

OVW Tribal Jurisdiction Grant Program Pre-application Information Session

REBEKAH JONES: This pre-application information session is for the OVW fiscal year 2022 Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction, commonly referred to as the Tribal Jurisdiction Program. This solicitation was posted on January 26, 2022. It is recommended that you have the solicitation with you as you view this pre-application information session. The most important thing you must do before applying is read the solicitation in its entirety. You can find the solicitation, along with other valuable resources, on OVW's webpage.

Application submissions in response to this solicitation will be done through a new two-step process. Applicants will submit the SF-424 and the SF-LLL in Grants.gov and submit the full application in the Justice Grant system, referred to as JustGrants. Applicants must submit the SF-424 and the SF-LLL in Grants.gov by 11:59 PM Eastern Time on Tuesday, March 22, 2022. The full application package is due in JustGrants by 11:59 PM Eastern on Thursday, March 24, 2022. Minimally, you should watch the Application Submission Training video and download the Application Submission Job Aid from the JustGrants website to familiarize yourself with the application process. Additionally, DOJ is hosting several Application Mechanics for Submitting an Application trainings over the next couple of months. You can register for one of these training sessions from the JustGrants training page linked here or by going to the main JustGrants website, clicking on Training, then clicking on Virtual Q&A.

VAWA 2013 restored criminal jurisdiction over non-Indians that commit certain crimes within the Indian country of participating tribes. Authorized by the Indian Civil Rights Act of 1968, as amended, the Tribal Jurisdiction Program was established in 2016 to support tribes in planning for and exercising SDVCJ. The program currently provides monetary and technical assistance support to 35 tribes, 19 of which are exercising the jurisdiction.

The OVW Tribal Jurisdiction Program has four statutory purpose areas. Proposals must focus on one or more of these purpose areas. Goals can include strengthening the tribal criminal justice system; ensuring indigent criminal defendants are provided licensed defense counsel; ensuring that jurors are summoned, selected, and instructed consistent with requirements; and that crime victim rights are afforded to victims of domestic violence, dating violence, and violations of protection orders in SDVCJ cases. The first purpose area here is very broad and can include a multitude of activities in support of strengthening law enforcement, prosecution courts, pretrial and postconviction supervision, detention, batterers intervention or other rehabilitation programs, systems-based victim advocates or victim-witness coordinators, and more.

On the next slide, we will see some examples of activities current grantees are using their grant funds to support. This grant program is not limited to tribes that are already exercising or immediately prepared to exercise SDVCJ upon receiving funding, nor is it a planning grant program that is limited to only tribes that are in the early planning and preparation phases. OVW funds tribes at different stages of development across the assessment and planning, implementation, and exercising phases. Here you see some examples of activities across the spectrum that may be funded through the Tribal Jurisdiction Program. This is by no means a comprehensive list of all the activities proposals could include.

Some current grantees that have not yet begun exercising SDVCJ and tribes that are currently exercising SDVCJ but are working on broad-scale systems improvement to strengthen their exercise have received funding for things like code development or substantial revisions, court rules and procedures development or revision, systems improvement to better handle cases, or other broader-scale system capacity projects. Other grantees or tribes that are currently exercising SDVCJ and are only seeking funding to support discrete costs associated with exercising the jurisdiction, such as incarceration cost and medical care for non-Indian defendants, indigent defense counsel costs for domestic violence defendants, costs associated with impaneling juries for SDVCJ trials, batterer's intervention or other postconviction programming costs for domestic violence offenders, and other costs experienced due to exercising the jurisdiction. And some grantees include a cross-section of activities and project plans, such as capacity-building efforts and costs to support the current exercise of the jurisdiction. You should assess your current system in the context of preparing or exercising SDVCJ and propose your project depending on your tribe's need.

