

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL -- First Year, 2015

AN ACTION

RELATING TO LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AUTHORIZING AND ACCEPTING A UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS GRANT TO THE NAVAJO NATION JUDICIAL BRANCH (BUSINESS UNIT NUMBER K140805) IN THE AMOUNT OF \$450,000 TO DEVELOP AND STRENGTHEN THE SAFETY AND JUSTICE FOR NAVAJO NATION CITIZENS

BE IT ENACTED:

SECTION ONE. FINDINGS

- A. The Navajo Nation Council established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such empowered LOC with oversight over the Navajo Nation Judicial Branch. 2 N.N.C. §§ 164 (A)(9), 600 (A), 601 (C)(1) (2012) see also CJA-03-13.
- B. The Navajo Nation Council established the Budget and Finance Committee (B&F) as a Navajo Nation standing committee and as such gave B&F the power to authorize, approve and accept grants from federal authorities upon the recommendation of the standing committee which as oversight of the program which has applied for the grant. 2 N.N.C. §§ 300(A) and 301(B)(15) (2012) see also CJA-03-13.
- C. The Naabik'íyáti' Committee reviews proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- D. The Navajo Nation Judicial Branch applied for a Department of Justice Office of Justice Programs grant for four hundred fifty thousand dollars (\$450,000), which Application is attached as EXHIBIT A.
- F. The Office of Justice Programs awarded the grant on September 22, 2014, which Award Documents are attached as EXHIBIT B.

- G. The Budget for the Grant Award is attached as EXHIBIT C.
- H. The Navajo Nation agrees to provide the grant manager a signed current Navajo Nation Council resolution, authorizing the application and acceptance on behalf of the Navajo Nation. Grant Award, ¶39, 7 (2014) see also EXHIBIT B.
- I. The Navajo Nation finds accepting the Office of Justice Programs grant is in the best interests of the Navajo Nation.

SECTION 2. AUTHORIZES AND ACCEPTS THE OFFICE OF JUSTICE PROGRAMS GRANT TO THE NAVAJO NATION JUDICIAL BRANCH (BUSINESS UNIT NO. K140805) FOR \$450,000 TO DEVELOP AND STRENGTHEN THE SAFETY AND JUSTICE FOR NAVAJO NATION CITIZENS

The Navajo Nation authorizes and accepts the Office of Justice Programs' grant to the Navajo Nation Judicial Branch (Business Unit No. K140805) for \$450,000 to develop and strengthen the safety and justice for Navajo Nation citizens.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 17 in favor and 0 opposed, this 30th day of June 2015.



LoRenzo Bates, Speaker
Navajo Nation Council

7-6-15

Date

Motion: Honorable Edmund Yazzie
Second: Honorable Otto Tso

THE NAVAJO NATION



BEN SHELLY PRESIDENT
REX LEE JIM VICE PRESIDENT

March 21, 2014



Eric H. Holder, Jr.
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

Dear Mr. Holder,


Attached is the multi-purpose area submission of various programs of the Navajo Nation for the Coordinated Tribal Assistance Solicitation grant application to the U.S. Department of Justice for Fiscal Year 2014.

As President of the Navajo Nation, I certify that the submission has successfully gone through the tribal review and approval process (164 review of "SAS" review) involving our Department of Justice and business, procurement and financial control offices. As a result, the applicant may apply for CTAS awards in the specified purpose areas on behalf of the Navajo Nation.

I would note that, normally, a Navajo Nation Council resolution would be issued following completion of the SAS review process. In past CTAS submission years, a single resolution that both permits submission of the application and acceptance of an award would be obtained if a grant were awarded. Therefore, upon award any of the purpose areas in the CTAS grant, we would be submitting a similar resolution at that time.

Please accept the Nation's grant application. If you should have any questions, please contact my office at (928) 871-7000. Thank you.

Sincerely,


Ben Shelly, President
THE NAVAJO NATION

U.S. Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530

To whom it may concern:

Attached is the multi-purpose area submission of various programs of the Navajo nation for the Coordinated Tribal Assistance Solicitation grant application to the U.S. Department of Justice for Fiscal Year 2014.

As President of the Navajo Nation, I certify that the submission has successfully gone through the tribal review and approval process (164 review of "SAS" review) involving our Department of Justice and business, procurement and financial control offices. As a result, the applicant may apply for CTAS awards in the specified purpose areas on behalf of the Navajo Nation.

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Please accept the Nation's grant application. If you should have any questions, please contact my office at (928)871-7000. Thank you.

Sincerely,

Ben Shelly, *President*
THE NAVAJO NATION

Judicial Branch of the Navajo Nation
Administrative Office of the Courts

P.O. Box 520 ♦ Window Rock, Arizona 86515
Telephone 928-871-6762 ♦ Fax 928-871-6761

HERB YAZZIE
Chief Justice of the Navajo Nation



M. TERESA HOPKINS
Director of Special Projects

March 17, 2014

To: SAS REVIEWERS

From:

A handwritten signature in black ink, appearing to be 'R.C. Chee'.

R.C. Chee, Grant Administrator
Administration Office of the Courts

Subject: Document 1489 – CTAS 2014 Proposal

This letter shall serve to address the concerns written in the March 14, 2014 letter from Cordell Shortey, Contracting Officer, Office of Management and Budget.

The Indirect Cost Rate of 16.95% is noted in Purpose Areas 1, 2, 3, & 8. There is a memo from Tse Ho Tso Medical Center explaining the rationale behind the IDC noted in Purpose Areas 1, 2, 3, & 8. Attached copy of an email from Andrew Scotson of the Tse Ho Tso Medical Center explaining the costs in the same purpose areas. Non-Federal Match has been taken out of the entire budget.

The Demographic Form has also been corrected.

The Judicial Branch requests your expeditious review and approval of our CTAS 2014 Proposal.

I am available at 871-7669 to answer any questions. Thank you.

Raquel Chee

From: Andrew Scotson <ascotson@gmail.com>
Sent: Sunday, March 16, 2014 12:36 AM
To: Raquel Chee
Subject: Re: Budget

One SLIGHT change that could be made in re: to Indirect Costs is that there is a small amount budgeted for the CI's equipment and mileage. Arguably these relatively small amounts could be included in the base for IDC under each PA, however this could put each PA over 450k and adjustments would have to be made to the mileage (i.e. less mileage) to make it work. It's a small thing and would require adjusting multiple areas of each PA in order to work. I would suggest its not really worth it for such a slight change at this late stage. Also I did not include the original calculation you supplied in the IDC narrative section as I did not fully understand it sufficiently to put in an accurate number. Feel free to include it in PA's 5,6,7 for further justification if necessary.

Andrew.

On Sun, Mar 16, 2014 at 12:31 AM, Andrew Scotson <ascotson@gmail.com> wrote:
Here's the final copy of the budgets for 5,6,7 as well as a rough budget summary to make it easier for you when you enter on the master copy (I don't have access to the sheet or I would have done it myself).

We're maxed out on our numbers, all of them are almost at \$450k per PA.

I can foresee some concerns others might have with Indirect Costs. I calculated IDC for each PA based off the only position the NN will be managing which is the 1 Criminal Prosecutor. All the other positions, travel, supplies, equipment will be related to TMC expenses.

For purposes of PA's 5,6,7 the NN is acting as a 'pass-through entity' for the federal funds requested, except for the 1 Criminal Prosecutor position. I wouldn't look at it as a sub-contractual agreement with TMC where we are providing work FOR the tribe, the advocacy program is more of a strategic partnership between independent but equal entities comprised of the various NN departments and TMC.

Therefore in regards to IDC the tribe cannot apply for indirect cost funds associated with positions and expenses they are not managing. We don't have the available funds left in the solicitation to ask for it anyway. As such TMC will absorb the Indirect Costs associated with managing the TMC positions as well as grant management for TMC, the prosecutors office and DPS. This will also be outlined in the letters of support I will provide to you next week.

Next on my to do list is to update the PA narratives to reflect the budgetary changes. I had to axe many positions due to lack of funds availability/\$450k cap.

Also attached is the salary survey I used to compile the salary numbers. You should submit this in the CTAS solicitation in supporting documents.

Let me know if you have any other questions or concerns.



MEMORANDUM

TO: 2 NNC § 164.B Reviewers

FROM: (MTy)
Cordell Shortey, Contracting Officer
Contracts & Grants Section
Office of Management & Budget

DATE: March 14, 2014

RE: Executive Official Review No. 001489: 2014 Coordinated Tribal Assistance Solicitation (CTAS) Grant Proposal.

