect the review of the application and may result in the application not being considered for funding. Should a decision be made to make an award, the award may include special conditions that preclude access to or use of award funds pending satisfaction of the conditions. It is the responsibility of the applicant to ensure that a complete application is submitted by the deadline.

Applicants should not submit documents that were not specifically asked for in the solicitation. Providing information that was not requested will not increase the likelihood that an application will be selected for funding. All materials submitted as part of an application may be released pursuant to a request under the Freedom of Information Act.

Formatting and Technical Requirements

Applications must follow the requirements below. Points may be deducted for applications that do not adhere to the following requirements:

1. Double spaced (Project Abstract, Summary Data Sheet and charts may be single space)
2. 8½ x 11 inch paper
3. One-inch margins
4. Type no smaller than 12 point, Times New Roman font
5. Page numbers
6. No more than 20 pages for the Project Narrative
7. Word documents in the following formats: Microsoft Word (.doc), PDF files (.pdf), or Text Documents (.txt).

8. Headings and sub-headings that correspond to the sections identified in this section of the solicitation.

Application Requirements

Applications must include the following required documents and demonstrate that the program eligibility requirements have been met. Applications that do not address all of the following components will be considered substantially incomplete and will not be considered for funding:

1. Project Narrative
2. Budget Detail Worksheet and Narrative
3. Memorandum of Understanding or Internal Memorandum of Understanding, as applicable
4. Tribal Resolution or Other Document(s) Demonstrating Authority to Apply

In addition to the application being scored on the documents listed above, the Summary Data Sheet will also be scored.

Summary Data Sheet (5 Points Total)

The Summary Data Sheet should be one to four pages in length and may be single or double spaced. The Summary Data Sheet does not count toward the 20 page limit for the Project Narrative. Provide the following information:

1. Name, title, address, phone number, and e-mail address of the individual with authority to accept grants on behalf of the applicant.
2. Name, title, address, phone number, and e-mail address for the grant point-of-contact. This person must be an employee of the applicant.
3. Statement as to whether the applicant (i.e., the organization whose DUNS number is being used for the application) will serve as a fiscal agent/sponsor for an entity or entities that will ultimately implement the project, and that the applicant itself will not be involved with implementation of the project beyond issuing a subaward or subawards to other entities. If this is the case, the applicant must include a statement acknowledging that, should an award be made, the applicant will be responsible for all applicable statutory, fiscal, and programmatic requirements, including those of [2 CFR Part 200](#), as well as all project deliverables. The applicant must also list all of the entities with which it will enter into agreements to implement the project, and should include a description of how these entities intend to accomplish the purposes of the award (if such a description is not already provided in a Memorandum of Understanding submitted as part of the application). Note that, in such situations, the fiscal agent/sponsor must be an eligible applicant for the program.
4. Statement as to whether the applicant has expended \$750,000 in federal funds in the applicant's past fiscal year. If so, specify the end date of the applicant's fiscal year.
5. Summary of current and recent OVW projects (if applicable). If the applicant has a current grant or cooperative agreement under any OVW grant program or an award that has been closed within the last 12 months from the date this solicitation closes, the information must be provided in a table using the format found in [Appendix D](#). Failure to provide the required table will result in a loss of points.
6. A list of other federal grant programs from which the applicant currently receives funding or for which it has applied for funding in FY 2018 **to do similar work**. Provide this information in a table using the format found in [Appendix E](#).
7. Statement as to whether the applicant was designated a Pilot Project Tribe by the Department of Justice.

8. Statement as to whether the applicant has already implemented SDVCJ in its jurisdiction. If so, provide the date of implementation.
9. List all purpose areas that applicant's project will implement (see [Purpose Areas](#)).

Proposal Abstract (not scored)

The Proposal Abstract should provide a short and accurate summary (no more than two pages double-spaced) of the proposed project, including who will be involved with the proposed project, what will be done as primary activities, what products will be produced, the service area where the proposed project will take place and who will be impacted by the proposed project. Applicants should not summarize past accomplishments in this section.

Project Narrative (65 Points Total)

The Project Narrative may not exceed 20 pages in length, double-spaced. The Project Narrative must include the following three sections: 1) Project Description; 2) Project Timeline; and 3) Who Will Implement.

Project Description (55 points)

The Project Description consists of three sections – *The Tribal Community*, *The Criminal Justice System*, and *What Will Be Done*. This section must provide detailed descriptions for the elements below.

1) The Tribal Community:

- The geographic area subject to the tribe's jurisdiction;
- The demographic profile of the community to be served (e.g., tribal and non-tribal residents, poverty rate, workforce profile), including individuals with disabilities, individuals who are Deaf or hard of hearing, and persons with limited English proficiency, as data is available for the tribal jurisdiction. Applicants should reference the data source used to obtain this information and may include sources such as: U.S. Census, other government data sources, and the Limited English Proficient Mapping Tool, available at www.lep.gov/maps/;
- The community's strengths, resources, challenges, and needs;
- The tribe's commitment to the successful implementation of the proposed project; and
- Availability of services for victims of domestic and dating violence and how the proposed project will enhance victim safety and autonomy.

2) The Criminal Justice System:

- Describe the tribe's existing criminal justice system **in the context of readiness to exercise SDVCJ while protecting defendants' rights**, consistent with 25 U.S.C. § 1304. This section must address each of the following elements of the tribe's criminal justice system:
 - Tribal Constitution (including whether any amendments are necessary);
 - Tribal Law and Order Code (including whether current domestic violence and protection order violation offenses need to be amended);
 - Law Enforcement Services (including whether these services are provided under 638 self-determination contract, cross-deputization agreement, through the Bureau of Indian Affairs, Office of Justice Services, etc.);
 - Tribal Prosecution (including whether the tribe has any Special Assistant U.S. Attorneys ("SAUSAs"), experienced or specialized domestic violence prosecutors, etc.);

- Tribal Court processes and practices (including whether the tribe has a trial and an appellate court, domestic violence court or docket, publicly available laws and rules, judges who are licensed attorneys with sufficient training to preside over criminal proceedings, a jury pool that does not exclude non-members of the tribe and non-Indians, and availability of records of criminal proceedings);
- Availability of counsel for indigent defendants (including whether the tribe uses a public defender system, contract system, or assigned counsel system) and how defendants are screened for indigence;
- Role of victim advocacy within the criminal justice system; and
- Pre-trial supervision and probation systems.

Further, this section must describe:

- The tribe's recent history, following the 2010 enactment of [Tribal Law and Order Act, 25 U.S.C. § 1302\(b\)-\(c\)](#), of imposing total terms of imprisonment of more than one year;
- The tribe's formal or informal policies for coordinating with federal and/or state criminal investigators and prosecutors in cases where the tribe may have concurrent criminal jurisdiction;
- The tribe's needs for training, technical assistance, data collection, and evaluation of the tribe's criminal justice system; and
- The following information for the last three years, as available for the jurisdiction:
 - number of domestic violence incidents reported to law enforcement;
 - number of domestic violence cases referred to the prosecutor's office;
 - number of domestic violence cases accepted for prosecution;
 - number of cases declined for prosecution;
 - number of domestic violence incidents involving non-Indian offenders; and
 - any relevant data regarding issuance and enforcement of protection orders, including whether respondents were non-Indians.

3) *What Will Be Done:*

This section of the project description must provide a clear link between the proposed project activities and the gaps/needs identified in the tribe's criminal justice system above. For this section, describe the activities the tribe will undertake to plan, prepare for, and/or implement laws, policies, procedures, practices and systems to exercise SDVCJ, including what the funding will be used for in terms of staffing, technology, and other resources:

- Clearly describe the goals and objectives, as well as the specific tasks and activities necessary to accomplish the goals and objectives of the proposed project;
- Describe the tribe's plan for data collection;
- If applicable, detail the tangible products to be purchased, developed, or revised with grant funds (e.g., data collection systems, audio recording systems, brochures, curricula). Describe how the tangible products will enhance and/or enable the tribe's ability to exercise SDVCJ;
- If applicants are proposing to use any technology (including, but not limited to, security systems, audio recording systems, GPS, computer systems, or hotlines), they must explain how they plan to address any victim safety concerns that may arise from the use of the technology, such as confidentiality, safety planning, and informed consent. **Security systems, recording systems, or other technology that requires any construction or renovation for installation are unallowable.**

Who Will Implement the Project (5 points)

This section must:

- Provide information about the experience and expertise of the key personnel and MOU/IMOU partners (e.g., judges, prosecutors, defenders, tribal attorneys/general counsel, law enforcement, and victim advocates) who will be directly involved with the proposed project. Resumes or position descriptions should be included with the application;
- Demonstrate that the victim service provider partnership required by the solicitation has been met by detailing the history this partner has had working with the tribe’s criminal justice system. Describe how this relationship may be enhanced by this project.

Project Timeline (5 Points)

The applicant must include a timeline or milestone chart encompassing the entire grant project period that indicates objectives and major tasks, assigns responsibility for each, and plots completion of each task by year and then by month or quarter for the duration of the award, for example, “Year 1,” “Month 1,” “Quarter 1.”

Sample Project Timeline:

GOAL	OBJECTIVES	TIMEFRAME	TASKS & ACTIVITES	OUTCOMES	RESPONSIBLE PERSON
Revise jury selection system	Ensure the processes meet the SDVCJ requirements	Q1 December 2018	<ul style="list-style-type: none">• Form a review team• Identify data source for juror names and addresses• Amend jury selection handbook	Jury selection approved to exercise SDVCJ	Mr. Code
Establish an indigent defense program	Provide for the rights of indigent defendants	Q2 February 2019	<ul style="list-style-type: none">• Assess need for attorneys for indigent defendants• Decide whether to hire or contract defense services	Indigent defense program approved	Sandy Lawful

Budget Detail Worksheet and Narrative (15 Points)

All applications must include a detailed budget and budget narrative. A sample Budget Detail Worksheet is available in [Appendix A](#). When preparing the Budget Detail Worksheet and Narrative, use the Sample Budget Detail Worksheet as a guide and be sure to include all necessary budget categories as outlined in the Worksheet. Also, keep in mind that budgetary requirements vary slightly among programs. Applicants must read the solicitation closely to determine the requirements of the budget and budget narrative for each OVV program. Additionally, the budget must adhere to the guidelines contained in the [DOJ Financial Guide](#).

