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## OVW Fiscal Year 2023 Special Tribal Criminal Jurisdiction Grant Program - Solicitation

**Assistance Listing Number #** 16.025

**Grants.gov Opportunity Number:** O-OVW-2023-171481

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**Version:** 1

**Application Grants.gov Deadline:** May 09, 2023 11:59 PM ET

**Application JustGrants Deadline:** May 11, 2023 9:00 PM ET

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### Overview

#### Eligible Applicants:

Native American tribal governments (Federally recognized), Other

#### Other

Eligible applicants are limited to: Governments of Indian tribes that have jurisdiction over Indian country. For more information, see the Eligibility Information section of this solicitation.

#### Letter of Intent

Applicants are strongly encouraged to submit a non-binding Letter of Intent to OVW.TribalJurisdiction@usdoj.gov by April 20, 2023. Interested applicants who do not submit a Letter of Intent are still eligible to apply. For more information, see the Application and Submission Information section of this solicitation.

#### Pre-Application Information Session(s)

OVW will post a pre-recorded Pre-Application Information Session on the OVW website. This session is tentatively scheduled to be available by March 2, 2023. For more information, see the Application and Submission Information section of this solicitation.

#### 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 Information**

#### **Registration: OVW encourages first time applicants to apply for funding.**

Organizations applying for the first time for federal funding must complete a multi-step registration process with the following systems: System for Award Management (SAM), Grants.gov, and JustGrants (after successful SAM and Grants.gov registrations).

Organizations that have applied for funding previously must ensure their accounts with SAM, Grants.gov, and JustGrants are active and up to date.

Applicants experiencing technical difficulties with SAM should go to [https://www.fsd.gov/gsafsd\\_sp](https://www.fsd.gov/gsafsd_sp).

Applicants experiencing technical difficulties with Grants.gov should contact [support@grants.gov](mailto:support@grants.gov).

Applicants experiencing technical difficulties with JustGrants should contact [OVW.JustGrantsSupport@usdoj.gov](mailto:OVW.JustGrantsSupport@usdoj.gov).

Applicants are strongly encouraged to begin the registration process or ensure that all accounts are active and up to date by April 20, 2023.

#### **Submission:**

Applications will be submitted to OVW in two steps:

**Step 1:** The applicant must submit by the Grants.gov deadline the required Application for Federal Assistance standard form (SF-424) and the Disclosure of Lobbying Activities form (SF-LLL) in Grants.gov - <https://www.grants.gov/web/grants/forms/sf-424-family.html>.

**Step 2:** The applicant must then submit the **full application**, including attachments, in JustGrants at JustGrants.usdoj.gov. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline. OVW encourages applicants to review the [Solicitation Companion Guide](#) and the JustGrants website for more information, resources, and training.

For more information about registration and submission, see the Prior to Application Submission and How to Apply sections of this solicitation.

#### **Notification**

OVW anticipates notifying applicants of funding decisions by October 1, 2023.

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## Program Description

### Overview of OVW

OVW is a component of the United States Department of Justice (DOJ). Created in 1995, OVW administers grant programs authorized by the Violence Against Women Act (VAWA) and subsequent legislation and provides national leadership on issues of domestic violence, dating violence, sexual assault, and stalking. OVW grants support coordinated community responses to hold offenders accountable and serve victims.

### Statutory Authority

25 U.S.C. § 1304(h)(2)

### About this OVW program

This program is authorized by the Indian Civil Rights Act of 1968 (codified as amended at 25 U.S.C. § 1304(h)(2)). The OVW Special Tribal Criminal Jurisdiction Grant Program (Tribal Jurisdiction Program) (CFDA# 16.025) supports tribes in their efforts exercise special Tribal criminal jurisdiction (STCJ) over non-Indians who commit “covered crimes” within the Tribe’s jurisdictional boundaries and provides technical assistance for planning and implementing changes in their criminal justice systems necessary to exercise the jurisdiction. “Covered crimes” are limited to assault of Tribal justice personnel; child violence; dating violence; domestic violence; obstruction of justice; sexual violence; sex trafficking; stalking; and violation of a protection order. Grant recipients are committed to exercising the jurisdiction to ensure that victims find safety and justice and that non-Indians who commit covered crimes within their jurisdiction are held accountable. For additional information about this program and related performance measures, including how awards contribute to the achievement of program goals and objectives, see:

- OVW grant program information: [OVW Grants and Programs Webpage](#).
- Program performance measures under the Measuring Effectiveness Initiative: [VAWA Measuring Effectiveness Initiative webpage](#).
- Program-specific sections in OVW’s [most recent report to Congress](#) on the effectiveness of VAWA grant programs.

### What’s New About this OVW Program

- In the Violence Against Women Act Reauthorization Act of 2022 (VAWA 2022), Congress recognized the inherent authority of Tribes to exercise STCJ over non-Indians who commit an expanded set of “covered crimes.” In addition to domestic violence, dating violence, and violation of certain protection orders, these “covered crimes” now include: assault of tribal justice personnel (without requirement that victim be Indian), child violence, obstruction of justice (without requirement that victim be Indian or connection to covered crime), sexual violence, sex trafficking, and stalking. VAWA 2022 amended the statutory provisions governing the Tribal Jurisdiction Program to enable grantees to address all covered crimes.
- New applicants must include a Project Coordinator position at least .5 FTE.

### **Program Scope**

Activities supported by this program are determined by statute, federal regulations, and OVW policies. If an applicant receives an award, the funded project is bound by this solicitation, the [DOJ Financial Guide](#), including updates to the financial guide after an award is made, the [Solicitation Companion Guide](#), and the conditions of the award.

### **Purpose Areas**

Pursuant to 25 U.S.C. § 1304(h)(2), funds under this program must be used for one or more of the following purposes:

1. to strengthen tribal criminal justice systems to assist Indian tribes in exercising special Tribal criminal jurisdiction, including for—  
**(A) law enforcement** (including the capacity of law enforcement, court personnel, or other non-law enforcement entities that have been designated by an Indian tribe as responsible for maintaining public safety within the territorial jurisdiction of the Indian tribe, to enter information into and obtain information from national crime information databases); **(B) prosecution**; **(C) trial and appellate courts** (including facilities maintenance, renovation, and rehabilitation); **(D) supervision systems**; **(E) detention and corrections** (including facilities maintenance, renovation, and rehabilitation); **(F) treatment, rehabilitation, and reentry programs and services**; **(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 licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes covered crimes;
3. to ensure that, in criminal proceedings in which a participating tribe exercises special Tribal criminal jurisdiction, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements; and
4. to accord victims of covered crimes rights that are similar to the rights of a crime victim described in section 3771(a) of title 18, United States Code, consistent with Tribal law and custom.