This application is to be submitted to the U.S. Department of Justice by the due date of March 24, 2014. This is a proposal encompassing seven (7) Purpose Areas which is in collaboration between the Navajo Nation Judicial Branch, Division of Public Safety, and the Office of the Prosecutor as well as Tse Ho Tso Medical Center in Ft. Defiance, Arizona.

Keep in mind that the due date for this application is March 24, 2014 at **5 p.m. MDT**. The cover letter for this review states a time of 7 p.m. however in reviewing online information regarding CTAS, the submittal time is Eastern time which would make submittal due at 5 p.m.

The Indirect Cost rate cited is correct – 16.95% and after initial review, the IDC amount under Purpose Area 1 has been changed but this needs to be retyped prior to submittal.

The Personnel costs associated with Purpose Areas 5, 6, and 7 are the same along with the same titles and narratives. Does this assume that only one of these Purpose Areas be funded, and what will occur should all three Purpose Areas be funded?

Under Purpose Areas 5, 6 and 7, the starting salary of the Sexual Assault Examiner is stated to be \$90,000 in the narrative but is listed as \$78,000 in the Personnel section. Also in Purpose Area 5, one Criminal Investigator is to spend approximately 35% of their time investigating cases of sexual assault and domestic violence but contributing 24% of their salary as Non-Federal Contribution (NFC). 1) is the 35% being done as a matter of fulfilling grant activity; and 2) the NFC of this position should be higher. However there is no Non-Federal Contribution requirement – should any one of these areas be budgeted, the Navajo Nation is obligated for Non-Federal Contribution.

There are several references in the budgets for the Purpose Areas which state that non-Federal match is not required but can be provided if desired. If non-Federal match is not required, then it is unnecessary – obligating match funds unnecessarily will not improve the chances of a grant award unless explicitly specified within the grant application.

Further, the overall budget summary at the end of the application showing all Purpose Area budgets cites the Required Match for Purpose Area 8 as not being met (in red), however the budget associated with Purpose Area 8 states it is not required.

There are positions at the Family Advocacy Center affiliated with the Tse Ho Tso Medical Center to receive partial funding through this grant application. Those Fringe Benefit rates will differ than what the Navajo Nation provides.

Regarding the Demographic Form, the stated Tribe's current enrollment is 273,872 but the total of the unemployed (143,508), under-employed (157,185), and employed (130,363) people 18 years and older is 431,056. These are three distinct groups being referred to and the total should not be more than the stated tribal current enrollment.

Until these issues are resolved, this grant application is insufficient as currently reviewed. Should you have any questions, please contact the Contracts and Grants Section at (928) 810-8535.

c: RDuncan, Principal Contract Analyst, CGS
File

Judicial Branch of the Navajo Nation
Administrative Office of the Courts

P.O. Box 520 ♦ Window Rock, Arizona 86515
Telephone 928-871-6762 ♦ Fax 928-871-6761

HERB YAZZIE
Chief Justice of the Navajo Nation

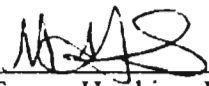


M. TERESA HOPKINS
Director of Special Projects

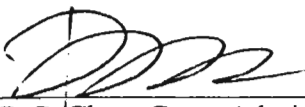
March 10, 2014

To: SAS REVIEWERS

Thru:


M. Teresa Hopkins, Director of Special Projects
Administrative Office of the Courts

From:


R.C. Chee, Grant Administrator
Administration Office of the Courts

Subject: 2014 CTAS Grant Proposal

Attached you will find the 2014 CTAS Proposal. It contains proposals for the following Purpose Areas.

- Purpose Area 1: Public Safety and Community Policing
- Purpose Area 2: Comprehensive Tribal Justice Systems Strategic Planning
- Purpose Area 3: Tribal Courts Assistance Program and Indian Alcohol and Substance Abuse Prevention Program
- Purpose Area 5: Violence Against Women Tribal Governments Program
- Purpose Area 6: Children's Justice Act Partnerships for Indian Communities
- Purpose Area 7: Comprehensive Tribal Victim Assistance Program
- Purpose Area 8: Tribal Juvenile Accountability Discretionary Grant Program

This proposal packet is a joint effort between the Judicial Branch, Division of Public Safety, the Prosecutor's Office and the Tse Ho Tso Medical Center working toward the common goal of safety of and justice for the citizens of the Navajo Nation. This proposal packet is due for upload into the Grants Management System by 7:00 p.m. on March 24, 2014.

The Judicial Branch requests your expeditious review and approval of our CTAS 2014 Grant Proposal.

I am available at 871-7669 to answer any questions. Thank you.



STANDARD ASSURANCES

By submission of these assurances by an authorized representative, the Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including 2 C.F.R. Part 220 [OMB Circular A-21], 2 C.F.R. Part 225 [OMB Circular A-87], 2 C.F.R. Part 230 [OMB Circular A-122], OMB Circular A-133; Ex. Order 13043 (seat belt policies); and 28 C.F.R. pts. 66 or 70 (administrative requirements for grants and cooperative agreements).

The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance, the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application and that the persons signing the application and these assurances are authorized to do so and to act on its behalf with respect to any issues that may arise during the processing of this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain particularly related to those with whom they have family, business or other ties.
3. It will give the Department of Justice or the Comptroller General, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.
4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 46, 61, 63, and 66 or 70 (whichever is applicable); the award term in 2 C.F.R. § 175.15(b); 48 CFR Part 31.000, et seq. (FAR 31) (governing cost principles), the current edition of the OJP Financial Guide, the OVW Financial Grants Management Guide, and the COPS Grant Owner's Manual as applicable.
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention

Coordinated Tribal Assistance Solicitation (CTAS)

Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964 (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§ 1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); *see* Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

7. For applicants for COPS funding, it will, to the extent practicable and consistent with applicable law, including but not limited to the Indian Self-Determination Act, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.

8. For applicants for COPS funding, It will comply with the minimum wage and maximum hours provisions of the Fair Labor Standards Act (29 U.S.C. § 201, et seq.), if applicable.

9. For applicants for COPS funding, if the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of 12 months following expiration of the grant period.

10. In the event that a portion of grant reimbursements are seized to pay off delinquent federal debts through the Treasury Offset Program or other debt collection process, it agrees to increase the non-federal share (or, if the awarded grant does not contain a cost sharing requirement, contribute a non-federal share) equal to the amount seized in order to fully implement the grant project.

11. If a governmental entity--

a) it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and

b) it will comply with the requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

12. It will not provide any funding from this award (either directly or indirectly, whether by way of a contract, subaward, or other means) either to 1) the Association of Community Organizations for Reform Now (ACORN) or, 2) an ACORN subsidiary.

False statements or claims made in connection with these grants (including cooperative agreements) may result in fines, imprisonment, debarment from

Coordinated Tribal Assistance Solicitation (CTAS)

participating in federal grants or contracts, and/or any other remedy available by law.

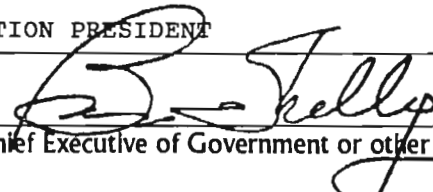
I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Type/Print Name and Title of Chief Executive of Government or other Entity

NAVAJO NATION PRESIDENT

Signature


(Chief Executive of Government or other Entity)

Date

MARCH 20, 2014



Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek the applicant's certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 28 CFR Part 2867, "Nonprocurement Debarment and Suspension" 28 CFR Part 83 Government-Wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions; and

C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

Coordinated Tribal Assistance Solicitation (CTAS)

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

Pursuant to Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Section 2867.20(a), and other requirements, the applicant certifies that it and its principals:

A. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;

B. Have not within a three-year period preceding this application been convicted of a felony criminal violation under any Federal law, or been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

C. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A)(ii) of this certification; and

D. Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default.

3. Federal Taxes and Assessments

A. If applicable, an applicant who receives an award in excess of \$5,000,000 certifies that, to the best of its knowledge and belief, the applicant has filed all Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

B. The applicant certifies that it does not have any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or

Coordinated Tribal Assistance Solicitation (CTAS)

have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

4. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, for grantees/recipients, as defined at 28 CFR Section 83.660 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an on-going drug-free awareness program to inform employees about -

- (a) The dangers of drug abuse in the workplace;
- (b) The grantee's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;

(iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);

(iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -

- (a) Abide by the terms of the statement; and
- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to the following:

- For COPS awards: USDOJ, COPS Office, 145 N Street NE, Washington, D.C., 20530.