Award Period and Amount

The grant award period is 36 months. Budgets must reflect 36 months of project activity, and the total “estimated funding” on the SF-424 must reflect 36 months. Generally, the award period will start on October 1, 2018.

Budget Requirements.

Applicants must submit reasonable budgets based on the resources needed to implement their projects in their specific geographic location. The budget should display a clear link between the specific project activities and the proposed budget items. It should not contain any items that are not detailed in the project narrative. The budget narrative must support all costs included in the budget and explain how the costs of goods and services are determined and how they will fulfill the overall objective of the project.

In some circumstances, the budget and budget narrative will be reviewed separately from the proposed project narrative. Therefore, it is very important that the budget narrative be as comprehensive as possible and describe in a narrative format each line item requested in the budget.

The budget must:

1. Include funds to attend OVW-sponsored training and technical assistance in the amount of \$30,000. The \$30,000 is for the entire 36 month project period and NOT per year. See [Training and Technical Assistance](#) in the [Funding Restrictions](#) section of the solicitation.
2. Limit costs for medical care of non-Indian SDVCJ defendants to a maximum of 20% of the total project budget.
3. Include funds or include other resources available to support activities to ensure access for individuals with disabilities, Deaf/hard of hearing individuals, and persons with limited English proficiency. See [Accessibility](#) under [Federal Award Administration Information](#) for more information.
4. Distinguish clearly between subawards and contracts in allocating any grant funds to other entities. Pursuant to 2 C.F.R. § 200.330, a subaward is for the purpose of carrying out a portion of the federal award, and a contract is for the purpose of obtaining goods and services for the grantee's own use. The substance of the relationship is more important than the form of the agreement in determining whether the recipient of the pass-through funds is a subrecipient or a contractor. Keep in mind that the awarding and monitoring of contracts must follow documented procurement procedures, including full and open competition, pursuant to the procurement standards in 2 C.F.R. §§ 200.317-200.329, and the issuance of subawards must meet the requirements of 2 C.F.R. § 200.331. See [Appendix A](#) and the Solicitation Companion Guide for more information.

For additional guidance, go to the [Funding Restrictions](#) section of this solicitation.

Memorandum of Understanding (MOU)/Internal Memorandum of Understanding (IMOU) (10 Points Total)

For purposes of this solicitation, the MOU/IMOU is a document containing the terms of the partnership and the roles and responsibilities between internal and external partners necessary to ensure successful planning, development, implementation, and exercise of SCDVJ. The MOU/IMOU **must** be a single document. For external partners, it **must** be signed and dated by the applicant tribe's **Authorized Representative**. For internal partners, it **must** be signed and dated by the **Authorized Representative** of the tribe and by the individual(s) identified by the governing body of the tribe to represent the discipline of the required partners. If necessary, an MOU/IMOU can include multiple signature pages so long as each page includes the names and titles of all signatories to the MOU/IMOU. Applications without the required MOU/IMOU **will not be** considered for funding. If any of the required partners, such as the tribal court or victim

service provider, are not subject to the authority of the tribal governing body, their partnership must be documented in an MOU (see [Appendix C](#)).

Required MOU/IMOU partners for the Tribal Jurisdiction Program are:

- Tribal Leadership;
- Tribal Judge;
- Tribal Prosecutors Office;
- Tribal Attorney/General Counsel;
- Law Enforcement; and
- Victim Services provider.

Tribes are encouraged, but not required, to consider including a Tribal Domestic Violence and Sexual Assault Coalition as an MOU partner if one is active in their area. Other partners which tribes may consider including as a part of the MOU/IMOU: indigent defense counsel/public defender's office, court administrator, court services (pre-trial/probation), jail administrator, and other programs and partners that will contribute to the successful planning and implementation of the Tribal Jurisdiction Program in the tribal community.

Letters of support **will not** be accepted in lieu of the MOU/IMOU.

The MOU/IMOU must:

1. Clearly identify the partners;
2. Clearly state the roles and responsibilities each partner will assume to ensure the success of the proposed project;
3. Describe the resources each partner will contribute to the project, either through time, in-kind contributions, or grant funds (e.g., office space, project staff, and training);
4. Specify the extent of each partner's participation in developing the application and/or project;
5. Demonstrate the commitment of each partner to work together to achieve stated project goals;
6. Indicate commitment to the partnership by each partner and approval of the proposed project narrative and budget by all signing parties; and
7. Identify the time period for which the MOU/IMOU is to be in effect. The time period should, at a minimum, cover the period of the grant award but may exceed it.

In general, MOU partners that will be receiving funds to carry out a portion of the award should be treated as subrecipients and not contractors. For more information see 2 C.F.R. § 200.330, [Appendix A](#), and the [Solicitation Companion Guide](#).

Tribal Resolution or Other Document(s) Demonstrating Authority to Apply (5 Points)

Applications without the required tribal resolution or other document(s) demonstrating authority to apply **will not be** considered for funding. The applicant tribe must provide a valid tribal resolution or other documentation, signed by the chief executive officer of the governing body of the tribe (e.g. the tribal chairperson, president, governor, principal chief, or other equivalent official), providing the following assurances:

1. Affirm the tribe is a federally-recognized tribe appearing in the most recently published list of Indian Entities Recognized and Eligible To Receive Services From the United States Bureau of Indian Affairs;
2. Affirm the tribe has jurisdiction over lands that meet the definition of Indian Country;
3. Define the tribe's Indian Country;

4. Affirm the governing body's determination to plan, develop, implement, and exercise SDVCJ within its Indian Country;
5. Direct internal partners, identified in the IMOU, to participate in and cooperate with the planning, development, implementation, and exercise of SDVCJ and, if necessary, authorize the identified internal partners to enter into/sign the MOU/IMOU; and
6. If necessary, authorize the applicant tribe's Authorized Organized Representative (AOR – see [Application for Federal Assistance \(SF-424\)](#) for the definition of AOR) to enter into/sign the MOU with external MOU partners.

Additional Required Information

The following documents will not be scored during the review process but they must be included with the application. Failure to include any of the information may result in the application being removed from consideration for funding. Some documents will be generated during the application submission process while other documents will be uploaded and attached to the application.

The following documents will be generated and completed during the application submission process:

Application for Federal Assistance (SF-424)

Applicants must complete the SF-424 online. For "Type of Applicant," do not select "other." Pay careful attention to the amount of federal funding requested in the "Estimated Funding" section of this form. This amount must match the amount of federal funding requested in the budget section of the application package. This program does not require a match; therefore, the values for "Applicant" line should be zero. The individual who is listed in "**Authorized Representative**" must be an individual who has the authority to apply for and accept grant awards on behalf of the organization or jurisdiction.

Standard Assurances and Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements (Form 4061/6)

Carefully review the assurances and certification forms online. Applicants will receive a request to compile these forms online during the application submission process.

All applicants must complete the *Disclosure of Lobbying Activities* (SF-LLL) form. Applicants that expend any funds for lobbying activities must provide the detailed information requested on the form. Applicants that do not expend any funds for lobbying activities should enter "N/A" in the required highlighted fields.

The following documents should be uploaded and attached to the application:

Confidentiality Notice Form

All applicants are required to acknowledge that they have received notice that grantees and subgrantees must comply with the confidentiality and privacy requirements of the Violence Against Women Act, as amended. Applicants must submit the acknowledgement form available on the OVW website at

http://www.justice.gov/sites/default/files/ovw/pages/attachments/2015/01/20/confidentiality_acknowledgement_form_42015.pdf. This form must be signed by the Authorized Representative and uploaded with the application in [Grants.gov](#).

Financial Accounting Practices

Each applicant must prepare a response to the following questions. Be sure to provide complete responses that address all questions included for each numbered item. OVW will review the

applicant's responses to assist in evaluating the adequacy of the organization's financial management system and to identify areas of need for training and technical assistance. This section of the application should be no more than two pages and should be a separate attachment to the online application in [Grants.gov](https://www.grants.gov).

1. Will all funds awarded under this program be maintained in a manner that they will be accounted for separately and distinctly from other sources of revenue/funding? Provide a brief description of the applicant's policies and procedures that ensure funds will be tracked appropriately.
2. Does the applicant have written accounting policies and procedures? How often are these policies and procedures updated? Provide a brief list of the topics covered in the applicant's policies and procedures. OVW may request a copy for review during the application/award process or as part of the grant monitoring process.
3. Is the applicant's financial management system able to track actual expenditures and outlays with budgeted amounts for each grant or subgrant? Provide a brief summary of the organization's process for tracking expenditures, including tracking budgeted versus actual amounts.
4. Does the applicant have procedures in place for minimizing the time between transfer of funds from the United States Treasury and disbursement for project activities? Provide a short summary of the applicant's policy for requesting payments for grant awards.
5. Does the applicant have effective internal controls in place to ensure that federal funds are used solely for authorized purposes? Provide a brief description of the applicant's internal controls that will provide reasonable assurance that the award funds will be managed properly.
6. Does the applicant have a documented records retention policy? If so, briefly describe the policy and confirm that the policy complies with federal regulations. Information on Record Retention and Access can be found at 2 CFR 200.333-337.
7. Does the applicant or any of its employees have any potential personal or organizational conflicts of interest related to the possible receipt of OVW award funds? Applicants are required to disclose in writing any potential conflicts of interest to their awarding agency. See 2 CFR 200.112 and Chapter 3.20, Grant Fraud, Waste and Abuse, of the [DOJ Financial Guide](#) for additional information.
8. Is the individual primarily responsible for fiscal and administrative oversight of grant awards familiar with the applicable grants management rules, principles, and regulations including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200)? Provide a short list of the individual's qualifications/experience. If the individual is not familiar with the applicable rules and regulations, the applicant must contact OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 immediately after the applicant is notified of its award to coordinate training.
9. Does the applicant organization have policies and procedures in place to manage subawards and monitor activities of subrecipients as necessary to ensure that subawards are used for authorized purposes, in compliance with laws, regulations, and terms and conditions of the award; and that established subaward performance goals are achieved (2 CFR 200.330-332)? Provide a brief description of the organization's policies and procedures on subrecipient management and monitoring.
10. Does the applicant organization currently require employees to maintain time distribution records that accurately reflect the work performed on specific activities or cost objectives in order to support the distribution of employees' salaries among Federal awards or other activities (2 CFR 200.430)? Budget estimates do not qualify as support for charges to Federal awards. Provide a brief description of the organization's established timekeeping policies and procedures.