### **Activities that Compromise Victim Safety and Recovery or Undermine Offender Accountability**

OVW does not fund activities that jeopardize victim safety, deter or prevent physical or emotional healing for victims, or allow offenders to escape responsibility for their actions. Applications that propose any such activities may receive a deduction in points during the review process or may be eliminated from consideration. Please note that OVW will support survivor-centered alternative pathways to justice and non-criminal approaches to accountability that fall within the statutory scope of this program. Information on activities that compromise victim safety and recovery or undermine offender accountability may be found in the [Solicitation Companion Guide](#).

### **Out-of-Scope Activities**

The activities listed below are out of the program scope and will not be supported by this program's funding. See also the list of unallowable costs in the Funding Restrictions section of this solicitation.

1. Research projects. Funds under this program may not be used to conduct research, defined in 28 C.F.R. § 46.102 as a systematic investigation designed to develop or contribute to generalizable knowledge. Surveys and focus groups, depending on their design and purpose, may constitute research and therefore be out-of-scope. Prohibited research does not include assessments conducted for internal improvement purposes only (see Limited Use of Funds below). For information on distinguishing between research and assessments, see the [Solicitation Companion Guide](#).
2. Tribal justice system response to cases that do not involve one or more of the covered crimes.
3. Purchase or lease of vehicles.

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

### **Limited Use of Funds**

Grantees may use up to three percent of grant award funds to assess their work for internal improvement purposes only, such as by convening a listening session to identify service gaps in the community or surveying training participants about the quality of training content and delivery. Applicants considering such assessments must refer to the OVW research decision tree in the [Solicitation Companion Guide](#) to ensure that the activity does not qualify as human subjects research. The Solicitation Companion Guide also provides additional information on federal requirements related to research, assessments, and surveys.

### **Activities Requiring Prior Approval**

Activities listed below will require prior approval in order to be supported by grant funds (see the [Solicitation Companion Guide](#) for more information on relevant requirements).

1. Surveys, whether conducted as part of a program or needs assessment, or for any other purpose. Prior approval is necessary to determine whether the activity is within the scope of the award and meets the requirements of the Paperwork Reduction Act.
2. Renovations, including such minor things as painting, carpeting, or installing lighting. In addition to obtaining prior approval, recipients must follow all necessary steps to ensure that funded renovations are in compliance with the National Environmental Policy Act (NEPA) and related laws, which may be time consuming and may include public notice and consultation.

### **Federal Award Information**

#### **Awards, Amounts and Durations**

**Anticipated Number of Awards**

11

**Anticipated Maximum Dollar Amount of Awards**

\$450,000.00

**Period of Performance Start Date**

10/1/23

**Period of Performance Duration (Months)**

36

**Anticipated Total Amount to be Awarded**

**Under Solicitation**

\$5,000,000.00

**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. OVW may elect to make awards in a future fiscal year for applications submitted under this solicitation but not selected for FY 2023 funding, depending on the merits of the applications and the availability of funding.

**Type of Award**

Awards will be made as grants.

**Award Period(s) and Amount(s)**

This program typically makes awards in the range of \$300,000 - \$450,000. OVW estimates that it will make up to 11 awards for an estimated \$5,000,000.

Funding levels under this program for FY 2023 are:

1. **New awards:** \$450,000 for the entire 36 months. The 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. OVW anticipates that the award period will start on October 1, 2023.
2. **Continuation awards:** \$300,000 for the entire 24 months. The award period is 24 months. Budgets must reflect 24 months of project activity, and the total "estimated funding" on the SF-424 must reflect 24 months. OVW anticipates that the award period will start on October 1, 2023.

OVW has the discretion to make awards for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants prior to making an award.

**Types of Applications**

In FY 2023, OVW will accept applications for this program from the following:

**New:** Applicants that have never received funding under this program or whose previous funding under this program expired on or before May 11, 2022.

**Continuation:** Current grantees that received a new 36-month award under this program in FY 2019 or FY 2020 are eligible to apply for up to 24 months of continuation funding non-competitively. Continuation funding is not guaranteed and applications will be subject to past performance review.

Recipients of a new 36-month award in FY 2021 or a new 36-month award or a 24-month continuation award in FY 2022 under this program are NOT eligible to apply.

Note: Current grantees with a substantial amount of unobligated funds remaining (50 percent or more of the previous award) as of March 31, 2023, without adequate justification may not be considered for funding or may receive a reduced award amount if selected for funding in FY 2023.

### **Mandatory Program Requirements**

Applicants that receive funding under this program will be required to engage in the following activities:

1. OVW-sponsored training and technical assistance (TTA). This includes joining and actively participating in the Inter-tribal Technical Assistance Working Group (ITWG), in addition to other OVW training and TA opportunities. The ITWG is a working group of tribal representatives who exchange views, information, and advice about how tribes may best exercise STCJ and address comprehensive systemic responses to the covered crimes. Recipients are encouraged to ensure all Memorandum of Understanding/Internal Memorandum of Understanding (MOU/IMOU) partners and other systems partners have multiple opportunities to participate in OVW training and TA throughout the project period.
2. Planning Period. New and continuation recipients must engage in a planning period to further develop the project and corresponding budget. Recipients will participate in webinars and in-person planning sessions to develop additional grant documentation. An award condition will limit available funds to those needed for costs such as travel for training and TA and staff salary and fringe during the planning stage. This condition will be removed for full project implementation once all documentation has been reviewed and approved by OVW.
3. Dedicated Project Coordinator. At a minimum, award recipients must dedicate a staff or contracted position .5 FTE to this project. The Project Coordinator duties must include, at a minimum: coordinating regularly scheduled meetings of the MOU/IMOU STCJ Planning and Implementation partners; coordinating training and technical assistance for the MOU/IMOU STCJ Planning and Implementation partners; and achieving project goals and objectives.
4. MOU/IMOU. Award recipients will develop and submit an MOU/IMOU during the planning stage of the grant project. **Applicants should not submit the MOU/IMOU at the time of application.** Recipients must engage partners, representing various disciplines, to plan, implement, and exercise STCJ. Required partners for the Tribal

Jurisdiction Program are: Tribal Leadership; Tribal Judge; Tribal Prosecutor's Office; Tribal Attorney/In-house General Counsel; Law Enforcement; and Victim Service Provider. A victim service provider is a nonprofit, nongovernmental or tribal organization or rape crisis center, including a state or tribal domestic violence and/or sexual assault coalition, that assists or advocates for domestic violence, dating violence, sexual assault, or stalking victims, including a domestic violence shelter, faith-based organization or other organization, with a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking. 34 U.S.C. § 12291(a)(50). Victim service providers must provide direct services to victims of domestic violence, dating violence, sexual assault, or stalking as one of their primary purposes.