Coordinated Tribal Assistance Solicitation (CTAS)

- For OJP and OVW awards: USDOJ, Office of Justice Programs, ATTN: Control Desk, 810 7th St. NW, Washington, D.C., 20531
Notice shall include the identification number(s) of each affected grant;

(vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -

(a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

(vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v), and (vi).

B. The applicant further certifies that it will identify all known workplaces under each Department of Justice award, in accordance with the provisions at 28 CFR Section 83.230.

5. Coordination

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant's grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

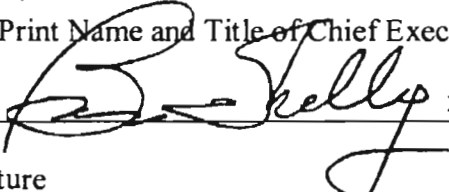
Where the applicant is unable to certify to any of the statements in this Certifications form, he or she shall attach an explanation to this application regarding the particular statement that cannot be certified. Please note that the applicant is still required to certify to all the other applicable statements.

False statements or claims made in connection with DOJ grants (including cooperative agreements) may result in fines, imprisonment, debarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge. Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Coordinated Tribal Assistance Solicitation (CTAS)

Type/Print Name and Title of Chief Executive of Government or other Entity

 NAVAJO NATION PRESIDENT

Signature

Date MARCH 20, 2014

(Chief Executive of Government or other Entity)

Comprehensive Tribal Victim Assistance Program

Purpose Area (7)

Program Office

OVC

16.582

Note: Non-Federal match is not required for this purpose area but can be provided if desired.

A. Personnel

Name/Position		Computation							
List each position and name, if known. New positions may be grouped by type.		Show annual salary rate & amount of time devoted to the project for each name/position.							
		# of Positions	Salary	Rate	Time Worked (# of hours, days, months, years)	%	Total Cost	Non-Federal Contribution	Federal Request
Criminal Prosecutor - 3rd Year		1	\$65,978.00	yearly	1	45%	\$29,691	\$0	\$29,691
Criminal Prosecutor - 2nd Year		1	\$63,440.00	yearly	1	45%	\$28,548	\$0	\$28,548
Criminal Prosecutor - 1st Year		1	\$61,000.00	yearly	1	45%	\$27,450	\$0	\$27,450
						Total(s)	\$85,689	\$0	\$85,689 /

Narrative

The Criminal Prosecutor will be JD qualified, bar-certified to practice law on the Navajo Reservation, and possess at least 5 years experience prosecuting cases of sexual assault and domestic violence the 5 years preceding their hire. The prosecutor will be hired by the Navajo Nation Office of the Chief Prosecutor and will spend 50% of their time prosecuting cases related to PA#5, and the other 50% prosecuting cases related to PA#6. Since PA#7 encompasses work related to both PA#5 & PA#6, we have sought 20% of the funds for this position under PA#5, 35% under PA#6, and 45% under PA#7. The 45% requested under PA#7 represents 15% for work related to PA#6, and 30% for work related to PA#5. The prosecutor's starting salary will be \$61,000 and increase at a rate of 4% annually.

--

B. Fringe Benefits						
Type of Benefit		Computation				
<i>List each grant-support fringe benefit that is provided to the grant-funded position.</i>		<i>Show the basis for computation.</i>				
	Base	Rate	Total Cost	Non-Federal Contribution	Federal Request	
Annual Leave - Navajo Nation	\$85,689	0.60%	\$515		\$515	
401k Plan - Navajo Nation	\$85,689	1.25%	\$1,072		\$1,072	
Retirement - Navajo Nation	\$85,689	24.40%	\$20,909		\$20,909	
Group Insurance - Navajo Nation	\$85,689	9.50%	\$8,141		\$8,141	
Unemployment Taxes - Navajo Nation	\$85,689	1.61%	\$1,380		\$1,380	
FICA - Navajo Nation	\$85,689	7.65%	\$6,556		\$6,556	
Total			\$38,573	\$0	\$38,573	/
Narrative						
Fringe benefits will be provided as per approved rates of the Tribe . This Navajo Nation rate includes: Employer's FICA, Unemployment Taxes, Group Insurance, Retirement, 401k Plan, and Annual Leave will be provided for the 36 month project period.						
The Criminal Prosecutor is a tribal hire position therefore the tribe's fringe benefit rates apply to this position. The total base for this position under PA#7 is \$85,689.						

--

C. Travel								
Purpose of Travel <i>Indicate the purpose of each trip or type of trip (training, advisory group meeting)</i>	Location <i>Indicate the travel destination.</i>	Type of Expense <i>Hotel, airfare, per diem</i>	Computation <i>Compute the cost of each type of expense X the number of people traveling.</i>					
			Cost	Duration or Distance	# of Staff	Total Cost	Non-Federal Contribution	Federal Request
			Total			\$0	\$0	\$0
Narrative								

D. Equipment						
Item		Computation				
List and describe each item of equipment that will be purchased		Compute the cost (e.g., the number of each item to be purchased X the cost per item)				
		# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
			Total	\$0	\$0	\$0
Narrative						

E. Supplies						
Supply Items		Computation				
Provide a list of the types of items to be purchased with grant funds.		Describe the item and the compute the costs. Computation: The number of each item to be purchased X the cost per item.				
		# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
				\$0		\$0
				\$0	\$0	\$0
Narrative						

F. Construction						
List of Construction Activities		Computation				
List and describe each item that is part of construction.		Compute the costs (e.g., the number of each item to be purchased X the cost per item)				
		# of Items	Cost	Total Cost	Non-Federal Contribution	Federal Request
	N/A			\$0		\$0
		Total		\$0	\$0	\$0
Narrative						

G. Consultants/Contracts**Item**

Provide a description of the producer or services to be procured by contract and an estimate of the costs. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100.00

		Total Cost	Non-Federal Contribution	Federal Request
Subcontract with Tse Ho Tso Medical Center for the Victim Advocacy Center		\$304,675	\$0	\$304,675
Purpose of Travel	Location	Type of Expense	Computation	
Indicate the purpose of each trip or type of trip (training, advisory group meeting)	Indicate the travel destination.	Hotel, airfare, per diem	Compute the cost of each type of expense X the number of people traveling.	
			Cost	Duration or Distance
			# of Staff	Total Cost
				Non-Federal Contribution
				Federal Request
				\$0
			Total	\$304,675
				\$0
				\$304,675
Narrative				

H. Other Costs				
Description				
<i>List and describe items that will be paid with grants funds.</i>				
	Total Cost	Non-Federal Contribution	Federal Request	
			\$0	
	Total	\$0	\$0	
Narrative				

I. Indirect Costs						
Description		Computation				
<i>Describe what the approved rate is and how it is applied.</i>		<i>Compute the indirect costs for those portions of the program which allow such costs.</i>				
		Base	Indirect Cost Rate	Total Cost	Non-Federal Contribution	Federal Request
Navajo Nation has an approved indirect cost rate at 16.95%. Copy of approved rate is attached.		\$124,262	0.1695	\$21,063	\$0	\$21,063
			Total	\$21,063	\$0	\$21,063 /
Narrative						
Navajo Nation has an approved indirect cost rate at 16.95% for year ending 12/31/2014. Indirect cost has been calculated at the total tribal direct cost of \$85,689 + \$38,573 (fringe) to manage the salary, benefits, and other indirect costs associated with the Criminal Prosecutor position. Copy of approved rate is attached.						

Document No. 001489Date Issued: 03/11/2014**EXECUTIVE OFFICIAL REVIEW**Title of Document: 2014 CTAS Grant Proposal Contact Name: CHEE, RAQUEL C.Program/Division: JUDICIAL BRANCHEmail: rchee@navajo-nsn.gov Phone Number: 928-871-7669☐ **Business Site Lease** Sufficient Insufficient

1. Division:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)					
3. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**

1. Division:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**

1. Office of Management and Budget:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Controller:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Navajo Housing Authority Request for Release of Funds**

1. NNEPA:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Lease Purchase Agreements**

1. Office of the Controller:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
(recommendation only)					
2. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>

☒ **Grant Applications**

1. Office of Management and Budget:	<i>CPM - see memo</i>	Date:	<i>3/14/14</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Office of the Controller:	<i>Juanita S. Smith</i>	Date:	<i>3/14/14</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	<i>H. S. Smith</i>	Date:	<i>3/20/14</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

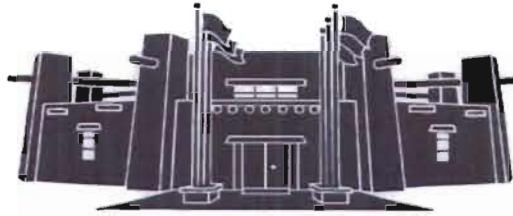
☐ **Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**