This information will be used for a mandatory pre-award risk assessment. Failure to provide this information or to respond to questions from OVW regarding this information in a timely manner could result in the applicant being removed from consideration or a delay in access to funds.

Indirect Cost Rate Agreement (if applicable)

Applicants that intend to charge indirect costs through the use of an indirect cost rate must have a federally-approved indirect cost rate agreement. Include a copy of a current, signed federally-approved indirect cost rate agreement. This should be a separate attachment to the application in [Grants.gov](http://www.justice.gov/grants). Applicants that have never received a federally-approved indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs which may be used indefinitely. This includes state, local, and tribal governments that have never negotiated an indirect cost rate with the federal government and receive less than \$35 million in direct federal funding per year.

Organizations that wish to negotiate an indirect cost rate should contact OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov or 1-888-514-8556 for more information.

Letter of Nonsupplanting

Applicants must submit a letter to OVW's Director, signed by the **Authorized Representative**, certifying that federal funds will not be used to supplant state or local funds should a grant award be made. Refer to http://www.justice.gov/sites/default/files/ovw/legacy/2012/10/09/nonsup_letter.pdf for a sample letter. This must be a separate attachment to the application in [Grants.gov](http://www.justice.gov/grants).

Unique Entity Identifier (DUNS Number) and System for Award Management (SAM)

Applicants for federal grants and cooperative agreements are required to have a Data Universal Number System (DUNS) Number to submit an application. A DUNS Number is a unique nine-character identification number provided by the commercial company **Duns & Bradstreet (D&B)**. Once an applicant has completed the D&B registration, its DUNS Number should be available within two business days.

Federal regulations require that applicants must (1) be registered in SAM.gov prior to submitting an application; (2) provide a valid DUNS number in its application; and (3) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application under consideration by a federal awarding agency. Also, federal agencies may not make an award to an applicant until that applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time that OVW is ready to make an award, then OVW may make the determination that the applicant is not qualified to receive an award and use that determination as a basis for making the award to another applicant.

The SAM centralizes information about grant recipients and also provides a central location for grant recipients to change organizational information. [Grants.gov](http://www.justice.gov/grants) uses SAM to establish roles and IDs for electronic grant applicants.

If the applicant already has an Employer Identification Number (EIN), the SAM registration will take **up to two weeks to process**. If the applicant does not have an EIN, then **the applicant should allow two to five weeks for obtaining the information from IRS when requesting the EIN via phone, fax, mail or Internet**. Follow the steps listed below to register in the SAM:

1. Obtain a DUNS number at the following website <http://www.dnb.com/us/> or call (866) 705-5711.
2. Access the SAM online registration through the [SAM](https://uscontractorregistration.com/sam-registration/) homepage at <https://uscontractorregistration.com/sam-registration/> and follow the online instructions for new SAM users.
3. Complete and submit the online registration. If the applicant already has the necessary information on hand, the online registration takes approximately 30 minutes to complete, depending upon the size and complexity of the business or organization. Once the SAM registration becomes active, the applicant will be able to return to [Grants.gov](https://www.grants.gov/) and complete the registration. **Organizations must update or renew their SAM registration at least once a year to maintain an active status.**

Registration	Where to Register	Deadline
DUNS	DUNS	May 24, 2018
SAM	SAM	May 24, 2018
Grants.gov	Grants.gov	May 24, 2018

There is no fee associated with the registration process. Additionally, the registration process cannot be expedited. OVW strongly discourages applicants from paying a third party to register on their behalf in an attempt to expedite the registration process. To ensure all applicants have ample time to complete the registration process, applicants must obtain a DUNS number, register online with the SAM and with [Grants.gov](https://www.grants.gov/) immediately, but no later than **May 24, 2018**.

Submission Dates and Times

It is the responsibility of the applicant to ensure that the application is complete and submitted by the deadline. Applicants should anticipate that failure to meet all registration and submission deadlines will result in their applications being removed from consideration. Applicants should refer to the chart below to ensure that all required steps and deadlines are met.

Applicants are strongly encouraged to begin the application submission process at least 48 hours, but no later than 24 hours, before June 7, 2018.

Application Action	Contact Information	Date
Solicitation Availability	Grants.gov and OVW Website	April 24, 2018
Request Permission to Submit a Hardcopy Application Due to Lack of Internet Access	For applicants who cannot submit an application electronically, contact the Tribal Jurisdiction Program at OVW.TribalJurisdiction@usdoj.gov	May 24, 2018
Confirmation of Application Receipt	Grants.gov 1. The Authorized Organization Representative should closely monitor their email for any notification from Grants.gov about a possible failed submission. The Authorized	June 7, 2018 Applicants are strongly encouraged to begin the

	<p>Organization Representative (AOR) is a user role within Grants.gov for a user that is authorized to submit applications on behalf of the organization.</p> <p>2. The Authorized Organization Representative should receive a minimum of two emails from Grants.gov. One will confirm receipt of the application package. The other will either notify the Authorized Organization Representative that the application was successfully submitted, or it will notify the Authorized Organization Representative that there was an error with the application submission.</p> <p>OVW does not send out these notifications, nor does OVW receive a copy of these notifications. It is the responsibility of the applicant to notify OVW of any problems with the application submission process.</p>	<p>application submission process at least 48 hours but no later than 24 hours before the deadline</p>
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All applications will be submitted electronically. The deadline for submitting applications in response to this solicitation is **11:59 p.m. E.T. on June 7, 2018**. Applications submitted after **11:59 p.m. E.T. on June 7, 2018**, will not be considered for funding, unless the applicant receives OVW permission to submit a late application. Applicants experiencing difficulties submitting an application should refer to Experiencing Technical Difficulties During Submission in the chart below.

OVW Policy on Duplicate Applications

If an applicant submits multiple versions of an application, OVW will review the last version submitted before the deadline.

OVW Policy on Late Submissions

In limited circumstances, OVW will approve a request to submit an application after the due date. The chart below provides a description of the circumstances under which OVW will consider such requests. OVW will only consider a late submission request if all steps outlined below have been followed. Therefore, applicants are strongly encouraged to familiarize themselves with the late submission process. OVW's approval of a late submission request is not an indication of the application's final disposition. Applications approved for late submissions are still subject to all of the review processes and criteria described in this solicitation.

Failure to begin registration or application submission in sufficient time to acquire the correct version of Adobe software is not an acceptable reason for late submission. Applicants should register with SAM and Grants.gov by May 24, 2018. To support applicants in submitting their proposals and promote a fair process, applicants who may be in need of an extension of the due date must adhere to the following:

Process for Requesting Late Submission

Severe Inclement Weather or Natural Disaster	
<ol style="list-style-type: none"> 1. Document when the severe inclement weather or natural disaster occurred, the impacted area, and the specific impact on the applicant/partners (e.g., without power for “x” days, office closed for “x” days). 2. Contact OVW at the earliest possible date and provide the information described in #1. 3. Contact OVW at least 24 hours prior to the solicitation closing if needing to request a late submission. Applicants impacted by severe inclement weather or a national disaster occurring on the due date can contact OVW up to 72 hours after the due date but as soon as possible. 	<p>OVW may not be able to accommodate all requests resulting from severe inclement weather or a natural disaster but will do its best.</p>

Experiencing Technical Difficulties Beyond the Applicant’s Reasonable Control		
Issue	Applicant Action	OVW Advice
<p>Issue with SAM or Grants.gov Registration</p>	<ol style="list-style-type: none"> 1. Register and/or confirm existing registration at least 3 weeks prior to the application due date to ensure that the individual who will be submitting the application has SAM and Grants.gov access. 2. Maintain documentation of when registration began, any issues related to registration, and all communication with technical support. 3. Notify OVW as soon as you become aware of a problem with registration but no later than 14 days before the application due date. 	<ol style="list-style-type: none"> 1. Failure to begin the SAM or Grants.gov registration process in sufficient time (i.e., by the date identified in this solicitation) is not an acceptable reason for late submission. 2. Ensure that the person who will be submitting the proposal is the person registered in SAM to submit on behalf of the applicant.
<p>Experiencing Unforeseeable Technical Difficulties During the Application Submission Process</p>	<ol style="list-style-type: none"> 1. Document when you began the submission process. 2. Contact Grants.gov at least 24 hours prior to the solicitation closing. 3. Maintain documentation of all communication with Grants.gov support. 4. Contact the Tribal Jurisdiction Program at OVW.Tribaljurisdiction@usd 	<p>Common foreseeable technical difficulties for which OVW will not approve a late submission requests include:</p> <ol style="list-style-type: none"> a. Using an outdated version of Adobe Acrobat; and b. Attachment rejection.

	<p>oj.gov indicating that the applicant is experiencing technical difficulties and would like permission to submit a late application. Provide a phone number and/or email address at which someone with the authority to submit the application and required documentation can be reached for the first 3 business days immediately following the due date.</p> <p>5. Respond promptly to communication from OVW requesting the complete application package, applicant DUNS Number, Grants.gov helpdesk tracking numbers, and any other relevant documentation.</p>	<p>Through Grants.gov, OVW can confirm when submission began. Applicants who start the submission process less than 24 hours before the deadline will not be considered for late submission.</p> <ol style="list-style-type: none"> 1. By beginning the application submission process 24-48 hours before the deadline, applicants should have sufficient time to receive notice of problems with their submissions and make necessary corrections. 2. Applicants are responsible for ensuring that the most up-to-date version of Adobe Acrobat is installed on all computers that may be used to submit the proposal. This should be done at least 48 hours before the deadline. 3. To ensure that attachments are not rejected, attachment names should only include allowable characters. (See Other Submission requirements).
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Intergovernmental Review - Single Point of Contact Review

Executive Order 12372 requires applicants from state and local units of government or other organizations providing services within a state to submit a copy of the application to the [state Single Point of Contact \(SPOC\)](#) if one exists and if the program has been selected for review. Applicants must contact their state SPOCs to determine whether their programs have been selected for state review. The applicant should enter the date that the application was sent to the SPOC or the reason such submission is not required in the section of the SF 424 that refers to EO 12372. Applicants can find a list of SPOCs on the Office of Management and Budget website at https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental_-_Review_-_SPOC_01_2018_OFFM.pdf.