OVW does not fund activities that jeopardize victim safety, that deter or prevent physical or emotional healing for victims, or that allow offenders to escape responsibility for their actions. Applications to propose any such activities may receive a deduction in points during the review process or may be eliminated from consideration entirely. Information on activities that compromise victim safety and recovery or that undermine offender accountability may be found in the Solicitation Companion Guide. Please take the time to review the full list in the Solicitation Companion Guide on the OVW website so that you are not including any of these activities in your proposal or your project, should it be funded.

Out-of-scope activities include research projects. However, you can include up to 3% of the total proposal budget to support internal project evaluation costs. Also out of scope of this program is prosecuting cases of sexual assault that do not involve spouses,

intimate partners, or dating partners and prosecuting cases that do not involve domestic violence, dating violence, or violations of a protection order. You will notice both of these are prefaced with “absent a change in applicable law.” Should the law change, OVW will reevaluate the out-of-scope activities for this grant program. Notably, unlike the majority of OVW programs, projects funded by this program can include minor renovations in their budgets to support capacity building to exercise SDVCJ.

All awards will be made as grants, and there is no match required. 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. Also, OVW has the discretion to make awards for greater or lesser length of time and will negotiate any project activity modifications needed as a result of changes to the estimated award period, if necessary. OVW estimates it will make 12 awards for an estimated \$5,000,000.

Eligibility for this program is limited to Indian tribal governments that have jurisdiction over Indian country. Through this solicitation, OVW will accept applications from new applicants, which are defined as tribes that have never received funding under this program, and tribes that received funding under this program in FY 2016 or FY 2017. OVW will also accept applications from continuation applicants. Continuation applicants are current grantees that received a new 36-month award in either FY 2018 or FY 2019. Continuation applicants are eligible to apply for an additional 24 months of funding to continue the current project. Current grantees that have 50% or more of funds remaining in the award as of March 31, 2022, may not be considered for funding or may receive a reduced award amount if selected for FY '22 funding. Continuation funding is not guaranteed.

This program has several requirements subsequent to award. First, all grantees must participate in OVW-sponsored training and technical assistance, including the Intertribal Technical-Assistance Working Group on SDVCJ, more commonly referred to as ITWG. The ITWG is a group of tribal practitioners working toward or currently exercising SDVCJ within their tribal justice systems. The ITWG meets semiannually to exchange views and best practices for implementing and exercising SDVCJ. Secondly, all applicants will complete a planning period, which consists of completing and submitting grant documentation that is not required at the time of application—chiefly, the MOU or IMOU. Also during the planning period, refinements to the Project Narrative, timeline, or budget may be required, and award conditions will limit the amount of grant funds available until the grant documentation is submitted. Third, prior to using grant funds to support the incarceration or prosecution of non-Indian defendants, some grantees will be required to submit certifications from certain tribal officials affirming the tribal criminal

justice system has adequate safeguards in place to protect defendants' rights consistent with 25 U.S.C. 1304. Finally, all grantees, new and continuation, will develop and submit an MOU or IMOU specific to this project. Applicants should not prepare and submit this document as a part of the initial application.

It is the responsibility of the applicant to ensure that a complete application is submitted by the deadline. Applicants should anticipate that failure to submit an application that contains all of the application components will negatively affect the review of the application and may result in the application not being considered for funding. OVV may not contact applicants for missing items. Some application documents will be automatically generated as a web-based form during the online application process. Those documents appear on this slide in blue. The documents that appear in purple are prepopulated web-based forms that utilize data previously entered by the applicant. Prior to submitting the application, you should carefully review this data for accuracy. The documents appearing in orange are prepared outside of the online system and then uploaded to the application in JustGrants as an attachment.