5. STCJ Readiness Certification. All awards will include an award condition that requires certain tribal officials to certify they are familiar with the Indian Civil Rights Act, as amended, 25 U.S.C. §§ 1301–1304, including the amendments made by VAWA 2022. The chief executive of the tribe and the chief legal officer are required to certify that the tribe's criminal justice system has adequate safeguards in place to protect defendants' rights. The chief judicial officer is also required to certify to familiarity with tribal constitution, code, and rules provisions to implement STCJ, including provisions that safeguard defendants' rights. Certifications will be required prior to grant funds being used for the prosecution or incarceration of non-Indian defendants.
6. Collection and reporting of performance indicators. Forms, instructions, training, and related tools for each OVW program are available on the [VAWA Measuring Effectiveness Initiative](#) webpage.
7. OVW may conduct a program assessment or evaluation necessitating grantee involvement. Therefore, recipients may be expected to dedicate some OVW-funded time and resources to participating in an assessment or evaluation.

## Eligibility Information

### Eligible Applicants

Governments of Indian tribes that have jurisdiction over Indian country are eligible to apply for this program. See 25 U.S.C. § 1304(h)(2).

Per 25 U.S.C. § 1301(1), "Indian tribe" means any tribe, band, or other group of Indians subject to the jurisdiction of the United States and recognized as possessing powers of self-government.

Per 18 U.S.C. § 1151, "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.

### **Ineligible Entities and Disqualifying Factors**

Applications submitted by ineligible entities or that do not meet all program eligibility requirements will not be considered for funding. In addition, an application deemed deficient in one or more of the following categories may not be considered for funding: 1. activities that compromise victim safety, 2. out-of-scope activities, 3. unallowable costs, 4. pre-award risk assessment, 5. completeness of application contents, and 6. timeliness. Failure to comply fully with all applicable unique entity identifier and SAM requirements (see Application and Submission section for more information on these requirements) will result in removal from consideration. An applicant with past performance issues, long-standing open audits, or an open criminal investigation also may not be considered for funding.

### **Cost Sharing or Matching**

This program has no matching or cost-sharing requirement.

### **Application and Submission Information**

#### **Content of Application Submission**

##### **Address to Request Application Package**

The complete application package (this solicitation, including links to required forms) is available on Grants.gov and on the [OVW website](#). Applicants wishing to request a paper copy of these materials should contact [OVW.TribalJurisdiction@usdoj.gov](mailto:OVW.TribalJurisdiction@usdoj.gov) or 202-307-6026.

**Pre-Application Information Session:** OVW will post a pre-recorded Pre-Application Information Session on its website. Listening to this session is optional and not a requirement to be eligible to apply. The session is tentatively scheduled to be available by March 2, 2023 on the [OVW website](#).

##### **Content and Form of Application Submission**

The information below (“**Letter of Intent**” through “**How to Apply**”) describes the full content and form of application submission.

##### **Letter of Intent**

Applicants intending to apply for FY 2023 funding under this program are strongly encouraged to submit a Letter of Intent. The letter should state that the applicant is registered and current with SAM and with Grants.gov. The letter should be submitted to OVW at [OVW.TribalJurisdiction@usdoj.gov](mailto:OVW.TribalJurisdiction@usdoj.gov) by April 20, 2023. This letter will not obligate the applicant to submit an application. See the OVW website for a sample Letter of Intent.

##### **Formatting and Technical Requirements**

Applications must follow the requirements below for all documents attached to the application, unless otherwise noted. Points may be deducted for applications that do not adhere to the following requirements:

1. Double-spaced (charts may be single-spaced)
2. 8½ x 11 inch pages
3. One-inch margins
4. Type no smaller than 12 point, Times New Roman (TNR) or Arial font, except for footnotes, which may be in 10-point font
5. Page numbers
6. No more than 20 pages for the Proposal Narrative
7. 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 Contents**

Applications must include the required documents and demonstrate that the program eligibility requirements have been met. For a complete checklist of the application contents, see the Application Checklist in the Other Information section of this solicitation.

**Applications that do not include all the following documents will be considered substantially incomplete, may result in removal from consideration for funding, and if awarded, may have award conditions precluding access to funds:**

1. Proposal Narrative
2. Budget Detail Worksheet and Narrative
3. Document(s) Demonstrating Authority to Apply

### **Information to Complete the Application for Federal Assistance (SF-424)**

#### Application for Federal Assistance (SF-424)

Applicants must complete the SF-424 in Grants.gov. The SF-424 is generated when the applicant begins the submission process in Grants.gov. For Type of Applicant (box 9), do not select "Other". The amount of federal funding requested in the "Estimated Funding" section of this form (box 18a) must match the amount of federal funding requested in the budget of the application. This program does not require a match; therefore, the value for the Applicant line (box 18b) should be zero. The individual who is listed as "**Authorized Representative**" (box 21) must be an individual who has the authority to apply for and accept grant awards on behalf of the organization or jurisdiction.

Intergovernmental Review (SF-424 Question 19): This solicitation ("funding opportunity") is **not** subject to Intergovernmental Review under Executive Order (E.O.) 12372. In completing the SF-424, an applicant is to answer question 19 by selecting the following response: "Program is not covered by E.O. 12372."

#### Disclosure of Lobbying Activities (SF-LLL)

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

## Standard Applicant Information (JustGrants 424 and General Agency Information)

This section in the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. Applicants are required to review the Standard Applicant Information and make edits as needed, confirm the Authorized Representative, verify the legal name and address, and enter the ZIP code(s) for the areas affected by the project.

## Proposal Abstract

The Proposal Abstract must provide a short summary (**no more** than two pages double-spaced) of the proposed project, including names of applicant and partners, project title, purpose of the project (including goal and intended outcome), primary activities for which funds are requested, who will benefit (including geographic area to be served), and products and deliverables. Applicants must not summarize past accomplishments in this section. The Proposal Abstract, which is to be entered into a text box in JustGrants, will not be scored but is used throughout the review process.

Applicants are encouraged, but not required, to use the following template for the abstract.