Funding Restrictions

Federal assistance awards are governed by the provisions of 2 CFR Part 200. Additionally, OVW awards are covered by the [DOJ Financial Guide](#). The [DOJ Financial Guide](#) includes information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. The guide also outlines the successful administration of grant funds.

Any recipient of an award will be responsible for monitoring subawards and contracts, including MOU partner activities, under the grant in accordance with all applicable statutes, regulations, and the [DOJ Financial Guide](#). Primary recipients will be responsible for oversight of subrecipient/partner spending and monitoring specific performance measures and outcomes attributable to the use of OVW funds.

Food and Beverage/Costs for Refreshments and Meals

Generally, food and beverage costs are **not** allowable. OVW may approve the use of OVW funds to provide food and/or beverages for a working meal at a meeting, conference, training, or other event, if one of the following applies:

1. The location of the event is not in close proximity to food establishments. It should be a priority to try to secure a location near reasonably priced and accessible commercial food establishments.
2. Not serving food will significantly lengthen the day or necessitate extending the meeting to achieve meeting outcomes.
3. A special presentation at a conference requires a plenary address where there is no other time for food to be obtained.
4. Other extenuating circumstances necessitate the provision of food.

Funds may only be used to purchase food and/or beverages for a meal at a meeting, conference, training, or other event if OVW approves the specific expenditures in advance. For additional information on approval for food and beverage expenditures go to <https://www.justice.gov/ovw/grantees#conference>.

Conference Planning and Expenditure Limitations

Applicants should be aware of all applicable laws, regulations, and policies (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings, retreats, seminars, symposiums, training and other similar events), including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, and policies related to conference planning, minimization of costs, and conference cost reporting is available at <https://www.justice.gov/ovw/grantees#conference>. Applicants should also be aware of the following specific restrictions on conference planning and expenditure limitations:

1. Cost of Logistical Conference Planning
2. Cost of Programmatic Conference Planning
3. Conference Space and Audio-Visual Equipment and Services
4. Prohibition on Trinkets at Conferences
5. Entertainment at Conferences
6. Food and Beverages at Conferences
7. Prior Approval Required Before Entering Into Contracts or Expending Funds for Conferences
8. Conference Reporting

Budget clearance does not constitute prior approval to hold a conference. Recipients must seek approval of these costs through the conference approval process.

Training and Technical Assistance

All applicants are required to allocate funds in the amount of \$30,000 to support travel costs associated with technical assistance and capacity-building activities sponsored by OVW-designated technical assistance providers. The \$30,000 is for the entire 36 month project period and NOT per year. The required set-aside amount may be shared between the applicant and any partnering agency(ies), but the budget must reflect the costs in the appropriate categories. Therefore, an employee's travel costs should be included in the "Travel" category, while travel costs for the project partner(s) must be included in the "Consultants/Contracts/Subawards" category. Label both costs as "OVW Technical Assistance." OVW technical assistance is provided free of charge to grantees, so applicants do not need to include registration fees. The amounts included in the budget should equal the full, required set-aside amount listed above.

These funds can **only** be used for OVW-designated technical assistance, unless otherwise approved by OVW. Travel funds should be used to support travel by all project partners including nonprofit, nongovernmental victim service providers. Funds may also be used by persons whose positions are not grant-funded as long as that person's roles and responsibilities are linked to the project's overall mission. Applicants may budget for expenses in excess of the OVW estimate if they are aware of relevant non-OVW sponsored conferences for which they would like permission to use grant funds to support staff/project partner attendance.

Program Assessments

Grantees under this program are prohibited from using OVW funds to conduct research. Upon budget approval, they may use funds to assess their work for quality assurance and program improvement purposes only. Assessments for quality assurance and program improvement might include surveying training participants about the quality of training content and delivery or convening discussion forums with key stakeholders. Applicants considering proposing program assessments should refer to the [DOJ/OJP decision tree](#) to ensure that the activity does not qualify as human subjects research.

Pre-Agreement Cost Approval

OVW generally does not allow pre-award costs. Costs incurred prior to the start date of the award may not be charged to the project unless the recipient receives prior approval from OVW. See the [DOJ Financial Guide](#) for more information on pre-award costs.

Other Submission Requirements

As discussed in the [Submission Dates and Times](#) section above, applications must be submitted electronically via [Grants.gov](#). Applicants that are unable to submit electronically must follow the instructions in that section.

After applicants obtain their DUNS number and register with SAM, they can begin the [Grants.gov](#) registration process. In order to apply for a grant, the applying organization must complete the [Grants.gov](#) registration process prior to beginning an application for a federal grant. Complete instructions can be found at [Grants.gov](#). **The registration process generally takes between three and five business days and may take as long as four weeks if all steps are not completed in a timely manner.** Grants.gov is not the Office of Justice Programs' (OJP) Grants Management System (GMS). If applicants experience difficulties at any point during this process, they should call the [Grants.gov](#) Customer Support Hotline at **1-800-518-4726**.

Note: [Grants.gov](http://www.grants.gov) limits the use of specific characters in names of attachment files. Valid file names include only the characters shown in the table below. [Grants.gov](http://www.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)	Parentheses ()	Curly braces { }	Square brackets []
Lower case (a – z)	Ampersand (&)	Tilde (~)	Exclamation point (!)
Numbers (0-9)	Comma (,)	Semicolon (;)	Apostrophe (')
Underscore (_)	At sign (@)	Number sign (#)	Dollar sign (\$)
Hyphen (-)	Percent sign (%)	Plus sign (+)	Equal sign (=)
Space	When using the ampersand (&) in XML, applicants must use the “&#amp;” format.		
Period (.)			

Use simple titles for all documents, such as “Tribe Name Project Narrative.” Visit the [Grants.gov](http://www.grants.gov) website to review the most up-to-date guidelines about the use of specific characters.

Submitting a Grant Application

Important Grants.gov update. Grants.gov has updated its application tool. The legacy PDF application package is being phased out and will be retired on December 31, 2017. Grants.gov Workspace is now the standard application method for applying for grants. Applicants should familiarize themselves with the Workspace option now. For complete information and instructions on using Workspace (and other changes), go to the Workspace Overview page at <https://www.grants.gov/web/grants/applicants/workspace-overview.html>.

To ensure a successful application submission, OVW strongly encourages applicants to start their applications at least 48, but no less than 24, hours before the deadline.

The [Grants.gov](http://www.grants.gov) Help Desk can be reached at 1-800-518-4726, Monday through Friday, from 7:00 a.m. to 9:00 p.m. E.T. except federal holidays.

E. Application Review Information

Criteria

Applications will be subject to a peer review and a programmatic review. Applications will be scored based on the degree to which the application responds to each section and addresses each element in the section. Furthermore, applications will be scored based upon the quality of the response and the level of detail provided. Each element **must** be addressed in the section in which it is requested. Points may be deducted if the applicant does not include the information in the appropriate section even if it is included elsewhere within the application. Each section will be reviewed as a separate document and will be scored as such. Specifically, for the Tribal Jurisdiction Program, scoring will be as follows:

1. Summary data sheet: 5 points
2. Project narrative: 65 points, of which
 - A. Project Description: 55 points
 - B. Who will implement: 5 points

- C. Timeline: 5 points
- 3. Budget narrative and detail worksheet: 15 points
- 4. MOU/IMOU: 10 points
- 5. Tribal Resolution or Other Document(s) Demonstrating Authority to Apply: 5 points

Review and Selection Process

Peer Review

OVW will subject all eligible applications to a peer review process that is fair and based on the criteria outlined in this solicitation. OVW may use internal reviewers, external reviewers, or a combination of both.

Programmatic Review

All applications that are considered for funding will be subject to a programmatic review. The programmatic review consists of assessing the application for compliance with the program's scope, activities that compromise victim safety, and, if applicable, past performance and priority area review. OVW reserves the right to deduct points from applications for the following reasons:

1. Activities that compromise victim safety and recovery and undermine offender accountability (deduct up to 25 points.)
2. Out-of-scope activities (deduct up to 25 points)
3. Past performance (deduct up to 25 points)
4. Formatting and Technical Requirements (deduct up to 5 points)

An application that is deemed to be substantially out of scope, proposes a substantial number of activities that are unallowable, or proposes activities that pose a significant threat to victim safety or a serious breach of confidentiality will not be considered for funding. An applicant with considerable past performance issues may receive a deduction in points as described above or be removed from consideration entirely regardless of the application's peer review score.

As a part of the programmatic review process described above, applicants will be reviewed for past performance and risk based on the elements listed below.

1. Demonstrated effectiveness of the current project indicated by timely progress toward meeting project goals and objectives.
2. Demonstration that past activities supported with OVW grant funds have been limited to program purpose areas.
3. Adherence to all special conditions of existing grant award(s) from OVW.
4. Adherence to programmatic and financial reporting requirements, including timely submission of required reports.
5. Completion of close-out of prior awards in a timely manner.
6. Appropriate use of and active participation in OVW-sponsored workshops and other technical assistance events as required by a special condition of the current or recent award.
7. Receipt of financial clearances on all current or recent grants from OVW.
8. Timely resolution of issues identified in any audit or on-site financial or programmatic monitoring visit.
9. Adherence to the Office of Management and Budget single-audit requirement
10. Timely expenditure of grant funds.
11. Adherence to the requirements of the [DOJ Financial Guide](#).

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the OVW Director, who also may give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards. All award decisions are final and not subject to appeal.