In the next few slides, we will walk through the application components in the order they appear in the solicitation. The first step will be in Grants.gov. Here you will complete the web-based SF-424 and the Disclosure of Lobbying Activities, which is also known as the SF-LLL Form. Both forms are generated when the application is initiated. Just a couple key points for these. First, the amount entered in the estimated funding box should match the amount of federal funding requested in the budget section of the application later on. Also, when you're identifying the Authorized Representative, this person must be an individual that has the authority to accept grant awards on behalf of the tribe. Some tribes' laws or policies limit this authority to only the highest elected official of the governing body of the tribe, while other tribes have this authority vested in a staff person such as the Chief Financial Officer or Grant Writer. Just make sure whomever you put as the Authorized Representative has the legal authority under your tribal organizational structure to accept the award if one is made. The Grants.gov SF-424 and SF-LLL must be submitted no later than Tuesday, March 22, 2022, at 11:59 PM Eastern Time.

To be clear, there will be a submit button in Grants.gov for these two web-based forms that applicants must select to initiate the application over in JustGrants. After submitting these two forms in Grants.gov, the applicant will receive an email notification to complete the rest of the application in JustGrants. The communication between Grants.gov, JustGrants, and the applicant is not immediate. It can take 24 hours or more for Grants.gov to communicate to JustGrants, so applicants should not expect an

immediate email. If the applicant is a new user in JustGrants, the email will include instructions on how to register with JustGrants.

To continue with the application process, you will follow the instructions in the email and log in to JustGrants. The JustGrants' 424 and the General Agency Information web forms will be prepopulated based on the information you entered in Grants.gov. You will need to confirm the information that transferred over from Grants.gov is accurate prior to proceeding through the remainder of the application.

Before we get into the meat of the proposal and the application submission in JustGrants, a few tips in preparing the documents that will be attached to the application in JustGrants. All documents that will be uploaded must be in Microsoft Word, PDF, or a text document format. Also, using the sample templates and forms, when provided, will make your job easier. You can find sample templates for the current and pending OVW projects, current and pending non-OVW federal grants to do the same or similar work, and a Letter of Non-Supplanting, as well as a Confidentiality Acknowledgment Form on the OVW website by selecting How to Apply and then Resources for Applicants.

Next, when writing a narrative, use the headings and subheadings that correspond to the sections of the narrative as outlined in the solicitation—and don't forget to include page numbers on each page of the narrative. Please do not combine multiple application components into one file. For example, you wouldn't combine the narrative and the Document Demonstrating the Authority to Apply to current and pending application tables and job descriptions into one attachment, because they will be uploaded into different sections during the JustGrants application process.

Also, pay attention to the technical requirements on page 9 of the solicitation. Failure to do so can result in points being deducted from your application score and could very well be the difference between receiving funding and not. Any tables or charts included in the application do not have to be double-spaced or 12-point font. However, you must make certain that the font size is not so small that it is difficult to read for the peer reviewers. You can draft your responses that you plan to later include into the web-based budget, the abstract, the Pre-Award Risk Assessment, and other online forms in a Word document or another app. However, you should clean the text before pasting [directly into the text box] requesting that data in JustGrants. You can do this by first pasting your text into a Notepad or other unformatted document, then copying from Notepad and pasting it into the text box in JustGrants. File names for attachments should be descriptive, short, and unique. JustGrants will reject attachments with names that are too long or that it recognizes from somewhere else within the application. Here, you can see some examples of file names that could be acceptable.

If you have questions about the program's eligibility requirements, allowable activities, application contents, or application submission requirements, please email or join our weekly office hours for this program to speak live with OVW staff. Contact information and instructions on how to join the office hours are on the last slide of this presentation. OVW staff will not be able to help you write your application but can answer technical questions, including whether or not specific activities are allowable under the program. And, finally, give yourself plenty of time to complete the entry of the application, especially if this is your first time submitting an application in JustGrants. If you experienced issues with this submission, reach out to our JustGrants Support Desk for assistance. Their contact information is on the last slide also.