The <Tribe Legal Name> is a federally recognized tribe located in <general geographic area e.g., in the northwest corner of XYZ state>. The tribe's internal <and external > partners, are committed to exercising STCJ to ensure that victims find safety and justice and that non-Indians who commit covered crimes within their jurisdiction are held accountable. The <component of the Tribal Government that will be the lead partner e.g., ABC Tribal Attorney General> will lead the <Tribe Name Project title> Project. The project partners will engage in activities focused on <**The four purpose areas under this grant program are listed here. Delete any this project will not be implementing.** strengthening the tribal criminal justice system in order to exercise STCJ; providing indigent criminal defendants, in STCJ proceedings, with effective assistance of licensed defense counsel; ensuring jurors are summoned, selected, and instructed appropriately; and according victim's 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>. Specific activities include, but are not limited to: <**add two or three key activities grant funds will support** e.g., developing and publishing the tribal STCJ law and order code; planning and implementation of the indigent defense counsel program; ensuring STCJ defendants receive medical care while incarcerated>; <**the following four activities will remain at the end of this sentence for all projects – do not delete**> completing the required planning period to engage required and key partners in a planning process and memorandum of understanding development; participating in the Inter-Tribal Technical Assistance Working Group (ITWG) on STCJ; participating in on-site and other training and technical assistance opportunities; and submitting the STCJ supporting certifications to OVW prior to using grant funds to support incarceration or prosecution activities. The timing for performance of this award is <insert 24 for continuation applications or 36 for new applications> months.

## Data Requested with Application

All applicants must complete and submit, as an attachment, the Pre-Award Risk Assessment and the Summary Data Sheet in JustGrants. These documents are not scored.

### **Pre-Award Risk Assessment**

Each applicant must respond to each question. Do not submit responses from a prior fiscal year without updating them to be responsive to all questions listed in the questionnaire. 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 application being removed from consideration or a delay in access to funds. Provide complete responses that address all questions included for each numbered item.

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 C.F.R. 200.334-200.338.
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 C.F.R. 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 C.F.R. 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 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 C.F.R. 200.331-200.333)? Provide a brief description of the organization's policies and procedures on subrecipient management and monitoring.
10. Does the applicant 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 C.F.R. 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.
11. Is the applicant designated as high risk by a federal agency outside of DOJ? (High risk includes any status under which a federal awarding agency provides additional oversight due to the applicant entity's past performance, or other programmatic or financial concerns with the applicant entity.) If so, provide the names(s) of the federal awarding agency, the date(s) the agency notified the applicant entity of the high risk designation, contact information for the high risk point of contact at the federal agency, and the reason for the high risk status, as set out by the federal agency.

#### Summary Data Sheet

The Summary Data Sheet must be uploaded as an attachment in JustGrants and should be one to four pages in length (single or double spaced). The Summary Data Sheet does not count toward the 20-page limit for the Proposal Narrative. Several of the items below are required for every applicant for OVW funding and therefore may not be obviously relevant or specifically drafted for this program. Applicants should provide the most accurate answers. Responses to these items alone will not result in removal from consideration or determine eligibility for any funding priorities described in the solicitation for this program. Provide the following information:

1. Name, title, address, telephone number, and email address for the grant point of contact. This person must be an employee of the applicant.
2. Statement as to whether the applicant (the organization whose unique entity identifier/ DUNS number is being used for the application) will serve as a fiscal agent. A fiscal agent is an entity that does not participate in implementation of the project and passes all funds through to subrecipients, conducting only administrative activities. 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 subaward agreements to implement the project. **Note: The fiscal agent must be an eligible applicant for this program.**
3. Statement as to whether the applicant has expended \$750,000 or more in federal funds in the applicant's past fiscal year. If so, specify the end date of the applicant's

fiscal year.

4. Statement as to whether the application proposes to focus on a rural community or area (as defined by 34 U.S.C. 12291(a)(32)).
5. Statement as to whether the applicant is a federally recognized tribe.
6. Applicants must address at least one purpose area. Select the purpose area(s) the application addresses.
  - Purpose Area #1: Strengthen tribal criminal justice systems to assist Indian tribes in exercising Special Tribal Criminal Jurisdiction (STCJ), including: law enforcement; prosecution; trial and appellate courts; supervision systems; detention and corrections; treatment, rehabilitation, and reentry programs and services; culturally appropriate services and assistance for victims and their families; criminal codes and rules of criminal procedure, appellate procedure, and evidence.
  - Purpose Area #2: Provide indigent criminal defendants with licensed defense counsel, at no cost to the defendant, in criminal proceedings in which a participating tribe prosecutes a covered crime.
  - Purpose Area #3: Ensure that, in criminal proceedings in which a participating tribe exercises STCJ, jurors are summoned, selected, and instructed in a manner consistent with all applicable requirements.
  - Purpose Area #4: Accord victims of covered crimes that are similar to the rights of a crime victim described in section 3771(a) of Title 18, consistent with tribal law and custom.
7. Statement as to whether the applicant has already implemented criminal jurisdiction over non-Indians. If “yes”, respond to the following questions:
  - Provide year criminal jurisdiction over non-Indians was first implemented.
  - Provide web address or instructions on how to access the tribe’s publicly available 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) pertaining to STCJ.
  - Over which of the covered crimes is the tribe currently exercising criminal jurisdiction when committed by non-Indians?

### **Proposal Narrative**

The Proposal Narrative may not exceed 20 pages, double-spaced, and reviewers will not read beyond this page limit. The Proposal Narrative must include the three sections below. The total point value for the proposal narrative section is **80 points**. Applicants must upload the Proposal Narrative as an attachment in JustGrants.

### **Purpose of the Proposal (30 points)**

This section must:

1. Briefly describe the tribe’s service area including: geographical location; population demographics; and describe the communities in the service area, including, but not limited to, traditionally underserved populations, such as communities of color, individuals with disabilities, individuals who are Deaf or hard of hearing, persons with

- limited English proficiency, older adults, and LGBTQ+ communities.
2. Describe the tribe's existing justice system in the context of preparing to or exercising STCJ consistent with 25 U.S.C. § 1304. Discuss each of the following elements of the tribe's existing criminal justice system identifying strengths and gaps where relevant. Responses for each of the following elements could be as short as one sentence. If the tribe's existing criminal justice system does not currently include some facet, explicitly state that, and include technical assistance, planning, and implementation activities related to that justice system component in the bulleted list of needs in response to #3 below. **(A) Tribal constitution:** Specifically discuss whether amendments are necessary to exercise STCJ. **(B) Tribal law and order code:** Specifically discuss if code drafting or amendments for the covered crimes offenses are needed. **(C) Law enforcement services:** Discuss how law enforcement services are provided in the tribal community (e.g., a 638 self-determination contract; by cross-deputization agreement; through the Bureau of Indian Affairs' Office of Justice Services; or other arrangement). **(D) Tribal prosecution:** Specifically state if the tribe has any Special Assistant U.S. Attorneys ("SAUSAs") and/or experienced or specialized domestic or sexual violence prosecutors. **(E) Tribal court processes and practices:** Specifically discuss whether the tribe has trial and appellate courts; publicly available laws and rules; specialized domestic violence or other relevant courts or dockets; published rules of criminal procedure, appellate procedure, and evidence; judges who are licensed attorneys with sufficient training to preside over STCJ criminal proceedings; and availability of records of criminal proceedings. **(F) Jury processes and practices:** Specifically discuss the jury pool composition, summoning, selections, and instructions. **(G) Supervision systems. (H) Detention and correctional facilities. (I) Treatment, rehabilitation, and reentry programs and services. (J) Availability of counsel for indigent defendants:** Specifically discuss whether the tribe uses a public defender system; contract system; or assigned counsel system and how defendants are screened for indigence. **(K) Availability of medical care** for incarcerated non-Indian defendants. **(L) Role of victim advocates** within the criminal justice system. **(M) 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. **(N) Training and technical assistance needed** to evaluate the tribe's criminal justice system to plan for, implement, and exercise STCJ.
  3. Based on the strengths and gaps identified, provide a bulleted list of need(s) to be addressed through this proposal that will enable the tribe to plan for and exercise STCJ consistent with the requirements of the Indian Civil Rights Act, as amended, 25 U.S.C. §§ 1301– 1304. The needs list must include training and technical assistance.