High-Risk Grantees

Based on DOJ's assessment of each grantee with regard to current or previous funding, unresolved audit issues, delinquent programmatic and fiscal reporting, and prior performance, a grantee may be designated "high risk." Awards to high-risk grantees may carry special conditions such as increased monitoring and/or prohibitions on drawing funds until certain requirements are met. High-risk grantees with substantial or persistent performance or compliance issues, long-standing open audits, or open criminal investigations will likely not receive an additional OVW award until all issues are resolved.

Anticipated Announcement and Federal Award Dates

It is anticipated that all applicants will be notified of the outcome of their applications by October 1, 2018.

F. Federal Award Administration Information

Federal Award Notices

Successful applications will receive OVW award notifications electronically from the OJP Grants Management System (GMS) (not Grants.gov). This award notification will be sent to the individuals listed as the [Authorized Representative](#) and the Point of Contact on the SF-424 for the application that was selected for funding and will include instructions on accepting the award. Recipients will be required to log in; accept any outstanding assurances and certifications on the award; designate financial points of contact; and review, sign, and accept the award. The award acceptance process involves physical signature of the award document and terms and conditions by the [Authorized Representative](#), scanning the fully executed award document, and returning the scanned document to OVW via facsimile or email.

Administrative and National Policy Requirements

Information for All Federal Award Grantees

Applicants selected for awards must agree to comply with additional legal, administrative, and national policy requirements. OVW strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. This information can be found in the section of the [Solicitation Companion Guide entitled "Post-Award Requirements for All Federal Grant Recipients."](#)

Terms and conditions for OVW awards, including awards under this program, are available at <https://www.justice.gov/ovw/grantees#award-conditions>. These terms are subject to change prior to the issuance of the awards.

Violence Against Women Act Non-Discrimination Provision

The Violence Against Women Reauthorization Act of 2013 added a civil rights provision that applies to all FY 2018 OVW grants. This provision prohibits OVW grantees from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. For more information on this prohibition,

see <http://www.justice.gov/ovw/docs/faqs-ngc-vawa.pdf>. Additional information on the civil rights obligations of OVW funding recipients can be found in the [Solicitation Companion Guide](#) under "Civil Rights Compliance."

Accessibility

Recipients of OVW funds must comply with applicable federal civil rights laws, which, among other things, prohibit discrimination on the basis of disability and national origin. Compliance with these laws includes taking reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access to recipients' programs and activities and ensuring that these programs and activities are readily accessible to qualified individuals with disabilities, including Deaf or hard of hearing individuals. More information on these obligations is available in the [Solicitation Companion Guide under "Civil Rights Compliance"](#). Applicants must allocate grant funds or other available resources to support activities that help to ensure meaningful and full access to their programs. For example, grant funds can be used to support American Sign Language (ASL) interpreter services, language interpretation and translation services, or the purchase of adaptive equipment.

Reporting

OVW grantees are required to submit semi-annual progress reports and quarterly Federal Financial Reports (SF-425). Appropriate progress report forms will be provided to all applicants selected for an award. Forms will be submitted electronically via GMS. Future awards and fund drawdowns may be withheld if reports are delinquent.

G. Federal Awarding Agency Contact(s)

For assistance with the requirements of this solicitation, contact the OVW Tribal Jurisdiction Program at OVW.TribalJurisdiction@usdoj.gov.

H. Other Information

Application Checklist

Applicants must submit a fully executed application to OVW, including all required supporting documentation. Additionally, if an applicant plans to submit an application under any other OVW grant program this fiscal year, please ensure that only documents pertinent to this solicitation are included with this application. OVW will not redirect documents that are inadvertently submitted with the wrong application (e.g., a Rural Program letter submitted with a Transitional Housing Program application will not be transferred to the Rural application).

Application Document	Date Completed
1. Letter of Registration	
2. Summary Data Sheet	
3. Proposal Abstract	
4. Project Narrative <i>Project Description</i> <i>Who will implement</i>	

<i>Project timeline</i>	
5. Budget Detail Worksheet and Narrative	
6. Memorandum of Understanding (MOU) / Internal Memorandum of Understanding (IMOU)	
7. Tribal Resolution or Other Document(s) Demonstrating Authority to Apply	
8. Application for Federal Assistance: SF 424	
9. Standard Assurances and Certifications	
10. Confidentiality Notice Form	
11. Financial Accounting Practices	
12. Indirect Cost Rate Agreement (if applicable)	
13. Letter of Nonsupplanting	

Do not submit documents in addition to those specified in this solicitation. Any materials submitted as part of an application may be released pursuant to a request under the Freedom of Information Act.

Public Reporting Burden - Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. OVW tries to create forms and instructions that are accurate, can be easily understood, and impose the least possible burden on applicants. The estimated average time to complete and file this form is 30 hours. Comments regarding the accuracy of this estimate or suggestions for simplifying this form can be submitted to the Office on Violence Against Women, U.S. Department of Justice, 145 N Street, NE, Washington, DC 20530.

APPENDIX A

Budget Guidance & Sample Budget Detail Worksheet

Budget Guidance

Cost guidance for selected items is provided below to assist applicants in preparing the budget detail worksheet. In developing your budget detail worksheet please refer to the [DOJ Financial Guide](#).

Consultants/Contracts

Compensation for services by an individual consultant should be reasonable and consistent with that paid for similar services in the marketplace. Applicants should consider the type of services provided and the experience and expertise of the individual consultant when deciding if a consultant's rate is reasonable. Applicants are strongly discouraged from requesting consultant rates in excess of \$650 per day. Please note that this does not mean that the rate can or should be as high as \$650 for all consultants. If a project is ultimately selected for funding with a budget allocating more than \$650 per day to a consultant, the applicant must provide additional information to OVW for review and approval before consultant costs are incurred. Applicants should also include all costs associated with consultants/contracts in the "Consultants/Contracts" category, including travel-related costs. These costs should not be reflected in the Personnel or Travel categories.

Applicants should follow the same established procurement policies with federal funds as they would with non-federal funds. All procurement transactions, including the awarding of consultant contracts, should be conducted in a manner that provides maximum open, free and fair competition, and must follow 2 C.F.R. §§ 200.317-200.326. All sole-source procurements (those not awarded competitively) in excess of \$150,000 require prior approval from OVW. This applies to procurements of goods and services, but not to selection of sub recipients.

MOU Partners/Subrecipients

MOU project partners are generally considered subrecipients for time spent working on program objectives. The following MOU project partner responsibilities are consistent with the characteristics in 2 C.F.R. § 200.330 that support their classification as subrecipients: they are using federal funds to carry out a program for a public purpose specified in the authorizing statute, they are responsible for adherence to program requirements, they are responsible for programmatic decision making, their performance is measured in relation to whether program objectives are met, and in some cases they may be responsible for determining who is eligible to receive assistance (services) under the grant award. In contrast, a contractor provides goods and services within normal business operations, provides similar good and services to many different purchasers, normally operates in a competitive environment, provides goods and services that are ancillary to the operation of the program, and programmatic requirements may not be applicable to the services they are providing. For additional information on determining whether the recipient of the pass-through funds is a subrecipient or a contractor, please refer to [2 CFR Part 200.330](#), as well as the [Solicitation Companion Guide](#).

Compensation for Partners

In developing the budget, applicants should compensate all project partners for their participation in any project-related activities, including but not limited to, compensation for time and travel expenses to participate in project development, training, and implementation. The budget **must** include compensation for all services rendered by project partners, including nonprofit, nongovernmental domestic violence and/or sexual assault victim services programs and state and tribal domestic violence and/or sexual assault coalitions. Keep in mind that partners are generally considered a subrecipient and would be reimbursed for their actual costs incurred for the project rather than a fee for service. If a partner is a state or local governmental

agency and the partnership duties are conducted within the course of the agency's "regular" scope of work, applicants do not need to compensate the partner if the partner a) offers this arrangement; and b) an explanation of this arrangement is included in the application.

Rent

Rental costs are generally allowable under OVW programs. Applicants should list square footage and cost per square foot in the budget. The amount must be based on the space that will be allocated to implement the OVW project, not the costs of the entire rental space. **Rental costs are not allowable for property owned by the applicant or if the applicant has a financial interest in the property.** In this case only the costs of ownership, including maintenance costs, insurance, depreciation, utilities, etc., are allowable costs. The applicant must indicate in the budget narrative whether or not they own the space that will be rented.

Audit Costs

Costs for audits not required or performed in accordance with the Office of Management and Budget (OMB) Circular A-133 or 2 CFR Part 200 Subpart F – Audit Requirement are unallowable. If the applicant agency did not meet the applicable expenditure threshold during the organization's fiscal year, the cost of any audit performed may not be charged to the grant.

Indirect Costs

Applicants that have current, federally-approved, indirect cost rates may seek to claim indirect costs and must submit a copy of their current federally-approved indirect cost rate agreement with the application. Applicants may choose to waive indirect costs.

Non-federal entities that have never received a federally-approved indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs which may be used indefinitely. This includes state and local governments that have never negotiated an indirect cost

Purchase and/or Lease of Vehicles

The purchase and lease of vehicles are prohibited under most OVW grant programs, although some programs allow for purchasing vehicles on a case-by-case basis. Refer to the solicitation for which you are applying to determine whether vehicles can be purchased or leased. If requesting a vehicle, a lease/purchase analysis must be submitted with the application.

Non-Federal contributions

Any non-federal contributions can be discussed in the project narrative or Memorandum of Understanding (if required). **Applicants should not include supplemental contributions in the budget, budget narrative, or SF-424.**

Applicants are advised that if they voluntarily decide to provide matching funds through the use of in-kind contributions, and include this information in the budget or budget narrative, the voluntary contributions will become a mandatory requirement under the grant award. Grantees that fail to provide sufficient mandatory matching funds through cash or in-kind contributions during the award period may be required to meet their obligation by making a cash payment to the Office on Violence Against Women in order to close out the grant award.

Budget Detail Worksheet

Purpose: The Budget Detail Worksheet may be used as a guide to assist you in the preparation of the budget and budget narrative. You may submit the budget and budget narrative using this form or in the format of your choice (plain sheets, your own form, or a variation of this form). However, all required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be deleted.