The Proposal Abstract is not scored. Formerly, this was a separate attachment that was added to the application. Now that we're in JustGrants, the abstract is entered into a text field within the web-based application. There is template language for the abstract provided in the solicitation. Simply replace the text between the carets with your information, then copy and paste it into your Notepad or a similar app, then paste it into the text field in JustGrants, and that piece is done.

The Proposal Narrative is worth 80 points total. This application component will be prepared as a PDF, Word, or text document, then attached in JustGrants. When preparing the document, use the headers and section titles provided and page numbers. Make sure to respond to each item in the section it appears, even if you feel like you have answered the same question elsewhere in the application. Reviewers will score each section independently and cannot use information found in one section to satisfy information required in another section. Address each of the items listed. If something does not apply to you or you do not have the data requested, state that and provide an explanation.

When discussing the Purpose of the Proposal and your community served, use local data and anecdotal evidence when available. The peer reviewers are subject matter experts and are very familiar with what the national statistics say about domestic violence in tribal communities. What they don't know is what's happening in your community. Tell your story.

Now, we'll walk through each piece of the Proposal Narrative. The Purpose of the Proposal is worth 30 points. This is where you will describe your community and provide an assessment of your tribal justice system and community in the context of preparedness to plan, implement, and exercise SDVCJ. Demonstrate you clearly understand what the needs of your justice system and community are in this context. What are the strengths and resources you will build upon? What are the remaining

challenges and needs to cross the threshold to exercising? If your tribe is already exercising the jurisdiction, what challenges or needs is the tribe facing in sustaining or strengthening your efforts in this area? Your responses to number 3 are basically an initial assessment to what areas need to be considered and addressed. Your responses here do not have to be long-winded and may, in some cases, be as short as one sentence. Be clear, though. And if there is a need or a gap in an area, be sure you identify it. Once you get through your responses to numbers 1 through 3 in this section, number 4 will simply be distilling all of that down into a bulleted list of the needs and gaps identified in order to prepare for or strengthen your exercise of SDVCJ. The bulleted list doesn't have to be long or even full sentences, but it should be comprehensive because you will build upon this list in the next section. And the list must include training and TA.

The What Will Be Done section is worth 40 points. This is the meat of the proposal. A table or a chart format to present the goals and objectives and timeline is acceptable. The project goals and objectives must be easily linked to one or more of the purpose areas on page 5 of the solicitation, as well as one or more of the gaps or needs identified in your bulleted list from the Purpose of the Proposal section above. Participation in OVW T/TA and ITWG must be included as an activity under one or more of your goals.

The Who Will Implement section is worth 10 points. In this section, you will demonstrate capacity and expertise of project staff and that the required project partners are included. The required project partners are tribal leadership, judge, prosecutor, general counsel or tribal attorney, law enforcement, and victim service provider. I highly recommend including a Project Coordinator position, especially for tribes that have not yet begun exercising SDVCJ. This level of systems change and coordination for multiple project partners is a lot, and we've noticed proposals that include a dedicated coordinator are able to build and maintain momentum on reaching the project goals and timeline without other priorities diverting their attention. You should attach job descriptions for any positions that will be created by or paid for with grant funds if you have them readily available. This would include regular contract and consultant positions. Job descriptions should be combined into one file and uploaded as a supporting attachment and will not be counted toward the 20-page total for the Project Narrative. If they are not readily available, they can be submitted post award if the application is selected for funding.

The Budget Worksheet and Budget Narrative is worth 20 points. It will be submitted as a web-based form in JustGrants. It is not a separate attachment, and applicants should not upload a separate budget document. The line-item description, the cost calculations,

and narrative will be entered into the budget form within JustGrants. When entering text into the Budget Narrative section, you should either type directly into the Budget Narrative section for that line or use the copy-paste into Notepad and then into JustGrants to clean the text of any formatting, as I described earlier.