1. Division:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>

☐ **Relinquishment of Navajo Membership**

1. Land Department:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. Elections:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>

<input type="checkbox"/>	Land Withdrawal or Relinquishment for Commercial Purposes			Sufficient	Insufficient
1. Division:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases				
1. NLD	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Rights of Way				
1. NLD	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
6. Office of the Attorney General:	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
7. OPVP	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease				
1. Minerals	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. OPVP	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3. NLD	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Assignment of Mineral Lease				
1. Minerals	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. DNR	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3. DOJ	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)				
1. NLD	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2. F&W	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3. HPD	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
4. Minerals	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
5. NNEPA	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
6. DNR	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
7. DOJ	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
8. OPVP	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	OTHER:				
1.	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
2.	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
3.	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
4.	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>
5.	_____	Date:	_____	<input type="checkbox"/>	<input type="checkbox"/>



MEMORANDUM

TO: Honorable Kee Allen Begay, Jr.
Navajo Nation Council Delegate

FROM: CWest
Carolyn R. West, Attorney
Office of Legislative Counsel

DATE: February 12, 2015

SUBJECT: OLC Service Request No. 15-217-1

I received your OLC Service Request Form to prepare draft legislation regarding the Navajo Nation Judicial Branch's grant award from the United States Department of Justice, Office of Justice Programs. However, these particular grants providing funds to the Navajo Nation do not require Committee or Council approval. 2 N.N.C. 164 (B)(1) (2012). Final approval lies with the Navajo Nation President. Executive Order Number 07-2013. Please note, there may be other funding situations that require legislative approval and we appreciate the opportunity to review these documents. Therefore, I am returning your documents and if you have any questions please contact me.

Document No. 003244Date Issued: 12/22/2014**SECTION 164 REVIEW FORM**Title of Document: CTAS 2014: Tribal Victim Assistance Prog Contact Name: CHEE, RAQUEL C.Program/Division: JUDICIAL BRANCHEmail: rchee@navajo-nsn.gov Phone Number: 928-871-7019

Division Director Approval for 164A: _____

Check document category: only submit to category reviewers. Each reviewer has a maximum 7 working days, except Business Regulatory Department which has 2 days, to review and determine whether the document(s) are sufficient or insufficient. If deemed insufficient, a memorandum explaining the insufficiency of the document(s) is required.

Section 164(A) Final approval rests with Legislative Standing Committee(s) or Council

<input type="checkbox"/>	Statement of Policy or Positive Law:		Sufficient	Insufficient
	1. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)			
	1. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

Section 164(B) Final approval rests with the President of the Navajo Nation

<input checked="" type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: _____	Date: <u>12/20/14</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: <u>1/26/15</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: <u>1/29/15</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: <u>2/3/15</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>



THE NAVAJO NATION

Post Office Box 646 • Window Rock, AZ 86515 • Telephone (928) 871-6798 • Facsimile (928) 871-6567


Ben Shelly
President

Rex Lee Jim
Vice President

March 23, 2015

TRANSMITTAL

TO : Honorable Herb Yazzie, Chief Justice
Judicial Branch- Navajo Nation

FROM : 
Cordell Shortey, Contracting Officer
Contracts and Grants Section, Office of Management and Budget

SUBJECT : CTAS 2014- Tribal Victim Assistance Program K140805

I. Information on Contract (per Original Award):

CTAS 2014 Tribal Victim Assistance

Program

USDOJ/OVC

16.575

Title of Contract

Funding Agency

CFDA No.

2014-VR-GX-K006

\$ 450,000.00

FY 2014

10/01/2014-9/30/2017

Grant No.

Amount

Fiscal year

Term: Begin and End Date

II. Data Entered in FMIS Regarding:

- ☐ New Contract or Grant Company No. _____ Business Unit (K#): _____
- ☐ Contract Mod No.: _____
- ☐ Amt of Award - _____ to _____
AMOUNT FROM TO
- ☐ Budget Period - Extended End Date: _____ to _____
FROM TO
- ☒ Other, Specify: **FULLY EXECUTED GRANT AWARD**

Authorizing Document - Attached:

- ☒ Contract/Agreement - Date Executed: March 2, 2015
- ☐ NABI Acceptance - Legislation No. & Date: _____
- ☐ Other, Specify: _____

III. Comments by CGS:

Approval by Navajo Nation President and authorized for unrestricted use. PEC "N" will now be removed since Grant finalized, reviewed, and accepted by Navajo Nation President.

Attachment

Copy: chrono/file

Received

MAR 11 2015

Contracts and Grants Section - OMB

Request for Service (SAS Review) on Funding Contract / Agreement

For Program Use - Fill-in, Submit and/or Address

1 Information on Program - Sponsor:A. Judicial Branch - AOC

Program / Division

B. Raquel Chee / x7019

Program Manager / Phone No.

2 Information on SAS & Contract:SAS No. 3244

Application

Award

Modification No.

SE

Per Original Annual Funding

A. Budget Amount (Bdgt Amt)

450,000

Amount +/-:

0

B. Term-Bdgt..Begin - End Date

10/1/2014-9/30/2017

Term:

36 months

C. Term-Contr..Begin - End Date

Multi-yr Contract

Date..From - To

D. FY Funding

2014

Other:

e.g., SOW; Acct. Data; etc.

E. Funding Agency & CFDA No.

CFDA16.575

F. IGR legis., # & date...on Award

n/an/a

G. FMIS - Co. & K #s...on Award

3 Document or Rule Chk:Organize & tab documents in order listed; provide helpful notes.

A. Memo on action required.....

Etab. Of a Business Unit

B. Fund Agency - Documents

NOFA / NOGA / LETTER.....

attached.

Application, describe.....

n/a

Contract/Agreement.....

attached.

** Match Fund - Amt or % req.....

None

** IDC - Amt or % Allowed.....

16.95%

Scope Wk/ Budget Forms.....

Award, Narrative, Timeline and Budget attached

Req. Rpts / Spec. Cond. - §/¶:

Freq / Type-progr., 269.Period EndDue Date

§ 4.

Q - SF 269Caldr. Qtr.45 dys after Qtr. End

¶ 7.

A-progressCaldr. Qtr.30 days after Qtr end

C. NN BIPM

Budget Forms 1, 3-6.....

Not included until Award received.

IDC/MF - formula/caluate.....

Included in proposed budget

D. Other - specify.....

**** Attach citation of funding agency rule.****4 Acknowledgement:** To the best of my knowledge, the information provided above is complete and accurate.3/11/15
Program Mgr - Signature / Date**For Contracts and Grants Section Use****5 Assigned FMIS Nos.:**

Co. #

K#

OMB Tracking No.

Comments:

Grant Award Fully Executed for useage. PEC "N" removed.**6 Signature - Review / Acceptance:**3/23/15
Contract Analyst / Date

Contracting Officer / Date

****AFTER CGS REVIEW, RETURN SHEET TO OMB OFFICE SPECIALIST TO LOG OUT SAS ****



NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
02/02/15 @ 3:47pm	
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #:	003244
SAS #:	
UNIT:	HS92

☐ RESUBMITTAL

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST:	2/2/2015	DIVISION:	Judicial Branch
CONTACT NAME:	Raquel Chee	DEPARTMENT:	Click here to enter text.
PHONE NUMBER:	871-7019	E-MAIL:	rchee@navajo-nsn.gov

TITLE OF DOCUMENT: CTAS 2014: Tribal Victim Assistance Program

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 2-3-15 @ 9:26 REVIEWING ATTORNEY/ADVOCATE: km

DATE TIME OUT OF UNIT: 2/3 @ 1:35 LS

DOJ ATTORNEY / ADVOCATE COMMENTS

Legally sufficient ✓

REVIEWED BY: (Print)	Date / Time	SURNAMED BY: (Print)	Date / Time
		Kandis Martin	2/3/15 12:02pm

DOJ Secretary Called: Teresa for Document Pick Up on 2/3 at 125 By: Smith

PICKED UP BY: (Print) DATE / TIME:



THE NAVAJO NATION

Post Office Box 646 • Window Rock, AZ 86515 • Telephone (928) 871-6798 • Facsimile (928) 871-6567


Ben Shelly
President

Rex Lee Jim
Vice President

January 26, 2015

TRANSMITTAL

TO : Honorable Herb Yazzie, Chief Justice
Judicial Branch- Navajo Nation

FROM : 
Cordell Shortey, Contracting Officer
Contracts and Grants Section, Office of Management and Budget

SUBJECT : CTAS 2014- Tribal Victim Assistance Program K140805 **Restricted**

I. Information on Contract (per Original Award):

CTAS 2014 Tribal Victim Assistance Program		USDOJ/OVC	16.575
Title of Contract		Funding Agency	CFDA No.
2014-VR-GX-K006	\$ 450,000.00	FY 2014	10/01/2014-9/30/2017
Grant No.	Amount	Fiscal year	Term: Begin and End Date

II. Data Entered in FMIS Regarding:

☒ New Contract or Grant Company No. 4126 Business Unit (K#): K140805

☐ Contract Mod No.: _____

☐ Amt of Award - AMOUNT FROM to TO

☐ Budget Period - Extended End Date: FROM to TO

☐ Other, Specify: _____

Authorizing Document - Attached:

☐ Contract/Agreement - Date Executed: _____

☐ NABI Acceptance - Legislation No. & Date: _____

☐ Other, Specify: _____

III. Comments by CGS:

Post Edit Code "N" will be placed on Company Number and Business Unit until 164 Review is complete, Resolution has been processed to remove Grant Adjustment Notice Special Condition.