Note: The following budget is an example intended to assist you in preparing your application budget. The sample expenses may not fit the purposes or activities of this particular grant program.

A. Personnel – List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
Project Coordinator	\$47,000 x 50% x 3 years	\$ 70,500
Prosecutor	\$90,000 x 50% x 3 years	\$135,000
Administrative Assistant	\$10/hr. x 20 hrs/month x 36 months	\$ 7,200

The Project Coordinator will coordinate the tribe's SDVCJ project by organizing regular SDVCJ coordinating council meetings between all partner organizations, ensuring compliance with program requirements, and serving as the central point of contact for all project activities.

The tribe will hire a Prosecutor. The Prosecutor and will spend 20 hours each month reviewing and rewriting domestic violence, dating violence and violations of protection orders codes, as well as various policies and procedures. In addition, once the tribe implements the SDVCJ, the prosecutor will prosecute SDVCJ and other violence against women cases.

The Administrative Assistant will be a part-time employee. She/he will be compensated at a rate of \$10/hour and will spend 20 hours each month providing administrative and clerical support to the Project coordinator and the Prosecutor.

TOTAL PERSONNEL: \$ 212,700

B. Fringe Benefits – Fringe benefits should be based on actual known costs or an established formula. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Worker's Compensation, and Unemployment Compensation.

<u>Name/Position</u>	<u>Computation</u>	<u>Cost</u>
Project Coordinator		
Employer's FICA	\$70,500 x 7.65%	\$ 5,393
Health Insurance	\$70,500 x 6.12%	\$ 4,315

Worker's Compensation	\$70,500 x 1.00%	\$ 705
Unemployment Compensation	\$70,500 x 0.50%	\$ 353
Prosecutor		
Employer's FICA	\$135,000 x 7.65%	\$10,328
Health Insurance	\$135,000 x 6.12%	\$ 8,262
Worker's Compensation	\$135,000 x 1.00%	\$ 1,350
Unemployment Compensation	\$135,000 x 0.50%	\$ 675
Administrative Assistant		
Employer's FICA	\$ 7,200 x 7.65%	\$ 551
Health Insurance	\$ 7,200 x 6.12%	\$ 441
Worker's Compensation	\$ 7,200 x 1.00%	\$ 72
Unemployment Compensation	\$ 7,200 x 0.50%	\$ 36
TOTAL FRINGE BENEFITS:		\$ 32,481

TOTAL PERSONNEL AND FRINGE BENEFITS: \$ 245,181

The tribe is requesting fringe benefits for the Project Coordinator, the Prosecutor, and the Administrative Assistant.

C. Travel – Itemize travel expenses of project personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X per diem). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and unit costs involved. Identify the location of travel, if known. Indicate source of Travel Policies applied, Applicant or Federal Travel Regulations.

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
OVW-Mandated Training and Technical Assistance	TBD	Airfare	\$500 (avg.) x 5 people x 4 trips	\$ 10,000
		Lodging	\$100 (avg.) x 3 nights x 6 people x 4 trips	\$ 7,200
		Per diem	\$ 50 (avg.) x 4 days x 6 people x 4 trips	\$ 4,800

\$22,000 of the required \$30,000 in OVW mandated technical assistance and training funds has been allocated to cover the cost of travel for staff of the tribe in accordance with the budget requirements in the solicitation for this program. The remaining amount of \$8,000 has been allocated for partner travel and can be found in Section G of this form. The sites of the training sessions are unknown at this time. Travel estimates are based upon the tribe's formal written travel policy.

TOTAL TRAVEL: \$ 22,000

D. Equipment – List non-expendable items that are to be purchased. (Note: Organization’s own capitalization policy for classification of equipment should be used.) Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technical advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project. Attach a narrative describing the procurement method to be used.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
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TOTAL EQUIPMENT: \$ 0

E. Supplies – List items by type (office supplies, postage, training materials, copying paper, and other expendable items such as books, thumb drives, and flash drives) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project.

<u>Supply Items</u>	<u>Computation</u>	<u>Cost</u>
Office Supplies (paper, printer, toner, pens, etc.)	\$150/month x 36 months	\$5,400
Postage	\$ 50/month x 36 months	\$1,800
75 Victim Assistance Kits	\$ 25/kit x 75 kits	\$1,875

Office supplies and postage are needed for the general operation of the program. The Victim Assistance Kits will be provided to victims of domestic violence, dating violence, sexual assault, and stalking who seek assistance from the program. The kits contain toiletries and other necessities. The estimated cost is based on previous kit prices from other programs. We estimate that at least 75 kits will be needed.

TOTAL SUPPLIES: \$ 9,075

F. Construction – Construction costs are not allowable.

<u>Purpose</u>	<u>Description of Work</u>	<u>Cost</u>
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TOTAL CONSTRUCTION: \$ 0

G. Consultants/Contracts – Indicate whether applicant’s formal, written Procurement Policy or the Federal Acquisition Regulations are followed.

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$650 per day or \$81.25 per hour require additional justification and prior approval from the Office on Violence Against Women.

<u>Name of Consultant</u>	<u>Service Provided</u>	<u>Computation</u>	<u>Cost</u>
Consultant /Trainer	DV Training	\$650/day x 3 days	\$ 1,950
Indigent Defense Counsel	Legal Services	\$50/hr. x 30 hrs./month x 36 months	\$ 54,000

A Consultant/Trainer will provide a three day on-site training on domestic violence and related issues to tribal leaders, law enforcement, prosecution, court personnel, and medical and social services personnel. The training will focus on the challenges of providing support and advocacy services to Indian victims of domestic violence, dating violence, and/or protection order violations.

The tribe will hire a Part-Time Indigent Defense Counsel in order to exercise SDVCJ. The Part-Time Indigent Defense Counsel will be compensated at an hourly rate of \$50/hour. The Part-Time Indigent Defense Counsel will participate in SDVCJ planning team meetings and training events. Once the tribe implements SDVCJ, the Indigent Defense Counsel will spend up to 30 hours each month providing services to indigent defendants charged with SDVCJ crimes.

Subtotal Consultant Fees: \$ 55,950

Consultant Travel: List all expenses to be paid from the grant to the individual consultant in addition to their fees (i.e., travel, meals, lodging etc.).

<u>Purpose of Travel</u>	<u>Location</u>	<u>Item</u>	<u>Computation</u>	<u>Cost</u>
OVW-Mandated Training and Technical Assistance	TBD	Airfare	\$550 (avg.) x 2 people x 4 trips	\$ 4,400
		Lodging	\$100 (avg.) x 3 nights x2 people x 4 trips	\$ 2,400
		Per diem	\$ 50 (avg.) x 3 days x 2 people x 4 trips	\$ 1,200
			Subtotal OVW-Mandated Training:	<u>\$ 8,000</u>
Delivery of Legal Training	Tribe's Reservation	Airfare	\$500 (avg.) x 1 person x 1 trip	\$ 500
		Lodging	\$ 50 (avg.)/night x 2 nights	\$ 100
		Per diem	\$ 35 (avg.)/day x 3 days	\$ 105
			Subtotal Sexual Assault Training:	<u>\$ 705</u>

Subtotal Consultant Travel: \$ 8,705

\$8,000 of the required \$30,000 in OVW mandated technical assistance and training funds has been allocated to cover the cost of travel for the contracted Indigent Defense Counsel accordance with the budget requirements in the solicitation for this program. The contracted Indigent Defense Counsel will participate in training with other SDVCJ planning team members. The sites of the training sessions are unknown at this time.

Funds have also been allocated to pay for the Consultant/Trainer to travel to the reservation to provide domestic violence training.

Contracts: Provide a description of the product or services to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$150,000.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Cell Phone Service	\$75/month x 36 months	\$ 2,700
Incarceration costs for SDVCJ Defendants	\$60/day x 5 days/month x 36 months	\$10,800
Subtotal Contracts:		<u>\$ 13,500</u>

The Prosecutor will have a cellular phone so that he/she may be contacted as needed.

The Tribe currently has an agreement with the Sheriff's office to hold tribal prisoners at a negotiated rate of \$60 per day. At this time the tribe is estimating 5 days per month for the 36-month project.

TOTAL CONTRACTS AND CONSULTANTS: \$ 60,155

H. Other Costs – List items (e.g., rent, reproduction, telephone, janitorial or security services, and investigative or confidential funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent, and provide a monthly rental cost and how many months to rent.

<u>Item</u>	<u>Computation</u>	<u>Cost</u>
Medical care for SDVCJ defendants	\$2,780/person x 5 persons/year x 3 years	\$ 41,700
Cost of Ownership for space occupied by project staff	\$2/sq. foot x 500 sq. feet x 36 months x 1.0 FTE	\$ 36,000
Utilities	\$200/month x 36 months X 1.0 FTE	\$ 7,200

For budgetary purposes, medical care for SDVCJ defendants is estimated at five SDVCJ defendants per year receiving medical care at \$2,780. Costs included in this category could include a multiple of unknown expenses but will not exceed 20% of the total award budget as per the budget requirements in the solicitation for this program.

The grant funded positions will be housed at the tribal court building. Costs of ownership for this site has been determined to be \$2/sq foot and is pro-rated to the number of FTE occupying the space.

The cost of utilities (i.e., gas, electric, waste removal, and water service) at the Tribal Court building averages \$200/month/ FTE. The services are necessary to ensure that office space is suitable for occupancy.

TOTAL OTHER COSTS: **\$ 84,900**

I. Indirect Costs – Indirect costs are allowed if the applicant has a federally approved indirect cost rate. A copy of the rate approval (a fully executed, negotiated agreement) must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant’s 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 costs categories. Non-federal entities that have never received a federally-approved indirect cost rate may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. This includes state and local governments that have never negotiated an indirect cost rate with the Federal government and receive less than \$35 million in direct Federal funding per year. Tribes that have never negotiated an indirect cost rate with the Federal government may also use the 10% de minimis rate.

<u>Description</u>	<u>Computation</u>	<u>Cost</u>
13.25% of Direct Salaries (Excluding Fringe Benefits)	\$212,700 x 13.25%	\$28,183

TOTAL INDIRECT COSTS: **\$ 28,183**

The Indirect Cost Rate Agreement was approved by the Department of the Interior, the applicant’s cognizant federal agency on January 1, 2015. (A copy of the fully executed, negotiated agreement is attached).