New applicants can budget up to \$450,000 for the entire 36 months, not per year. The budget must include \$30,000 in the travel category for OVW T/TA. That's \$30,000 for the entire 36 months, not per year. Continuation applicants can budget up to \$300,000 for a 24-month project period and must include \$15,000 in the travel category for OVW T/TA. That's \$300,000 for the entire 24 months, not per year, and \$15,000 for travel for the entire 24 months, not per year. Applicants can include up to 20% of the total requested budget for medical care costs of incarcerated SDVCJ defendants. Applicants should include funds or describe other resources available to ensure accessibility to grant-funded services for individuals with disabilities, those who are Deaf or hard of hearing, and persons with limited English proficiency.

In the next couple of slides, we're going to focus on aspects of your application that relate to the documents that our financial team, the Grants Financial Management Division, or GFMD, reviews. More specifically, we'll discuss some items that GFMD has identified from prior-year applications that could help with expediting our review process. So, for today, we're going to highlight certain aspects of the Data Requested with Application survey and the Pre-Award Risk Assessment survey, and provide you a link to a detailed webinar on how to develop the budget that will be included in your application.

The first things we'll highlight are the items identified in the Data Requested with Application, or DRA, which is completed by all applicants in a survey in JustGrants. Applicants should click on the survey name to access the complete survey in JustGrants. Let's look at the question regarding the single audits. OVW requests that all applicants provide a statement as to whether they have expended \$750,000 or more in federal funds during their last fiscal year. If they have, then they indicate that, and also specify the end date of their last fiscal year. However, GFMD is finding that applicants do not always include this information and leave out whether or not they have met the threshold, or the end date of the last fiscal year is not included. Please ensure this question is answered in its entirety on the DRA survey.

The next item we would like to discuss is the Pre-Award Risk Assessment survey, which assists GFMD during their Pre-Award Risk Assessment Review for all applications. Each applicant must prepare a response to all 11 questions, and each question has multiple parts. We've noticed from prior years that applicants do not always fully answer

all parts of the question, which in turn requires GFMD to reach out to the applicant, which may delay award recommendations. Some of the most common issues that we've encountered have been, for example, question number 2, where the applicant indicates that they do indeed have internal policies, but then they don't provide the brief list of topics covered in the policies and procedures. Another example of incomplete responses would be on question number 3, where the applicant does not provide a brief summary of the organization's process for tracking expenditures and, more specifically, whether or not it tracks budgeted versus actual expenditures. So, these are just a couple of examples, but basically please make sure you read each piece of each question and provide a full and comprehensive response.

Understandably, the individual that is best suited to provide answers to these types of financial questions may not be the same person that is writing or submitting this grant application. A list of the questions included in both the DRA and the Pre-Award Risk Assessment surveys appears at the end of the solicitation under the heading Survey Questions. It's on pages 20 to 22 of this solicitation. You could provide those questions to the individual best suited to answer them so that the responses can be prepared in advance, then copy-pasted into JustGrants in the appropriate sections during the application submission.

On this slide, I will quickly highlight some resources that are available to help you create the budget to be submitted with the application. Over the last year, GFMD has worked to develop a detailed webinar presentation on how to assist applicants in developing a budget to be submitted with their OVW applications. They want to help reduce any challenges you may face with the budget and make it clear what they look for when they review your budget. This webinar provides some insight as to what OVW financial staff considers during the review. The webinar can be found at the link here, or you can find it under the Budget Information section on the OVW Resources for Applicants page. Additionally, the JustGrants has training resources on completing the web-based budget over on their website. I highly encourage you to review that information before you wade into entering the budget in JustGrants. Many applicants last year have found they spent a great deal more time on entering the budget than they initially anticipated. Finally, additional financial resources you might find helpful are the Uniform Guidance, which can be found at 2 CFR 200; the DOJ Financial Guide; and, of course, this program solicitation.

We know this can be a lot of information to process so if you have any questions about the GFMD information discussed, please feel free to contact the GFMD Helpdesk. Their information is here and also on the last slide.