#### What Will Be Done (40 points)

The application must provide a clear link between the proposed activities and the need identified in the "Purpose of the Proposal" section above. The application must not include any of the activities listed as unallowable costs in the Funding Restrictions section of this solicitation.

This section must:

1. Clearly state the proposal goals, objectives, activities, and timeline (by month or quarter) to plan for and exercise STCJ consistent with requirements of the Indian Civil Rights Act, as amended, 25 U.S.C. §§ 1301 – 1304. For each goal/objective, identify the related gaps and needs identified in the previous section. This information can be presented in table format for clarity. **Note:** Participation in OVW TTA and the ITWG must be included as an activity.
2. Identify the tangible products to be purchased, developed, or revised with grant funds (e.g., data collection systems, audio or video recording systems, law and order codes, administrative rules, or curricula). For each tangible product, discuss how the item will enhance and/or enable the tribe to exercise STCJ.
3. If the proposal includes costs to support technology, describe the plan to address victim safety concerns (e.g., confidentiality, safety planning, informed consent) that may arise from the use of technology (e.g., security systems, audio recording systems, GPS monitoring, computer software systems). If the proposal does not include using grant funds to support technology, the applicant should specifically state such.
4. Describe how the proposed project will address the unique needs of the traditionally underserved populations identified in the Purpose of the Proposal section above.
5. Describe how the proposed project will be fully accessible to individuals with disabilities, individuals who are Deaf or hard of hearing, and persons with limited English proficiency.
6. Describe how survivors and individuals with applicable lived experiences related to the project (such as involvement in the justice system, homelessness, or substance use) have been consulted to inform or otherwise contributed to the development of the proposed project and/or will be consulted as the project is implemented.

#### Who Will Implement the Proposal (10 points)

This section must:

1. Identify the key individuals and organizations, including project partners, involved in the proposed project. **(A) Project Coordinator.** Per the requirements of this solicitation, if this is a new project, this position must be at least .5 FTE dedicated to this project. Duties of this position must include: coordinating regularly scheduled meetings of the MOU/IMOU STCJ Planning and Implementation partners; coordination of training and technical assistance for the MOU/IMOU STCJ Planning and Implementation partners; and achievement of project goals and objectives; **(B) Required project partners** (tribal leader, judge, prosecutor, general counsel/tribal attorney, law enforcement, and victim service provider). Specifically indicate the positions, if any, that will be paid with grant funds. If the tribe does not currently have one or more of the required project partner roles filled, specifically state that, and discuss the plan to ensure this role is represented throughout the project planning and implementation. **(C) Optional project partners** (e.g., tribal coalition, jail administrator, court services officer, code reviser, batterer's intervention facilitator), if applicable. Specifically indicate the positions, if any, that will be paid with grant funds. **(D)** If

applicable, identify **all other positions created by or paid for with grant funds** including regular, contract, and consultant positions and their role within the proposed project.

2. Demonstrate that the individuals and organizations identified have the capacity to address the stated need and can successfully implement the proposed project activities; attach job descriptions of all key personnel.

### **Budget and Associated Documentation**

Applicants must submit a detailed budget and budget narrative and must upload the applicable associated documentation as described below under each heading. OVW strongly encourages the use of a spreadsheet (e.g., excel, numbers, etc.) for the budget attachments. The budget worksheet and budget narrative are worth a total of **20** points and will be reviewed separately from the proposal narrative. The associated documentation will not be scored, but failure to include it may result in removal from consideration or a delay in access to funding.

### **Budget Worksheet and Budget Narrative (attachment)**

Attach in JustGrants a detailed budget and budget narrative for all applicable cost categories. The budget narrative must describe each line item requested in the budget and explain all costs included in the budget, including how the costs of goods and services are determined and how they will fulfill the objectives of the project. See the sample budget and the Creating a Budget webinar available on the [OVW website](#). Keep in mind that budgetary requirements vary among programs. Applicants must submit reasonable budgets based on the resources needed to implement their projects in their specific geographic location.

### Award Period and Amount

New applicants may submit budgets for up to \$450,000 for a project period of 36 months.

Continuation applicants may submit budgets for up to \$300,000 for a project period of 24 months.

The budget must:

1. Display a clear link between the specific project activities and the proposed budget items. The budget should not contain items that are not supported by the proposal narrative.
2. If applicable, compensate all external project partners for their full level of effort. For more information on compensating project partners, see the sample Budget Detail Worksheet on the [OVW website](#).
3. Include sufficient funds to fully provide language access or describe other resources available to the applicant to ensure meaningful access for persons who are limited in their English proficiency because of their national origin. See Accessibility under the Federal Award Administration Information section of this solicitation for more information.

4. Include sufficient funds to fully provide access for individual with disabilities or who are Deaf/hard of hearing or describe other resources available to the applicant to ensure meaningful access for such individuals. See Accessibility under the Federal Award Administration Information section of this solicitation for more information.
5. Compensate survivors and individuals with applicable lived experiences related to the project (such as involvement in the justice system, homelessness, or substance use) who participate as consultants, in an advisory capacity, in focus groups, or in other work activities.
6. **New Applicants:** Include funds to attend OVW-sponsored TTA in the amount of **\$30,000**. This amount is for the entire 36 months and NOT per year. **Continuation Applicants:** Include funds to attend OVW-sponsored TTA in the amount of \$15,000. This amount is for the entire 24 months and NOT per year. Applicants also may budget expenses in excess of the required amount if they are aware of relevant non-OVW sponsored conferences or training for which they would like permission to use grant funds to support staff/project partner attendance.
7. **Applicants that have not implemented STCJ:** Include salary and fringe benefits costs to support the Project Coordinator position at a minimum of .5 FTE.
8. Limit costs for medical care of incarcerated non-Indian STCJ defendants to a maximum of 20% of the total project budget.
9. Distinguish clearly between subawards and contracts in allocating any grant funds to other entities. Pursuant to 2 C.F.R. § 200.331, a subaward is for the purpose of carrying out a portion of the federal award, such as compensating an MOU partner, 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. The awarding and monitoring of contracts must follow the recipient's documented procurement procedures, including full and open competition, pursuant to the procurement standards and monitoring requirements in 2 C.F.R. §§ 200.317-200.327 & 200.329. The issuance and monitoring of subawards must meet the requirements of 2 C.F.R. § 200.332, which includes oversight of subrecipient/partner spending and monitoring performance measures and outcomes attributable to grant funds. For more information, see the sample Budget Detail Worksheet and the Solicitation Companion Guide on the [OVW website](#).