Budget Summary – When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of federal funds requested and the amount of non-federal funds that will support the project.

Budget Category	Amount
A. Personnel	\$212,700
B. Fringe Benefits	\$ 32,481
C. Travel	\$ 12,000
D. Equipment	\$ 1,500
E. Supplies	\$ 9,075
F. Construction	\$ 0

G. Consultants and Contracts	\$ 60,155
H. Other Costs	\$ 84,900
Total Direct Costs	\$412,811
I. Indirect Costs	\$ 28,183
 TOTAL PROJECT COSTS	 <u>\$ 440,994</u>
 Federal Share Requested	 \$ 440,994
Non-Federal (Match) Amount	\$ 0

APPENDIX B

Sample Letter of Registration

[Applicant Letterhead]

[Date]

Director
Office on Violence Against Women
145 N Street NE
Suite 10W.121
Washington, DC 20530

Dear Director:

This letter serves to certify that **[Insert Applicant Name]** is registered and current with the System for Award Management (SAM) under DUNS number **[insert DUNS number]**. **[Insert Applicant Name]** registered/verified registration on **[Insert Verification Date]**. The SAM registration for **[Insert Applicant Name]** will expire on **[Insert Expiration Date]**.

First Time [Grants.gov](https://www.grants.gov) Users ONLY - I understand that in order to submit an application for the FY 2018 **[Insert Grant Program Name]**, **[Insert Applicant Name]** must be registered with [Grants.gov](https://www.grants.gov). I certify that **[Insert Organization Name]** began the registration process with [Grants.gov](https://www.grants.gov) on **[Insert Registration Date]**.

OR

Repeat [Grants.gov](https://www.grants.gov) Users ONLY – I understand that upon application submission in [Grants.gov](https://www.grants.gov) the Authorized Organization Representative (AOR) will receive a minimum of two email messages. One will confirm receipt of the application package. The other will either notify the AOR that the application was successfully submitted, or it will notify the AOR that there was an error with the application submission. In order to successfully receive notifications from [Grants.gov](https://www.grants.gov), all information listed in [Grants.gov](https://www.grants.gov) must be current and active. **[Insert Applicant Name]** verified that all information listed in [Grants.gov](https://www.grants.gov) (Name and contact information for the AOR, organization address, etc.) is current and active on **[Insert Date]**.

Sincerely,

[Authorized Representative]

APPENDIX C

Sample Memorandum of Understanding (MOU) / Internal Memorandum of Understanding (IMOU)

[Applicant Letterhead]

Sample Memorandum of Understanding

WHEREAS, [Applicant Tribe Legal Name], [Partner 1- Tribal Judge], [Partner 2- Tribal Prosecutor's Office], and [Partner 3- Tribal Attorney/General Counsel], [Partner 4- Tribal Law Enforcement], [Partner 5- Tribal Victim Services Program provider] and [Partner 6- optional other partner(s)] have come together to collaborate and to make an application for Office on Violence Against Women (OVW) Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction Program (Tribal Jurisdiction Program); and

WHEREAS, the partners listed below have agreed to enter into a partnership in which [Applicant Tribe Legal Name] is the lead and named applicant and the other programs are partners in this application; and

WHEREAS, the partners herein desire to enter into a Memorandum of Understanding setting forth the services to be provided by the partners; and

WHEREAS, the application prepared and approved by the collaborative through its partners is to be submitted to the OVW on or before [application due date];

I) Description of Partners

For each of the MOU partners, include the agency/component name (i.e. Name of Tribe Tribal Council, Name of Tribe Attorney General's Office, Name of Tribe Counsel, Family Violence Prevention Program), the name and title of the representative that will participate in meetings of the partnership and/or be responsible for key activities, and their contact information (address, telephone number, and e-mail address) followed by a brief background description of the partner program and its work regarding domestic violence, dating violence, sexual assault, and/or stalking. Required partners for the Tribal Jurisdiction Program are:

- *the Federally-Recognized Tribe;*
- *Tribal Judge;*
- *Tribal Prosecutors Office;*
- *Tribal Attorney/General Counsel;*
- *Tribal Law Enforcement; and*
- *Tribal Victim Services Program provider.*

Tribes are encouraged, but not required, to consider including a Tribal Domestic Violence and Sexual Assault Coalition as an MOU partner if one is active in their area. Other partners which tribes may consider including as a part of the MOU: indigent defense counsel/public defender's office, court administrator, court services (pre-trial/probation), jail administrator, and other programs and partners that will contribute to the successful planning and implementation of the Tribal Jurisdiction Program in the tribal community.

II) History of Relationship

- *Provide a brief history of the collaborative relationship between the partners, including recent examples of similar work completed by the partners;*
- *Describe the critical and long-range goals of the collaboration.*

III) **Development of Application**

- *Discuss the circumstances under which this application began and how recent collaboration aided in the development of the application*
- *Specify the extent of each party's participation in developing the application.*

IV) **Roles and Responsibilities**

NOW, THEREFORE, it is hereby agreed by and between the partners as follows:

Clearly state the roles and responsibilities of each partner to ensure the success of the proposed project. Describe the resources each partner will contribute to the project either through time, in-kind contribution or with the use of grant funds, e.g. office space, project staff, training, expertise. Demonstrate a commitment on the part of all partners to work together to achieve stated project goals and to sustain the project once grant funds are no longer available. Describe how the partners will collaborate with one another on key project goals.

- 1) **[Applicant Tribe Legal Name]** will **[broad description/role/responsibility]** to plan, implement, and exercise SDVCJ within the Indian Country of the **[Applicant Tribe Legal Name]**:
 - Specific contribution(s) described
- 2) **[Partner 1- Tribal Judge]** will **[broad description/role/responsibility]** to plan, implement, and exercise
 - Specific contribution(s) described
- 3) **[Partner 2-Tribal Prosecutor's Office]** will **[broad description/role/responsibility]** to plan, implement, and exercise SCDVJ within the Indian Country of the **[Applicant Tribe Legal Name]**:
 - Specific contribution(s) described
- 4) **[Partner 3- Tribal Attorney/General Counsel]** will **[broad description/role/responsibility]** to plan, implement, and exercise SDVCJSDVCJ within the Indian Country of the **[Applicant Tribe Legal Name]**:
 - Specific contribution(s) described
- 5) **[Partner 4- Tribal Law Enforcement]** will **[broad description/role/responsibility]** to plan, implement, and exercise SDVCJSDVCJ within the Indian Country of the **[Applicant Tribe Legal Name]**:
 - Specific contribution(s) described

- 6) **[Partner 5- Tribal Victim Services Program provider]** will **[broad description/role/responsibility]** to plan, implement, and exercise SDVC within the Indian Country of the **[Applicant Tribe Legal Name]**:
 - Specific contribution(s) described
- 7) **[Partner 6-optional other partner(s)]** will **[broad description/role/responsibility]** to plan, implement, and exercise SDVCJ within the Indian Country of the **[Applicant Tribe Legal Name]**:
 - Specific contribution(s) described
- 8) **[Applicant Tribe]** and **[Partner 1]** will collaborate in the following manner:
- 9) **[Applicant Tribe]** and **[Partner 2]** will collaborate in the following manner:
- 10) **[Applicant Tribe]** and **[Partner 5]** will collaborate in the following manner:
- 11) **[Partner 1]** and **[Partner 2]** will collaborate in the following manner:
- 12) **[Partner 3]** and **[Partner 4]** will collaborate in the following manner:

V) Timeline

The roles and responsibilities described above are contingent on **[Applicant Tribe Legal Name]** receiving funds requested for the project described in the OVW cooperative agreement application. Responsibilities under this Memorandum of Understanding coincide with the project period, anticipated to be **MM/DD/YYYY** through **MM/DD/YYYY**.

VI) Commitment to Partnership

- 1) The **[Applicant Tribe]** intends to plan, implement, and exercise Special Domestic Violence Criminal Jurisdiction in its Indian Country defined as: **specify the Indian Country of the Applicant Tribe where SDVCJ will be implemented.**
- 2) The partners agree to participate and work cooperatively to plan, implement, and exercise Special Domestic Violence Criminal Jurisdiction within the Indian Country of the **[Applicant Tribe Legal Name]**, described above, pursuant to the program narrative of the grant application attached to this agreement.
- 3) Compensation for non-lead partners' contribution to this project will be provided as outlined in the attached budget detail worksheet.
- 4) We, the undersigned have read and agree with this MOU. Further, we have reviewed and approved the proposed project narrative and budget.