*Contract Accty placed PEEU on BU & CO 1/29/15
Special condition #29*

Attachment

Copy: chrono/file



Department of Justice
Office of Justice Programs



Office of the Assistant Attorney General

Washington, D.C. 20531

September 22, 2014

Mr. Ben Shelly
Navajo Nation
PO Box 9000
Window Rock, AZ 86515

Dear Mr. Shelly:

On behalf of Attorney General Eric Holder, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the Comprehensive Tribal Victim Assistance Program in the amount of \$450,000 for Navajo Nation. The money for this award comes from the Crime Victims Fund, which is administered by the Office for Victims of Crime (OVC). It is derived not from tax dollars, but from fines, penalty assessments, and bond forfeitures of convicted federal criminal offenders. The U.S. Attorneys in each District play a critical role in securing these funds to benefit federal, tribal, state, and local crime victims' programs. This Cooperative Agreement reflects the continuing commitment of the Department of Justice to improve the treatment of crime victims.

Enclosed you will find the Grant Award and Special Conditions documents. This award is subject to all administrative and financial requirements, including the timely submission of all financial and programmatic reports, resolution of all interim audit findings, and the maintenance of a minimum level of cash-on-hand. Should you not adhere to these requirements, you will be in violation of the terms of this agreement and the award will be subject to termination for cause or other administrative action as appropriate.

If you have questions regarding this award, please contact:

- Program Questions, Barbara L. Robertson, Program Manager at (202) 353-3775; and
- Financial Questions, the Office of the Chief Financial Officer, Customer Service Center (CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

Karol Virginia Mason
Assistant Attorney General

Enclosures



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

Department of Justice

810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690

TTY: (202) 307-2027

E-mail: askOCR@usdoj.gov

Website: www.ojp.usdoj.gov/ocr

September 22, 2014

Mr. Ben Shelly
Navajo Nation
PO Box 9000
Window Rock, AZ 86515

Dear Mr. Shelly:

Congratulations on your recent award. In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) is responsible for ensuring that recipients of financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) comply with the applicable federal civil rights laws. We at the OCR are available to help you and your organization meet the civil rights requirements that come with DOJ funding.

Ensuring Access to Federally Assisted Programs

Federal laws that apply to recipients of financial assistance from the DOJ prohibit discrimination on the basis of race, color, national origin, religion, sex, or disability in funded programs or activities, not only in employment but also in the delivery of services or benefits. A federal law also prohibits recipients from discriminating on the basis of age in the delivery of services or benefits.

In March of 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013. The statute amends the Violence Against Women Act of 1994 (VAWA) by including a nondiscrimination grant condition that prohibits discrimination based on actual or perceived race, color, national origin, religion, sex, disability, sexual orientation, or gender identity. The new nondiscrimination grant condition applies to certain programs funded after October 1, 2013. The OCR and the OVW have developed answers to some frequently asked questions about this provision to assist recipients of VAWA funds to understand their obligations. The Frequently Asked Questions are available at <http://ojp.gov/about/ocr/vawafaqs.htm>.

Enforcing Civil Rights Laws

All recipients of federal financial assistance, regardless of the particular funding source, the amount of the grant award, or the number of employees in the workforce, are subject to prohibitions against unlawful discrimination. Accordingly, the OCR investigates recipients that are the subject of discrimination complaints from both individuals and groups. In addition, based on regulatory criteria, the OCR selects a number of recipients each year for compliance reviews, audits that require recipients to submit data showing that they are providing services equitably to all segments of their service population and that their employment practices meet equal opportunity standards.

Providing Services to Limited English Proficiency (LEP) Individuals

In accordance with DOJ guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with limited English proficiency (LEP). See U.S. Department of Justice, *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*, 67 Fed. Reg. 41,455 (2002). For more information on the civil rights responsibilities that recipients have in providing language services to LEP individuals, please see the website <http://www.lep.gov>.

Ensuring Equal Treatment for Faith-Based Organizations

The DOJ regulation, *Equal Treatment for Faith-Based Organizations*, 28 C.F.R. pt. 38, requires State Administering Agencies (SAAs) to treat faith-based organizations the same as any other applicant or recipient. The regulation prohibits SAAs from making awards or grant administration decisions on the basis of an organization's religious character or affiliation, religious name, or the religious composition of its board of directors.

The regulation also prohibits faith-based organizations from using financial assistance from the DOJ to fund inherently (or explicitly) religious activities. While faith-based organizations can engage in non-funded inherently religious activities, they must hold them separately from the program funded by the DOJ, and recipients cannot compel beneficiaries to participate in them. The *Equal Treatment Regulation* also makes clear that organizations participating in programs funded by the DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. For more information on the regulation, please see the OCR's website at http://www.ojp.usdoj.gov/about/ocr/equal_fbo.htm.

SAAs and faith-based organizations should also note that the Omnibus Crime Control and Safe Streets Act (Safe Streets Act) of 1968, as amended, 42 U.S.C. § 3789d(e); the Victims of Crime Act of 1984, as amended, 42 U.S.C. § 10604(e); the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, 42 U.S.C. § 5672(b); and VAWA, Pub. L. No. 113-4, sec. 3(b)(4), 127 Stat. 54, 61-62 (to be codified at 42 U.S.C. § 13925(b)(13)) contain prohibitions against discrimination on the basis of religion in employment. Despite these nondiscrimination provisions, the DOJ has concluded that it may construe the Religious Freedom Restoration Act (RFRA) on a case-by-case basis to permit some faith-based organizations to receive DOJ funds while taking into account religion when hiring staff, even if the statute that authorizes the funding program generally forbids recipients from considering religion in employment decisions. Please consult with the OCR if you have any questions about the regulation or the application of RFRA to the statutes that prohibit discrimination in employment.

Using Arrest and Conviction Records in Making Employment Decisions

The OCR issued an advisory document for recipients on the proper use of arrest and conviction records in making hiring decisions. See *Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on the U.S. Equal Employment Opportunity Commission's Enforcement Guidance: Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964* (June 2013), available at http://www.ojp.usdoj.gov/about/ocr/pdfs/UseofConviction_Advisory.pdf. Recipients should be mindful that the misuse of arrest or conviction records to screen either applicants for employment or employees for retention or promotion may have a disparate impact based on race or national origin, resulting in unlawful employment discrimination. In light of the Advisory, recipients should consult local counsel in reviewing their employment practices. If warranted, recipients should also incorporate an analysis of the use of arrest and conviction records in their Equal Employment Opportunity Plans (EEOs) (see below).

Complying with the Safe Streets Act

An organization that is a recipient of financial assistance subject to the nondiscrimination provisions of the Safe Streets Act, must meet two obligations: (1) complying with the federal regulation pertaining to the development of an EEO (see 28 C.F.R. pt. 42, subpt. E) and (2) submitting to the OCR findings of discrimination (see 28 C.F.R. §§ 42.204(c), .205(c)(5)).

Meeting the EEOP Requirement

If your organization has less than fifty employees or receives an award of less than \$25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, your organization must complete and submit Section A of the Certification Form, which is available online at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and receives an award of \$25,000 or more, but less than \$500,000, and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form), but it does not have to submit the report to the OCR for review. Instead, your organization has to maintain the Utilization Report on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

If your organization is a government agency or private business and has received an award for \$500,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report (formerly called an EEOP Short Form) and submit it to the OCR for review within sixty days from the date of this letter. For assistance in developing a Utilization Report, please consult the OCR's website at <http://www.ojp.usdoj.gov/about/ocr/eeop.htm>. In addition, your organization has to complete Section C of the Certification Form and return it to the OCR. The Certification Form is available at <http://www.ojp.usdoj.gov/about/ocr/pdfs/cert.pdf>.