OVW awards are governed by the provisions of 2 C.F.R. Part 200 and the [DOJ Financial Guide](#), which include information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. For additional information on allowable and unallowable costs, see the Funding Restrictions section below and the sample budget on the [OVW website](#).

### **Funding Restrictions**

The following information is provided to allow applicants to develop an application and budget consistent with program requirements.

#### Unallowable Costs

The costs associated with the activities listed below are unallowable and must not be included in applicants' budgets.

1. Lobbying.
2. Fundraising.
3. Purchase of real property.
4. Physical modifications to buildings, including minor renovations (such as painting or carpeting) without prior approval by OVW through the submission of a detailed Grant Award Modification in JustGrants. Note that, although such costs may be included in the proposed budget, budget clearance does not constitute prior approval for minor renovations.
5. Construction.

#### Food and Beverage/Costs for Refreshments and Meals

Food and beverages are generally considered personal expenses for which government funds should not be used. Exceptions may be made for working meals that are necessary to accomplish official business and enhance the cost effectiveness of the conference.

Recipients must receive prior approval before using grant funds to provide a working meal and/or refreshments at a meeting, conference, training, or other event. Examples of when OVW might grant such approval include, but are not limited to:

1. The location of the event is not in close proximity to food establishments, despite efforts 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.

Justification for an exception listed above must be included in the applicant's budget narrative. For additional information on restrictions on food and beverage expenditures, see [OVW conference cost planning](#).

#### Conference Planning and Expenditure Limitations

Applicants' budgets must be consistent with all requirements (including specific cost limits and 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), and costs of attendance at such events. Information on conference planning, minimization of costs, and conference reporting is available at [OVW conference cost planning](#).

#### **Pre-Award Costs**

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.

#### **Indirect Cost Rate Agreement (if applicable)**

Applicants that intend to charge indirect costs through the use of a negotiated indirect cost rate must have a current, signed, federally approved indirect cost rate agreement and must upload and attach a copy of the agreement to their application in JustGrants. Applicants (other than state, local, and tribal governments that receive more than \$35 million in direct federal funding per year) that do not have a current negotiated (including provisional) rate may elect to charge a de minimis rate of 10% of modified total direct costs, which may be used indefinitely.

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

### **Additional Application Components**

The following components will not be scored but must be included with the application. Failure to supply this information may result in the application being removed from consideration. Some components will be generated during the application submission process while others will be uploaded and attached to the application in JustGrants.

#### **Letters of Nonsupplanting**

Applicants must attach a letter to OVW's Director, signed by the Authorized Representative, certifying that federal funds will not be used to supplant any other federal, state, or local government funds should a grant award be made. A sample letter is available on the [OVW website](#).

#### **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 VAWA, as amended. Applicants must upload and attach, under Additional Attachments in JustGrants, the completed acknowledgement form available on the [OVW website](#). This form must be signed by the Authorized Representative.

#### **Disclosure and Assurances**

Review, complete, and submit all disclosures, assurances, and certifications as described below.

#### **Disclosure of Lobbying Activities**

All applicants must complete and submit the *Disclosure of Lobbying Activities* (SF-LLL) form in Grants.gov before beginning the application process in JustGrants.

#### **DOJ Certified Standard Assurances**

Applicants must read and acknowledge the DOJ Certified Standard Assurances in JustGrants.

**DOJ Certified Standard Assurances DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements**

Applicants must read and acknowledge these DOJ certifications in JustGrants.

**Summary of Other Federal Funding**

Applicants must disclose all current and recent OVW awards (if applicable). If the applicant has a current grant or cooperative agreement under any OVW grant program or an award that closed within the 12 months before the date this solicitation closes, the information must be provided in a table using the sample format found on the OVW website. The applicant must also provide the same information regarding any current OVW awards, as well as any pending applications, on which the applicant is a subrecipient. Applicants also must disclose all other federal grant programs from which the applicant currently receives funding or for which it has applied for funding in FY 2023 to do similar work. Provide this information in a table using the sample format found on the OVW website. Both tables, if applicable, should be uploaded as attachments in JustGrants.

**Document Demonstrating Authority to Apply**

The applicant must provide a valid tribal resolution or letter on tribal letterhead, 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. Affirm the governing body's determination to plan, develop, implement, and exercise STCJ within its jurisdiction.
4. Direct internal partners, identified as required project partners, to participate in and cooperate with the planning, development, implementation, and exercise of STCJ and, if necessary, authorize the identified internal partners to enter into/sign the MOU/ IMOU.

**Prior to Application Submission**

**Unique Entity Identifier (UEI) and System for Award Management (SAM)**

Entities applying for the first time for federal funding must complete a multi-step registration

process. Applicants must register with the systems listed below to successfully submit an application.

1. SAM. Registration with SAM includes receiving a UEI. (**Average registration completion time – 2-3 weeks**)
2. Grants.gov (**Average registration completion time – 1 week**)
3. JustGrants. Registration with SAM and Grants.gov must be completed before an applicant can register with JustGrants. (**Average registration completion time – 3 days**)

**Note:** registration time frames are estimates. Applicants experiencing registration challenges (including lengthy registration wait times) should refer to the “OVW Policy for Applicants Experiencing Technical Difficulties During the Registration and Submission Processes section of this solicitation for guidance on how to proceed.”

Please see the [Solicitation Companion Guide](#) for additional details regarding SAM, Grants.gov, and JustGrants registration.

Entities that have previously applied for funding from DOJ must ensure their accounts with SAM, Grants.gov, and JustGrants are active and up to date.

**It is the responsibility of the applicant to ensure that they are properly registered with SAM, Grants.gov, and JustGrants. OVW strongly encourages all applicants to begin the registration process, or ensure that all accounts are active and up to date, by April 20, 2023. Failure to do so may result in the application being removed from consideration for funding.**

Applicants experiencing technical difficulties with SAM should go to [https://www.fsd.gov/gsafsd\\_sp](https://www.fsd.gov/gsafsd_sp).