By _____ Date _____
*Authorized Representative Title, **Applicant Tribe Legal Name***

By _____ Date _____
*Authorized Representative Title, **Partner 1- Tribal Judge***

By _____ Date _____
*Authorized Representative Title, **Partner 2-Tribal Prosecutor's Office***

By _____ Date _____
*Authorized Representative Title, **Partner 3- Tribal Attorney/General Counsel***

By _____ Date _____
*Authorized Representative Title, **Partner 4- Tribal Law Enforcement***

By _____ Date _____
*Authorized Representative Title, **Partner 5- Tribal Victim Services Program provider***

By _____ Date _____
*Authorized Representative Title, **Partner 6-optional other partner(s)***

cc: Partner Agencies and Interested Parties

APPENDIX D

Summary of Current and Recent OVW Projects

Summary of Current and Recent OVW Projects

Applicant Name								
Service Area: Size of Service Area: Size of Target Population:								
Award Number	Award End Date	Program	Award Amount	Amount Remaining	Extension Needed?	Extension Needed: Timeframe	Grant-Individual(s) and Job Title(s)	Justification for Remaining Funds
2015-XX-XX-XXXX	7/31/2017	2015 CLSSP	\$300,000	TOTAL: \$250,000 A. Personnel: <u>\$200,000</u> B. Fringe: <u>\$50,000</u> C. Travel: <u>\$0</u> D. Equipment: <u>\$0</u> E. Supplies: <u>\$0</u> F. Construction: <u>\$0</u> G. Consultants and Contracts: <u>\$0</u> H. Other Costs: <u>\$0</u> I. Indirect Costs: <u>\$0</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No		2FT DV/SA Advocates: Abby Smith and Bill Thompson	
2016-XX-XX-XXXX	12/31/2018	2016 CTAS	\$932,000	TOTAL: \$467,850 A. Personnel: <u>\$250,000</u> B. Fringe: <u>\$100,000</u> C. Travel: <u>\$0</u> D. Equipment: <u>\$0</u> E. Supplies: <u>\$0</u> F. Construction: <u>\$0</u> G. Consultants and Contracts: <u>\$100,000</u> H. Other Costs: <u>\$0</u> I. Indirect Costs: <u>\$17,850</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No		1FT DV Advocate (Anne Tyler); 2FT Shelter Advocates (Mary Harrison and Elizabeth Baker); 1FT Victim Liaison (John Jones)	
			TOTAL:	TOTAL:				
			\$1,232,000	\$717,850				

APPENDIX E

Summary of Current and Pending Non-OVW Grants to Do the Same or Similar Work

**Summary of Current and Pending Non-OVW
Federal Grants to Do the Same or Similar Work**

[Applicant Name]							
Current Awards							
Service Area:							
Federal Awarding Agency	Award Number	Program	Award End Date	Award Amount	Amount Remaining	Grant-Individual(s), Job Title(s), and Percentages	Describe how this project differs from the application for OVW funding.
OJP	XXX-XXX-XXXX	OVC	9/30/2018	\$300,000	TOTAL: \$250,000 A. Personnel: <u>\$200,000</u> B. Fringe: <u>\$50,000</u> C. Travel: <u>\$0</u> D. Equipment: <u>\$0</u> E. Supplies: <u>\$0</u> F. Construction: <u>\$0</u> G. Consultants and Contracts: <u>\$0</u> H. Other Costs: <u>\$0</u> I. Indirect Costs: <u>\$0</u>	2FT DV/SA Advocates: John Smith (25%) and Jane Edwards (35%)	[Insert description.]
Pending Applications							
Service Area:							
Federal Awarding Agency	Application Number (if known)	Program	Project Period	Total Requested Amount	Amount Requested	Grant-Individual(s), Job Title(s), and Percentages	Describe how this project differs from the application for OVW funding.
COPS	XXX-XXX-XXXX	CAMP	36 months	\$300,000	TOTAL: \$300,000 A. Personnel: <u>\$200,000</u> B. Fringe: <u>\$50,000</u> C. Travel: <u>\$0</u> D. Equipment: <u>\$0</u> E. Supplies: <u>\$50,000</u> F. Construction: <u>\$0</u> G. Consultants and Contracts: <u>\$0</u> H. Other Costs: <u>\$0</u> I. Indirect Costs: <u>\$0</u>	1FT DV Advocate: Janet Anderson (20%); 1FT Shelter Advocate: Jay Summers (10%); 1FT Victim Liaison: John Neil (50%)	[Insert description.]

APPENDIX F

SDVCJ Questionnaire

Note: The following questions are derived from the Appendix to Pilot Project for Tribal Jurisdiction over Crimes of Domestic Violence, 78 Fed. Reg. 71,645 (Nov. 29, 2013), available at <https://www.gpo.gov/fdsys/pkg/FR-2013-11-29/pdf/2013-28653.pdf>

Questionnaire

The Right to Trial by an Impartial Jury

1. In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe provide to the defendant the right to a trial by an impartial jury that is drawn from sources that reflect a fair cross section of the community and do not systematically exclude any distinctive group in the community, including non-Indians? Please answer "Yes" or "No." Please provide relevant legal materials detailing the safeguards that the Tribe's criminal justice system has in place to protect this right.

The Right to Effective Assistance of Counsel

2. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe provide to the defendant the right to effective assistance of counsel at least equal to that guaranteed by the United States Constitution? Please answer "Yes" or "No." Please provide relevant legal materials detailing the safeguards that the Tribe's criminal justice system has in place to protect this right.

The Right to Indigent Defense Counsel

3. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe provide to each indigent defendant, at no cost to the defendant, the right to the assistance of a defense attorney licensed to practice law by any jurisdiction in the United States that applies appropriate professional licensing standards and effectively ensures the competence and professional responsibility of its licensed attorneys? Please answer "Yes" or "No." Please provide relevant legal materials detailing the safeguards that the Tribe's criminal justice system has in place to protect this right.

4. For each licensed defense attorney that the Tribe anticipates will be appointed to represent an indigent defendant in a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, please provide a list of all jurisdictions in which the defense attorney is licensed to practice law. Please provide a separate list of jurisdictions for each attorney (who can be identified either by name or anonymously as "Attorney 1," "Attorney 2," etc.).

The Right to a Law-Trained, Licensed Judge

5. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe provide to the defendant the right to a criminal proceeding presided over by a judge who has sufficient legal training to preside over criminal proceedings and is licensed to practice law by any jurisdiction in the United States? Please answer "Yes" or "No." Please provide relevant legal materials detailing the safeguards that the Tribe's criminal justice system has in place to protect this right.

6. For each judge that the Tribe anticipates will preside over a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, please provide (a) a brief description of the judge's legal training to preside over criminal proceedings, and (b) a list of all jurisdictions in which that judge is licensed to practice law. Please provide a separate answer for each judge (who can be identified either by name or anonymously as "Judge 1," "Judge 2," etc.).

The Right to Publicly Available Laws and Rules

7. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe, prior to charging the defendant, make publicly available the criminal laws (including regulations and interpretative documents), rules of evidence, and rules of criminal procedure (including rules governing the recusal of judges in appropriate circumstances) of the tribal government? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

The Right to Records of the Criminal Proceeding

8. In a criminal proceeding in which the Tribe will exercise SDVCJ and in which a term of imprisonment of any length may be imposed, will the Tribe maintain a record of the criminal proceeding, including an audio or other recording of the trial proceeding? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

The Right to Timely Notice of Federal Habeas Corpus Rights and Privileges

9. Will the Tribe provide to each person detained by order of the Tribe timely notice of the person’s rights and privileges to file in a court of the United States a petition for a writ of habeas corpus under 25 U.S.C. 1303 and a petition to stay further detention under 25 U.S.C. 1304(e)? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right to timely notice.

Other Rights Protected by the Indian Civil Rights Act of 1968

10. In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe provide to the defendant all applicable rights under the Indian Civil Rights Act of 1968, as amended, including but not limited to (a) the right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures, and not to be subjected to a warrant unless it was issued upon probable cause, was supported by oath or affirmation, and particularly described the place to be searched and the person or thing to be seized; (b) the right not to be twice put in jeopardy for the same offense; (c) the right not to be compelled to be a witness against himself; (d) the right to a speedy and public trial; (e) the right to be informed of the nature and cause of the accusation; (f) the right to be confronted with the witnesses against him; (g) the right to have compulsory process for obtaining witnesses in his favor; (h) the right to be free from excessive bail; (i) the right to be free from excessive fines; (j) the right against cruel and unusual punishments; (k) the right to the equal protection of the Tribe’s laws; (l) the right not to be deprived of liberty or property without due process of law; (m) the right not to be subjected to an ex post facto law; and (n) the right to a trial by jury of not less than six persons? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect these rights.

Tribal Criminal Jurisdiction

11. Will the Tribe exercise SDVCJ over a defendant only for criminal conduct constituting, within the meaning of 25 U.S.C. 1304, either (a) an act of domestic violence or dating violence that

occurs in the Indian country of the Tribe, or (b) an act that occurs in the Indian country of the Tribe and violates the portion of a protection order that (1) prohibits or provides protection against violent or threatening acts or harassment against, sexual violence against, contact or communication with, or physical proximity to, another person; (2) was issued against the defendant; (3) is enforceable by the Tribe; and (4) is consistent with 18 U.S.C. 2265(b)? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

12. In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe convict a non-Indian defendant at trial only if the Tribe proves that the alleged victim is an Indian? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

13. In a criminal proceeding in which the Tribe will exercise SDVCJ, will the Tribe convict a defendant at trial only if the Tribe proves that the defendant resides in the Indian country of the Tribe; is employed in the Indian country of the Tribe; or is a spouse, intimate partner, or dating partner either of a member of the Tribe or of an Indian who resides in the Indian country of the Tribe? Please answer “Yes” or “No.” Please provide relevant legal materials detailing the safeguards that the Tribe’s criminal justice system has in place to protect this right.

Other Considerations

14. The Tribe may provide any additional information or relevant legal materials addressing the Tribe’s readiness to commence exercising SDVCJ while protecting defendants’ rights, consistent with 25 U.S.C. 1304. Additional information or relevant legal materials may focus on any of the following topics: (a) the Tribe’s history of compliance with the Indian Civil Rights Act of 1968, as amended; (b) the Tribe’s recent history, following the 2010 enactment of 25 U.S.C. 1302(b)–(c), of imposing total terms of imprisonment of more than one year; (c) the Tribe’s formal or informal policies for coordinating with federal or state criminal investigators and prosecutors in cases where the Tribe may have concurrent criminal jurisdiction; (d) the Tribe’s efforts to combat domestic violence and dating violence, including issuing and enforcing protection orders; (e) the Tribe’s efforts to protect the rights and safety of victims of domestic violence and dating violence; (f) the Tribe’s methods for summoning, selecting, and instructing jurors; (g) the Tribe’s efforts to strengthen law enforcement, prosecution, trial and appellate courts, probation systems, detention and correctional facilities, alternative rehabilitation centers, culturally appropriate services and assistance for victims and their families, criminal codes, rules of criminal procedure, rules of appellate procedure, rules of evidence, and the capacity of law enforcement or court personnel to enter information into and obtain information from national crime information databases; (h) the Tribe’s needs for training, technical assistance, data collection, and evaluation of the Tribe’s criminal justice system; (i) the date on which the Tribe would like to commence exercising SDVCJ; (j) the Tribe’s plans to notify the public before commencing to exercise SDVCJ; and (k) any other pertinent topic that the Tribe would like the OVV to consider when reviewing the Tribe’s Questionnaire.