To comply with the EEOP requirements, you may request technical assistance from an EEOP specialist at the OCR by telephone at (202) 307-0690, by TTY at (202) 307-2027, or by e-mail at EEOSubmission@usdoj.gov.

Meeting the Requirement to Submit Findings of Discrimination

If in the three years prior to the date of the grant award, your organization has received an adverse finding of discrimination based on race, color, national origin, religion, or sex, after a due-process hearing, from a state or federal court or from a state or federal administrative agency, your organization must send a copy of the finding to the OCR.

Ensuring the Compliance of Subrecipients

SAAs must have standard assurances to notify subrecipients of their civil rights obligations, written procedures to address discrimination complaints filed against subrecipients, methods to monitor subrecipients' compliance with civil rights requirements, and a program to train subrecipients on applicable civil rights laws. In addition, SAAs must submit to the OCR every three years written Methods of Administration (MOA) that summarize the policies and procedures that they have implemented to ensure the civil rights compliance of subrecipients. For more information on the MOA requirement, see http://www.ojp.usdoj.gov/funding/other_requirements.htm.

If the OCR can assist you in any way in fulfilling your organization's civil rights responsibilities as a recipient of federal financial assistance, please contact us.

Sincerely,



Michael L. Alston
Director

cc: Grant Manager
Financial Analyst



Department of Justice
Office of Justice Programs
Office of the Chief Financial Officer

Washington, D.C. 20531

September 22, 2014

Mr. Ben Shelly
Navajo Nation
PO Box 9000
Window Rock, AZ 86515

Reference Grant Number: 2014-VR-GX-K006

Dear Mr. Shelly:

I am pleased to inform you that my office has approved the following budget categories for the aforementioned grant award in the cost categories identified below:

Category	Budget
Personnel	\$85,689
Fringe Benefits	\$38,573
Travel	\$0
Equipment	\$0
Supplies	\$0
Construction	\$0
Contractual	\$304,675
Other	\$0
Total Direct Cost	\$428,937
Indirect Cost	\$21,063
Total Project Cost	\$450,000
Federal Funds Approved:	\$450,000
Non-Federal Share:	\$0
Program Income:	\$0

Match is not required for this grant program.

All individual consultant fees in excess of \$650 per 8 hour day require prior approval of OJP.

If you have questions regarding this award, please contact:

- Program Questions, Barbara L. Robertson, Program Manager at (202) 353-3775
- Financial Questions, the Office of Chief Financial Officer, Customer Service Center(CSC) at (800) 458-0786, or you may contact the CSC at ask.ocfo@usdoj.gov.

Congratulations, and we look forward to working with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Leigh Benda". The signature is written in a cursive, flowing style.

Leigh Benda
Chief Financial Officer



Department of Justice
Office of Justice Programs
Office for Victims of Crime

Cooperative Agreement

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1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

Navajo Nation
PO Box 9000
Window Rock, AZ 86515

4. AWARD NUMBER: 2014-VR-GX-K006

5. PROJECT PERIOD: FROM 10/01/2014 TO 09/30/2017
BUDGET PERIOD: FROM 10/01/2014 TO 09/30/2017

6. AWARD DATE 09/22/2014

7. ACTION

1A. GRANTEE IRS/VENDOR NO.
860092335

8. SUPPLEMENT NUMBER
00

Initial

9. PREVIOUS AWARD AMOUNT

\$ 0

3. PROJECT TITLE

Tsehootsooi Family Advocacy Center Program

10. AMOUNT OF THIS AWARD

\$ 450,000

11. TOTAL AWARD

\$ 450,000

12. SPECIAL CONDITIONS

THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTH ON THE ATTACHED PAGE(S).

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under Victims of Crime Act of 1984, Title II, Chapter XIV, Section 1404, Public Law 98-473, as amended, 42 U.S.C. § 10603(c)(1)(B)

15. METHOD OF PAYMENT

GPRS

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Karol Virginia Mason
Assistant Attorney General

18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Ben Shelly
President

17. SIGNATURE OF APPROVING OFFICIAL

Karol V. Mason

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

Ben Shelly

19A. DATE

MAR 02 2015

AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BUD. ACT.	OPC.	DIV. REG.	SUB.	POMS	AMOUNT
X	G	V4	40	00	00		450000

21. NV4PGT0200



Department of Justice
Office of Justice Programs
Office for Victims of Crime

**GRANT MANAGER'S MEMORANDUM, PT. I:
PROJECT SUMMARY**

Cooperative Agreement

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2014-VR-GX-K006

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This project is supported under Victims of Crime Act of 1984, Title II, Chapter XIV, Section 1404, Public Law 98-473, as amended, 42 U.S.C. § 10603(c)(1)(B)

1. STAFF CONTACT (Name & telephone number)

Barbara L. Robertson
(202) 353-3775

2. PROJECT DIRECTOR (Name, address & telephone number)

Raquel Chee
Grant Administrator
CTAS Applicants, c/o OPVP
Post Office Box 7440
Window Rock, AZ 86515-7440
(928) 871-7019

3a. TITLE OF THE PROGRAM

OVC FY 14 CTAS Purpose Area 7: Comprehensive Tribal Victim Assistance Program

**3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)**

4. TITLE OF PROJECT

Tsehootsooi Family Advocacy Center Program

5. NAME & ADDRESS OF GRANTEE

Navajo Nation
PO Box 9000
Window Rock, AZ 86515

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2014 TO: 09/30/2017

8. BUDGET PERIOD

FROM: 10/01/2014 TO: 09/30/2017

9. AMOUNT OF AWARD

\$ 450,000

10. DATE OF AWARD

09/22/2014

11. SECOND YEAR'S BUDGET

12. SECOND YEAR'S BUDGET AMOUNT

13. THIRD YEAR'S BUDGET PERIOD

14. THIRD YEAR'S BUDGET AMOUNT

15. SUMMARY DESCRIPTION OF PROJECT (See instruction on reverse)

The Comprehensive Tribal Victim Assistance Program is created to support tribal nations' efforts to develop or enhance and sustain a comprehensive victim assistance program that: 1) provides a coordinated collaborative multidisciplinary response to victims of crime, their families and community, and 2) provides trauma-informed, culturally competent holistic services to victims of crime, family, and community.

The Navajo Department of Public Safety, Navajo Nation Chief Prosecutors Office, Navajo Nation Office of the Chief Justice, and Tsehootsooi Medical Center has partnered to establish a non-profit hospital-based Family Advocacy Center in the Window Rock Fort Defiance community, operating out of Tsehootsooi Medical Center. Under this project, the Tsehootsooi Family Advocacy Center will work to improve collaboration between community agencies, provide local forensic medical exams, and provide victim advocacy services. The Tsehootsooi Family Advocacy Center will be staffed with a full-time, experienced sexual assault examiner whose duties will include providing sexual assault exams to both adults and children in the community, managing and coordinating a rotating roster of

part-time sexual assault examiners, and implementing training programs for new sexual assault examiners in order to increase the number of available certified sexual assault examiners. The Center will also be staffed with two full-time victim advocates to provide supportive counseling, guidance through the investigative process, accompaniment during trial, and referrals to counseling services for victims of sexual assault, domestic violence, and child abuse & neglect. CA/NCF



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1. The recipient agrees to comply with the financial and administrative requirements set forth in the current edition of the Office of Justice Programs (OJP) Financial Guide.
2. The recipient acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if recipient is required to submit one pursuant to 28 C.F.R. Section 42.302), that is approved by the Office for Civil Rights, is a violation of its Certified Assurances and may result in suspension or termination of funding, until such time as the recipient is in compliance.
3. The recipient agrees to comply with the organizational audit requirements of OMB Circular A-133, Audits of States, Local Governments, and Non-Profit Organizations, and further understands and agrees that funds may be withheld, or other related requirements may be imposed, if outstanding audit issues (if any) from OMB Circular A-133 audits (and any other audits of OJP grant funds) are not satisfactorily and promptly addressed, as further described in the current edition of the OJP Financial Guide.
4. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of OJP.
5. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. This condition also applies to any subrecipients. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -

mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

e-mail: oig.hotline@usdoj.gov

hotline: (contact information in English and Spanish): (800) 869-4499

or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

6. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
7. The recipient agrees to comply with any additional requirements that may be imposed during the grant performance period if the agency determines that the recipient is a high-risk grantee. Cf. 28 C.F.R. parts 66, 70.