Applicants experiencing technical difficulties with Grants.gov should contact [support@grants.gov](mailto:support@grants.gov).

Applicants experiencing technical difficulties with JustGrants should contact [OVW.JustGrantsSupport@usdoj.gov](mailto:OVW.JustGrantsSupport@usdoj.gov).

Additionally, applicants experiencing technical difficulties with any of the systems listed above during the registration, account update, or application submission processes should refer to the OVW Policy for Applicants Experiencing Technical Difficulties During the Registration and Submission Processes section of this solicitation for guidance on how to proceed.

## How to Apply

### Submission Dates and Times

All applications must be submitted electronically first in Grants.gov (SF-424 and SF-LLL) and then in JustGrants. **Applicants must make every effort to submit their application in Grants.gov and JustGrants. Note: the Grants.Gov deadline is 2 days before the JustGrants application deadline.** If an applicant must submit their application via email

due to a technical difficulty, they must do so by the JustGrants application deadline, but **no earlier than 4 hours prior to the JustGrants application deadline**. Applicants experiencing technical difficulties during the application submission process should refer to the OVW Policy for Applicants Experiencing Technical Difficulties During the Registration and Submission Processes section of this solicitation for guidance on how to proceed.

**OVW strongly encourages all applicants to begin the application submission process at least 48 hours prior to the Grants.gov application deadline. Failure to do so may result in missing the deadline and therefore not being considered for funding.**

**OVW will not accept applications after the JustGrants deadline, except for severe inclement weather or natural or man-made disaster. See the OVW Policy on Late Submission Request Due to Severe Inclement Weather or Natural or Man-Made Disaster section of this solicitation.**

### **Submission Information and Other Submission Requirements**

Applications will be submitted to OVW in two steps:

**Step 1:** The applicant must submit by the Grants.gov deadline the required Application for Federal Assistance standard form (SF-424) and the Disclosure of Lobbying Activities form (SF-LLL) in Grants.gov - <https://www.grants.gov/web/grants/forms/sf-424-family.html>.

**Step 2:** The applicant must then submit the full application, including attachments, in JustGrants at JustGrants.usdoj.gov. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline. OVW encourages applicants to review the [Solicitation Companion Guide](#) and the JustGrants website for more information, resources, and training.

**Tip:** JustGrants functions better using a PC with Chrome or Edge web browser.

### OVW Policy for Applicants Experiencing Technical Difficulties During the Registration and Submission Processes

Technical difficulties are issues that are beyond the applicant's control (e.g., JustGrants login issue, issue with the web-based budget). OVW can confirm when each registration and/or submission action began.

#### *Technical difficulties with SAM or Grants.gov*

1. Contact SAM or Grants.gov support as soon as the applicant is aware of a problem.
2. Maintain documentation of when the issue began and all communication with technical support.
3. Notify this program, via email at [OVW.TribalJurisdiction@usdoj.gov](mailto:OVW.TribalJurisdiction@usdoj.gov), stating the applicant is experiencing technical difficulties with SAM or Grants.gov. The applicant should provide regular updates to this program via email at [OVW.TribalJurisdiction@usdoj.gov](mailto:OVW.TribalJurisdiction@usdoj.gov).
4. If the technical difficulty cannot be resolved before the Grants.gov deadline, the applicant must notify this program via email at

- OVW.TribalJurisdiction@usdoj.gov before the Grants.gov deadline.
5. Once the Grants.gov deadline passes an applicant will not be able to apply in JustGrants. Therefore, the applicant must email the complete application packet (Proposal Narrative, Budget and Budget Narrative, Document Demonstrating Authority to Apply, and all documentation supporting the technical difficulty to this program at OVW.TribalJurisdiction@usdoj.gov by **9:00 p.m. E.T. on May 11, 2023**.

*Technical difficulties while applying in JustGrants*

1. Contact the OVW JustGrants Help Desk at OVW.JustGrantsSupport@usdoj.gov prior to the JustGrants deadline.
2. Maintain documentation of all communication with the OVW JustGrants Help Desk.
3. Actively work with the OVW JustGrants Help Desk to attempt to resolve the technical difficulty.
4. Contact this program, via email at OVW.TribalJurisdiction@usdoj.gov prior to the JustGrants deadline (**9:00 p.m. E.T. on May 11, 2023**), indicating the applicant is experiencing technical difficulties with JustGrants and would like permission to submit an application via email. The email must include the following:
  - A detailed description of the technical difficulty the applicant is experiencing.
  - The contact information (name, telephone, and email) for the individual making the request.
  - The applicant's UEI number.
  - JustGrants application numbers and User Support tracking numbers.
  - The complete application packet (Proposal Narrative, Budget and Budget Narrative, Document Demonstrating Authority to Apply).

It is not guaranteed that applications submitted via email will be considered for funding, even if the email is received before the JustGrants application deadline. OVW will decide and notify applicants of the decision within 30 days of the JustGrants application deadline. Applicants may be asked to coordinate with OVW to submit their application in Grants.gov and JustGrants later.

OVW Policy on Late Submission Request Due to Severe Inclement Weather or Natural or Man-Made Disaster

OVW will only accept applications after **9:00 pm ET on May 11, 2023** in cases of severe inclement weather or natural or man-made disaster. The information below provides the process applicants must follow in such a circumstance.

1. Contact this program at OVW.TribalJurisdiction@usdoj.gov as soon as the applicant is aware of severe weather or a natural or man-made disaster that may impede the submission of an application by the deadline. The email should include a detailed description of the weather event or natural or man-made disaster. A detailed description includes when the event occurred, or is likely to occur, the impacted area, and the specific impact on the applicant and/or partners' ability to submit the application by the deadline (e.g., without power for "x" days, office closed for "x" days). If the application is complete and ready for submission at the time the applicant

- notifies OVW, the application should be included with the email.
2. Applicants impacted by severe weather or a natural or man-made disaster occurring on or around the deadline must contact OVW within 48 hours after the deadline or as soon as communications are restored.

**Note: OVW may not be able to accommodate all requests resulting from severe inclement weather or a natural or man-made disaster.**

OVW will review the request for late submission and required documents and notify the applicant whether the request has been approved or denied within 30 days of the submitted request.

#### Limit on Number of Applications

OVW will consider only one application per organization for the same service area. In addition, if an applicant submits multiple versions of the same application, OVW will review only the most recent system-validated version submitted before the deadline.

### Application Review Information

#### **Review Criteria**

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, capacity of the applicant and any partners, 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 regardless 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 Special Tribal Criminal Jurisdiction Grant Program, scoring will be as follows:

1. Proposal narrative: (80) points, of which:
  - A. Purpose of the proposal: (30) points.
  - B. What will be done: (40) points.
  - C. Who will implement the proposal: (10) points.
2. Budget worksheet and budget narrative: (20) points.