The Document Demonstrating the Authority to Apply will be prepared as a Word, PDF, or text document, and then attached to the application in JustGrants. It is not scored. However, applications without this document will be removed from consideration prior to peer review. This document can be in the form of a Tribal Resolution or a letter on tribal letterhead signed by the chief executive of the governing body of the tribe. The document should be current and address each of the five elements identified in the solicitation.

As previously mentioned, you can find sample templates for the Letter of Non-Supplanting and the tables for the Applicant Disclosure of Duplication in Cost Items, along with the forms to print and sign for the Confidentiality Notice on the OVW website under How to Apply. Both the Disclosure of Lobbying Activities and DOJ Standard Assurances are prepopulated forms within JustGrants. Please read this section of the solicitation carefully, beginning on page 14 of the solicitation. The FY 2022 application submission process is new for some, and there are significant differences from how it used to be done. To best prepare to be successful in submitting a proposal, it will be important to plan ahead; to not procrastinate until the last few days before the proposal is due; to review the training resources available on JustGrants, including viewing or participating in one of the application submission webinars; and, most significantly, to reach out for assistance to the OVW JustGrants Support Desk early if you're experiencing issues. Applicants experiencing JustGrants technical issues should ensure that they are continuing to develop the proposal while they are working with the OVW JustGrants Support Desk to address these issues.

Applicants must follow the solicitation guidance regarding technical difficulties. Be sure to keep documentation that you did follow the guidance. This will enable you to submit a full proposal by the deadline using an alternate method, if necessary. OVW will take the necessary steps to ensure that applicants are able to submit their applications on time, and we'll update our submission guidance as necessary and as the due date nears. Some steps such as obtaining a Data Universal Number System, or DUNS number, or registering with the System for Award Management, SAM, or Grants.gov may take several days or even weeks to complete. There is no way to speed up these registration processes. Therefore, we recommend applicants confirm their registrations are current or begin their registration as soon as possible but certainly no later than the date suggested in the solicitation.

Finally, to reiterate, applications must be initiated in Grants.gov no later than Tuesday, March 22, 2022, 11:59 PM Eastern Time, and the full application package must be submitted in JustGrants no later than Thursday, March 24, 2022, at 11:59 PM Eastern Time. Applications submitted after that time will not be considered for funding.

Submitting the application component at least 48 hours before each deadline will enable applicants to receive notice of if the submission failed and provide an opportunity to correct the error before the deadline. If you have programmatic questions after reviewing the solicitation in full, such as whether your entity is eligible to apply or if a particular activity is allowable under this program, please email your questions to the OVW.TribalAffairs@usdoj.gov mailbox—that's OVW dot T-R-I-B-A-L-A-F-F-A-I-R-S at U-S-D-O-J dot gov mailbox.

You can also join our live office hours to speak directly with an OVW program specialist every Wednesday from 5:00 to 6:00 PM Eastern Time while the solicitation is open. From your computer, just click on the Join Microsoft Teams Meeting link on this slide, which will open your browser and take you to the meeting, where you can join as a guest. Or you can call in to the Teams Meeting using that phone number and conference ID number.

If you have financial questions, contact the OVW Grants Financial Management Division by emailing OVW.GFMD@usdoj.gov or call them at 888-514-8556. If you need technical assistance with Grants.gov as you are working on the first stage of the application submission, please contact the Grants.gov Applicant Support line by emailing support@grants.gov—that's S-U-P-P-O-R-T at grants.gov, or by calling 800-518-4726.

If you need technical assistance with JustGrants as you are submitting your application package in JustGrants, please contact the OVW JustGrants Support Desk by emailing OVW.JustGrantsSupport@usdoj.gov—that's OVW dot J-U-S-T-G-R-A-N-T-S-S-U-P-P-O-R-T at usdoj.gov, or by calling them at 866-655-4482. This concludes the FY 2022 Tribal Jurisdiction Program Pre-Application Information Session.