CB



Department of Justice
Office of Justice Programs
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8. The recipient agrees to comply with applicable requirements regarding registration with the System for Award Management (SAM) (or with a successor government-wide system officially designated by OMB and OJP). The recipient also agrees to comply with applicable restrictions on subawards to first-tier subrecipients that do not acquire and provide a Data Universal Numbering System (DUNS) number. The details of recipient obligations are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/sam.htm> (Award condition: Registration with the System for Award Management and Universal Identifier Requirements), and are incorporated by reference here. This special condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
9. Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), the Department encourages recipients and sub recipients to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this grant, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.
10. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available in the OJP Financial Guide Conference Cost Chapter.
11. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <http://www.ojp.usdoj.gov/funding/ojptrainingguidingprinciples.htm>.
12. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.
13. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.
14. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.
15. The recipient authorizes the Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, papers, or documents related to this grant.
16. Within 90 days of the date of award, the grantee will submit to the Office for Victims of Crime for review and approval its policies and procedures that it has established to maintain the confidentiality of victims' names, addresses, telephone numbers, or any other identifying information, and its policies and procedures relating to information sharing between partners. In addition, the grantee must submit a signed, written certification that data privacy and sharing protocols comport with the confidentiality and privacy rights and obligations of federal law or the grantee jurisdiction's laws, court rules, or rules of professional conduct applicable to the work performed by the grantee.



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17. Responsibility for the coordination of topics addressed or services rendered is shared jointly with the OVC and the recipient. Where appropriate, the recipient will act jointly with OVC in accomplishing the following tasks: 1) determination of modifications to the program plan or budget; and, 2) design of data collection instruments. In executing this responsibility, OVC requires that its program specialist meet periodically with recipient (as determined by OVC) throughout the life of the project to discuss project activities, plans, problems, and solutions.
18. Responsibility for the day-to-day conduct of the project rests with the recipient. This specifically includes operations, data collection, analysis and interpretation.
19. Responsibility for general oversight and redirection of the project, if necessary, rests with OVC. OVC will review and approve all activities in the requirements under the various stages, as enumerated in the solicitation. This includes review and approval in a timely manner of all key personnel selections, consultants, assessments, plans, instruments, manuals, and documents developed or identified for use during the project, with suggestions for modifications. The program solicitation is hereby incorporated by reference into the Cooperative Agreement making it part of the overall agreement, requiring adherence to its overall design.
20. The grantee agrees to comply with the requirements set forth in the current edition of the OVC Publishing Guidelines Handbook at <http://www.ojp.usdoj.gov/ovc/publications/infores/pubguidelines/welcome.html>.
21. The grantee agrees to provide summary data to OVC on individual results and outcomes of funded grants in accordance with the Government Performance and Results Act. The data should reflect program/project successes and impact. The grantee organization must provide information in progress and final reports which is consistent with outcomes identified in the solicitation and the grantee's application for funding. The OVC project specialist is available to offer guidance on performance measures to grantees.
22. OVC reserves the right to take appropriate action in instances when the grantee fails to initiate activity on the grant or misses multiple time tasklines. OVC action may include, but is not limited to, termination or suspension of the grant.
23. Grantees producing (1) all videos or (2) any products for grantee's independent release must follow the OVC Publishing Guidelines for placement of logos, inclusion of funding/disclaimer statement, and, if relevant, product barcodes. Check with your grant monitor for tip sheet, "The Essentials," for detailed instructions.
24. The grantee agrees to submit to OVC, within 30 days of award, a revised time-task plan. This revised time-task plan should be developed in consultation with the OVC program specialist assigned to the project, and should clearly indicate the following: (1) each of the stated project objectives and the tasks to be performed to achieve those objectives; (2) the completion dates for tasks and delivery dates for products; (3) the project staff responsible for accomplishing each task; 4) submission dates for financial and programmatic progress reports, consistent with the requirements of the OJP Financial Guide; and 5) incorporation of development schedule for print, video, and multimedia products to assure periodic OVC reviews of products (see Product Submission Requirements).
25. Grant funds may be used only for the purposes in the recipient's approved application. The recipient shall not undertake any work or activities that are not described in the grant application, and that use staff, equipment, or other goods or services paid for with OJP grant funds, without prior written approval from OJP.



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26. Within 45 calendar days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds \$20,000 in award funds, the recipient must provide the program manager with the following information and itemized costs:

- 1) name of event;
- 2) event dates;
- 3) location of event;
- 4) number of federal attendees;
- 5) number of non-federal attendees;
- 6) costs of event space, including rooms for break-out sessions;
- 7) costs of audio visual services;
- 8) other equipment costs (e.g., computer fees, telephone fees);
- 9) costs of printing and distribution;
- 10) costs of meals provided during the event;
- 11) costs of refreshments provided during the event;
- 12) costs of event planner;
- 13) costs of event facilitators; and
- 14) any other costs associated with the event.

The recipient must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with cooperative agreement funds:

- 1) meals and incidental expenses (M&IE portion of per diem);
- 2) lodging;
- 3) transportation to/from event location (e.g., common carrier, Privately Owned Vehicle (POV)); and,
- 4) local transportation (e.g., rental car, POV) at event location.

Note that if any item is paid for with registration fees, or any other non-award funding, then that portion of the expense does not need to be reported.

Further instructions regarding the submission of this data, and how to determine costs, are available in the OJP Financial Guide Conference Cost Chapter.



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27. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
28. The recipient acknowledges that the Office of Justice Programs (OJP) reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward; and (2) any rights of copyright to which a recipient or subrecipient purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under an award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient, if applicable) to ensure that this condition is included in any subaward under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

29. Grantee agrees to comply with all confidentiality requirements of 42 U.S.C. section 3789g and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. Grantee further agrees, as a condition of grant approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, section 22.23.
30. The Project Director and key program personnel designated in the application shall be replaced only for compelling reasons. Successors to key personnel must be approved, and such approval is contingent upon submission of appropriate information, including, but not limited to, a resume. OJP will not unreasonably withhold approval. Changes in other program personnel require only notification to OJP and submission of resumes, unless otherwise designated in the award document.
31. With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

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32. The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with OJP (including the grant manager for this award and the Office of Chief Financial Officer (OCFO)) on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to OJP all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by OJP for providing the requested documents. Failure to cooperate with OJP's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).
33. The recipient agrees that federal funds under this award will be used to supplement but not supplant state or local government funds.
34. The recipient agrees to submit a final report at the end of this award documenting all relevant project activities during the entire period of support under this award. This report will include detailed information about the project(s) funded, including, but not limited to, information about how the funds were actually used for each purpose area, data to support statements of progress, and data concerning individual results and outcomes of funded projects reflecting project successes and impacts. The final report is due no later than 90 days following the close of this award period or the expiration of any extension periods. This report will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.
35. The recipient agrees that it will submit quarterly financial status reports to OJP on-line (at <https://grants.ojp.usdoj.gov/>) using the SF 425 Federal Financial Report form (available for viewing at www.whitehouse.gov/omb/grants/standard_forms/ff_report.pdf), not later than 30 days after the end of each calendar quarter. The final report shall be submitted not later than 90 days following the end of the award period.
36. The recipient shall submit semiannual progress reports. Progress reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://grants.ojp.usdoj.gov/>.
37. The recipient agrees to comply with applicable requirements to report first-tier subawards of \$25,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients of award funds. Such data will be submitted to the FFATA Subaward Reporting System (FSRS). The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the Office of Justice Programs web site at <http://www.ojp.gov/funding/ffata.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here. This condition, and its reporting requirement, does not apply to grant awards made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).
38. An indirect cost rate for the recipient has not been approved; therefore, the recipient agrees not to drawdown federal funds for indirect costs until a rate has been approved by the cognizant Federal agency, and a Grant Adjustment Notice has been submitted removing this special condition.
39. The recipient agrees not to obligate, expend, or draw down any funds until the recipient provides to the grant manager a signed current authorizing resolution, or equivalent legal enactment, of the Tribal Council or comparable governing body of the Tribal entity authorizing the application on behalf of the Tribe, and a Grant Adjustment Notice has been issued removing this condition.



Department of Justice
Office of Justice Programs
Office for Victims of Crime

**AWARD CONTINUATION
SHEET**
Cooperative Agreement

PAGE 8 OF 8

PROJECT NUMBER 2014-VR-GX-K006

AWARD DATE 09/22/2014

SPECIAL CONDITIONS

40. The recipient agrees that \$89,689 of this award will be withheld, and that the recipient may not obligate, expend, or drawdown that amount until the recipient submits updated program strategy and budget documents (removing proposed prosecutorial activity, which is unallowable under this award), these have been approved by the Office for Victims of Crime, and a Grant Adjustment Notice (GAN) has been issued to remove this special condition.