Voluntary match or other cost sharing methods will not be considered in the evaluation of the application.

#### **Review and Selection Process**

Applications will be subject to a peer review and a programmatic review.

#### Peer Review

OVW will subject all eligible, complete, and timely applications to a peer review process that is based on the criteria outlined in this solicitation. OVW may use internal reviewers,

[external reviewers](#), or a combination of both.

OVW Peer reviewers may include victim advocates, judges, prosecutors, police officers, legal professionals, and others with expertise in areas such as tribal communities, colleges and universities, rural areas, urban areas, working with individuals with disabilities and older adults, and providing services to victims, including transitional housing, and services provided by culturally specific organizations and faith-based organizations. While some peer reviewers are expert consultants on violence against women issues, the vast majority of peer reviewers are active practitioners or recent retirees from the professions mentioned above. To ensure that applications are reviewed by individuals with on-the-ground experience responding to sexual assault, domestic violence, dating violence, or stalking, OVW does not use professional peer reviewers.

### 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 and unallowable 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 listed above or be removed from consideration entirely regardless of the application's peer review score.**

### *Past Performance Review*

As a part of the programmatic review process described above, applicants with current or recently closed OVW awards will be reviewed for past performance and risk based on the elements listed below.

1. Adherence to the grant program's statutory purposes and requirements.
2. Implementation of the project according to plan, without significant obstacles and/or challenges.
3. Implementation of the project within the original period of performance.
4. Drawdown of funds commensurate with the level of program activities completed.
5. Management of award such that applicant has had uninterrupted access to funds.
6. Attendance at/participation in all required OVW-sponsored training and technical assistance events.
7. Timely resolution of issues identified during programmatic monitoring.

8. Completion of close-out of prior awards within 120 days of the project end date.
9. Timely resolution of issues necessary to close out prior awards.
10. Timely resolution of issues identified during financial monitoring.
11. Timely response to OVW requests.
12. Development of deliverables that support the project goals and objectives and are of acceptable quality.
13. Implementation of the project as designed without unjustified modification.
14. Timely submission of federal financial reports (FFR).
15. Timely submission of performance reports.
16. Submission of complete and accurate performance reports.
17. Adherence to the terms and conditions of existing grant award(s) from OVW.

Prior to making an award, OVW is required to review and consider any information about applicants included in the designated integrity and performance system accessible through SAM (currently the Federal Award Performance and Integrity Information System or FAPIIS until on or around Dec. 12, 2022). Applicants may review and comment on information in FAPIIS about themselves that another federal awarding agency has previously entered. OVW will consider the applicant's comments as well as other information available in FAPIIS in making its judgment about the risk posed by making an award to the applicant as described in 2 C.F.R. § 200.206.

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, reaching underserved populations, geographic diversity, OVW 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 down 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 may not be considered for funding.

#### **Anticipated Announcement and Federal Award Dates**

It is anticipated that all applicants will be notified of the outcome of their applications by October 1, 2023.

#### **Federal Award Administration Information**

##### **Federal Award Notices**

Successful applicants will receive OVW award notifications electronically from JustGrants (not Grants.gov). Recipients will be required to log into JustGrants to review and accept the

award. The Authorized Representative must acknowledge having read and understood all sections of the award instrument and submit the required declaration and certification to accept the award; these steps will be completed electronically in JustGrants.

### **Administrative, National Policy, and Other Legal Requirements**

#### Information for All Federal Award Recipients

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 Award Recipients."

Terms and conditions for OVW awards are available on the [OVW website](#). 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 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. Recipients may provide sex-segregated or sex-specific programming if doing so is necessary for the essential operation of a program, so long as the recipient provides comparable services to those who cannot be provided with the sex-segregated or sex-specific programming. 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 who are limited in their English proficiency because of their national origin have meaningful access to recipients' programs and activities. Recipients are also responsible for ensuring that their programs and activities are readily accessible to individuals with disabilities, including those with physical or cognitive disabilities, as well as individuals who are Deaf or hard of hearing. OVW encourages applicants to go beyond minimum compliance with these requirements and allot sufficient resources to ensure programs and activities are fully accessible. More information on these obligations is available in the [Solicitation Companion Guide](#) under "Civil Rights Compliance."

### **General Information about Post-Federal Award Reporting Requirements**

OVW grantees are required to submit semi-annual performance reports and quarterly Federal Financial Reports (SF-425). Appropriate performance report forms will be provided to all applicants selected for an award. Forms will be submitted electronically. Future awards and fund drawdowns may be withheld if reports are delinquent. For more information on post award reporting requirements, including requirements for certain

recipients to report information on civil, criminal, and administrative proceedings in FAPIIS, see the [Solicitation Companion Guide](#) and the award condition on recipient integrity and performance matters available on the [OVW website](#).

## Federal Awarding Agency Contact(s)

For assistance with the requirements of this solicitation, contact the following:

- Programmatic questions, contact this program at 202-307-6026 or [OVW.TribalJurisdiction@usdoj.gov](mailto:OVW.TribalJurisdiction@usdoj.gov)
- Financial questions, contact 888-514-8556 or [ovw.gfmd@usdoj.gov](mailto:ovw.gfmd@usdoj.gov)
- Technical questions:
  - Grants.gov Applicant Support at 800-518-4726 or [support@grants.gov](mailto:support@grants.gov)
  - OVW JustGrants Support at 1-866-655-4482 or [OVW.JustGrantsSupport@usdoj.gov](mailto:OVW.JustGrantsSupport@usdoj.gov)

## Other Information

### **Public Reporting Burden-Paper Work 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.

**Note: Any materials submitted as part of an application may be released pursuant to a request under the Freedom of Information Act.**

## Application Checklist

Applicants must submit a fully executed application to OVW, including all required supporting documentation. Prior to peer review, OVW may not contact applicants for missing items. Additionally, if an applicant plans to submit an application under any other OVW grant program this fiscal year, it is the applicant's responsibility to 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. Application for Federal Assistance: SF-424	
2. Disclosure of Lobbying Activities (SF-LLL)	
3. Proposal Abstract	
4. Letter of Intent	
5. Pre-Award Risk Assessment	
6. Summary Data Sheet	
7. Proposal Narrative:	
a) Purpose of the Proposal	
b) What Will Be Done	
c) Who Will Implement the Proposal	
8. Budget Worksheet and Budget Narrative	
9. Indirect Cost Rate Agreement (if applicable)	
10. Letter of Nonsupplanting	
11. Confidentiality Notice Form	
12. Summary of Other Federal Funding	
13. Document Demonstrating Authority to Apply	