38



Department of Justice
Office of Justice Programs
Office for Victims of Crime

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Zoe E. French, Environmental Coordinator

Subject: Categorical Exclusion for Navajo Nation

The Comprehensive Tribal Victim Assistance Program is created to support tribal nations' efforts to develop or enhance and sustain a comprehensive victim assistance program that: 1) provides a coordinated collaborative multidisciplinary response to victims of crime, their families and community, and 2) provides trauma-informed, culturally competent holistic services to victims of crime, family, and community.

Consequently, the subject federal action meets OJP's criteria for a categorical exclusion as contained in paragraph 4 (b) of Appendix D to Part 61 of the Code of Federal Regulations. Additionally, the proposed action is neither a phase nor a segment of a project which when viewed in its entirety would not meet the criteria for a categorical exclusion.

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

FY 2014

PART I. Business Unit No. <u>2140805</u>		Program Title: <u>Tsehootsool Family Advocacy Center Program</u>		Division/Branch: <u>robertasam@navajo-nsn.gov</u>		Judicial Branch	
Prepared By: <u>Roberta Sam</u>		Phone No.: <u>(928) 871-7025</u>		Email Address:			

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Difference (Column B - A)
US Department of Justice		10/1/14 - 9/30/17	450,000.00	100%	Fund Type Code	NNC Approved Original Budget	Proposed Budget	
					2001 Personnel Expenses		124,262	124,262
					3000 Travel Expenses			
					3500 Meeting Expenses			
					4000 Supplies			
					5000 Lease and Rental			
					5500 Communications and Utilities			
					6000 Repairs and Maintenance			
					6500 Contractual Services		304,675	304,675
					7000 Special Transactions			
					8000 Public Assistance			
					9000 Capital Outlay			
					9500 Matching Funds			
					9500 Indirect Cost		21,063	21,063
TOTAL						\$0.00	450,000	450,000

PART IV. POSITIONS AND VEHICLES		(D)	(E)
Total # of Positions Budgeted:			
Total # of Permanently Assigned Vehicles:			

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE.

for 12/16/14
 SUBMITTED BY: M. Teresa Hopkins, Director of Special Projects Date
Approved 12/16/14
 APPROVED BY: Herb Yazick Date



THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

FY 2014

Page 2 of 5

PART I. PROGRAM INFORMATION: Business Unit No.: <u>840802</u> Program Name/Title: <u>Tsehootsoo Family Advocacy Center Program</u>																									
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE: Develop a Family Advocacy Center program in the Window Rock/Fort Defiance community to improve the handling of sexual assault & domestic violence cases, provide forensic services locally, provide victim advocacy services, and enhance collaboration between community agencies.																									
PART III. PROGRAM PERFORMANCE CRITERIA:																									
1. Program Performance Area: Planning Goal Statement: Develop Scope of Work for TMC.	<table border="1"> <thead> <tr> <th colspan="2">1st QTR</th> <th colspan="2">2nd QTR</th> <th colspan="2">3rd QTR</th> <th colspan="2">4th QTR</th> </tr> <tr> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> <th>Goal</th> <th>Actual</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td>1</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	1st QTR		2nd QTR		3rd QTR		4th QTR		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual					1			
1st QTR		2nd QTR		3rd QTR		4th QTR																			
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual																		
				1																					
2. Program Performance Area: Planning Goal Statement: Contract TMC to provide services.	<table border="1"> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> </tr> </tbody> </table>								1																
							1																		
3. Program Performance Area: Service Delivery Goal Statement: Provide services to women and children.	<table border="1"> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>25</td> </tr> </tbody> </table>								25																
							25																		
4. Program Performance Area: Evaluation Goal Statement: Evaluate program effectiveness.	<table border="1"> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> </tr> </tbody> </table>								1																
							1																		
5. Program Performance Area: Planning Goal Statement: Adjust plans based on evaluation.	<table border="1"> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>1</td> </tr> </tbody> </table>								1																
							1																		
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED. <div style="display: flex; justify-content: space-between;"> <div> <u>M. Teresa Hopkins</u> M. Teresa Hopkins, Director of Special Projects </div> <div> <u>12/16/14</u> Date </div> </div> <div style="display: flex; justify-content: space-between;"> <div> <u>Herb Yazzie</u> Herb Yazzie, Chief Justice </div> <div> <u>12/14/14</u> Date </div> </div>																									

11/3/14

THE NAVAJO NATION

FY 2014

LISTING OF POSITIONS AND ASSIGNMENTS BY BUSINESS UNITS

Page 3 of 5

SUB ACCT	POS NO	JOB TYPE	POSITION TITLE	EMP ID	WRKSITE CODE	FY 2013 ACTUAL		FY 2014 PROPOSED	
						G/S	SALARY	HOURS	BUDGET
1st Year									
1001			Criminal Prosecutor					2080	27,450.00
2nd Year									
1001			Criminal Prosecutor					2080	28,548.00
3rd Year									
1001			Criminal Prosecutor					2080	29,691.00

Total: 85,689.00

POSTED

THE NAVAJO NATION DETAILED LINE ITEM BUDGET AND JUSTIFICATION

FY 2014

Page 4 of 5

PART I. PROGRAM INFORMATION:			
Program Name/Title:		Business Unit No.:	
Tsehootsooi Family Advocacy Center Program			
PART II. DETAILED BUDGET:			
(A)	(B)	(C)	(D)
Object Code (LOD 6)	Object Code Description and Justification	Total by DETAILED Object Code	Total by MAJOR Object Code
2001 PERSONNEL EXPENSES			124,262
2110	REGULAR		
	Employment salary and fringe benefits	85,689	
	1st Year: \$27,450 2nd Year: \$28,548 3rd Year: \$29,691		
2900 FRINGE BENEFITS		38,573	
	Permanent \$85,689.00 x 45.01% = \$38,573		
6500 CONTRACTUAL SERVICES			304,675
	The Navajo Department of Public Safety, Navajo Nation Chief Prosecutors Office, Navajo Nation Office of the Chief Justice has partnered with the Tsehootsooi Medical Center to establish a non-profit hospital-based Family Advocacy Center in the Window Rock/Fort Defiance community, operating out of Tsehootsooi Medical Center to improve collaboration between community agencies, improve the investigation and prosecution of family violence crimes, provide local forensic medical exams, and provide victim advocacy services.	304,675	
6520	CONSULTING		
	6530 Fees		
	6540 Expenses		
9500 MATCHING AND INDIRECT COST			21,063
	\$21,063.00 for Navajo Nation Indirect Cost at 16.95% on a base that does not include equipment cost of \$5,000 or more.		
9710	INDIRECT COST	21,063	
	Base: \$450,000 - \$304,675 = \$145,325.1695 = \$124,262.51 x .1695 = \$21,063		
TOTAL		450,000	450,000

POSTED

NNOMB-BF4

THE NAVAJO NATION
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Tsehootsooi Family Advocacy Center Program</u> Contract/Grant No.: <u>2014-VR-GX-K006</u>		Funding Period: <u>10/01/2014 - 09/30/2017</u> K #: _____ Prepared by: <u>Roberta Sam</u>	
PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT			
PART III. BUDGET INFORMATION:			
Major Object Code and Description (A)	Current Award Fiscal Year 2013 (B)	Anticipated Funding Fiscal Year 2014 (C)	Difference Columns (C) - (B) (D)
2001 Personnel Expenses		124,262	124,262.00
3000 Travel Expenses		-	-
3500 Meeting Expenses			-
4000 Supplies		-	-
5000 Lease and Rental		-	-
5500 Communication and Utilities			-
6000 Repairs and Maintenance			-
6500 Contractual Services		304,675	304,675.00
7000 Special Transaction		-	-
8000 Assistance			-
9000 Capital Outlay			-
9510 Matching - Cash			-
9610 Matching - In - Kind			-
9710 Indirect Cost (Overhead) Allocation		21,063	21,063.00
TOTALS:	-	450,000	450,000.00
PART IV. FTEs/MATCH FUNDS: No. of Positions/ FTEs: _____ Required GF Cash Match: _____ Required GF In - Kind Match: _____ Required GF % Match: _____			
MATCHING FUND REQUIRED: CONCURRED BY: _____			
Contracting Officer's Signature / Date: _____			
PART V. ACKNOWLEDGEMENT: Submitted by (print): <u>M. Teresa Hopkins, Director of Special Projects</u> Signature/Date: <u>[Signature] 12/16/14</u> Approved by (print): <u>Herb Yazzie, Chief Justice</u> Signature/Date: <u>[Signature] 12/16/14</u>			