

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23rd NAVAJO NATION COUNCIL - First Year, 2015

AN ACT

RELATING TO LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AUTHORIZING A TEN PERCENT (10%) INDIRECT COST RATE AND AUTHORIZING AND ACCEPTING A UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS GRANT TO THE NAVAJO NATION JUDICIAL BRANCH (BUSINESS UNIT NUMBER NEW) IN THE AMOUNT OF SEVENTY-FIVE THOUSAND ONE HUNDRED FIFTY DOLLARS (\$75,150) TO ASSESS AND EVALUATE THE NAVAJO NATION JUSTICE SYSTEM

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 gave the LOC oversight over the Navajo Nation Judicial Branch. 2 N.N.C. §§ 164 (A)(9), 600 (A), 601 (C)(1) (2012) *see also* CO-45-12.
- 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 power to "authorize, review, approve and accept agreements including contracts and grants, between the Navajo Nation and any federal, state or regional authority upon the recommendation of [LOC]." 2 N.N.C. §§ 164 (A)(9), 300 (A), 301 (B)(15) (2012) *see also* CO-45-12.
- C. The Navajo Nation Council established the Naabik'íyáti' Committee as a Navajo Nation standing committee and as such gave Naabik'íyáti' power "to review and approve the negotiation and setting of the Navajo Nation's indirect cost or administrative cost rate agreements with the cognizant federal agent. When in the best interest of the Nation, the committee may waive the indirect cost or administrative cost rate when...[t]he division, department or program requesting the waiver demonstrates a statutory

and/or regulatory requirement that limits the indirect cost or administrative cost rate available for a particular grant or contract." 2 N.N.C. §§ 700 (A) and 701 (A)(10)(a) (2012) see also CO-45-12.

- D. Additionally, the Naabik'íyáti' Committee reviews proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- E. The Navajo Nation Judicial Branch applied for a Department of Justice, Office of Justice Programs FY 14 Edward Byrne Memorial Justice Assistance Grant (JAG) Program grant in the amount of seventy-five thousand one hundred fifty dollars (\$75,150). EXHIBIT A.
- F. The Office of Justice Programs awarded the grant on August 14, 2014. EXHIBIT B.
- G. The grant award budget only allocated ten percent (10%) to indirect cost. EXHIBIT C.
- H. In order to waive the indirect or administrative cost rate the Navajo Nation Judicial Branch must demonstrate a statutory and/or regulatory requirement that limits the indirect or administrative cost rate available for the Judicial Assistance Grant. Ms. Hopkins, Administrative Office of the Courts, Director of Special Projects cites to the *Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY 2014 Local Solicitation (CFDA #16.738)* to say that this grant will only fund up to ten percent (10%) of the award, including interest, for costs associated with administering JAG funds. EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: FY 2014 LOCAL SOLICITATION 7 (Apr. 24, 2014).
- I. The Navajo Nation agrees to provide the grant manager a signed current Navajo Nation Council resolution, authorizing and accepting the application on behalf of the Navajo Nation. Grant Award, ¶39, 7 (2014) see also EXHIBIT B.
- J. The Navajo Nation finds accepting the Office of Justice Program grant is in the Navajo Nation's best interest.

Section Two. Ten Percent (10%) Indirect Cost Rate Authorization


The Navajo Nation authorizes a ten percent (10%) indirect cost rate for the Office of Justice Programs grant awarded to the Navajo Nation Judicial Branch.

Section Three. Authorizing and Accepting the Office of Justice Programs Grant

- A. The Navajo Nation authorizes and accepts the United States Department of Justice Office of Justice Programs grant in the amount of seventy-five thousand one hundred fifty dollars (\$75,150) to assess and evaluate the Navajo Justice system.
- B. The Navajo Nation authorizes the Navajo Nation Judicial Branch to execute any and all documents necessary to effectuate the intent of this resolution.

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 19 in favor and 0 opposed, this 30th day of June 2015.



LoRenzo Bates, Speaker
Navajo Nation Council

7-6-15

Date

Motion: Honorable Seth Damon
Second: Honorable Davis Filfred

BJA FY 14 Edward Byrne Memorial Justice Assistance
Grant (JAG) Program: Local 2014-H4008-AZ-DJ[Application](#)[Correspondence](#)[Switch to ...](#)**EXHIBIT**

tabbles

A**Review SF-424** [Print a Copy](#)[Application Handbook](#)[Overview](#)[Applicant
Information](#)[Project Information](#)[Budget and
Program
Attachments](#)[Assurances and
Certifications](#)[Review SF 424](#)[Submit Application](#)[Help/Frequently
Asked Questions](#)[GMS Home](#)[Log Off](#)

APPLICATION FOR FEDERAL ASSISTANCE	2. DATE SUBMITTED	Applicant Identifier
1. TYPE OF SUBMISSION Application Non-Construction	3. DATE RECEIVED BY STATE	State Application Identifier
	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION		
Legal Name Navajo Nation		Organizational Unit Executive and Judicial Branches
Address CTAS Applicants, c/o OPVP Post Office Box 7440 Window Rock, Arizona 86515-7440		Name and telephone number of the person to be contacted on matters involving this application Chee, Raquel (928) 871-7019
6. EMPLOYER IDENTIFICATION NUMBER (EIN) 86-0092335		7. TYPE OF APPLICANT Indian/Native American Tribal Government (Federally Recognized)
8. TYPE OF APPLICATION New		9. NAME OF FEDERAL AGENCY Bureau of Justice Assistance
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 16.738 CFDA: EDWARD BYRNE MEMORIAL JUSTICE TITLE: ASSISTANCE GRANT PROGRAM		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT Effecting Navajo Justice System Change through Assessment and Evaluation
12. AREAS AFFECTED BY PROJECT Entire Navajo Reservation geographical area.		
13. PROPOSED PROJECT Start Date: October 01, 2013 End Date: September 30, 2017		14. CONGRESSIONAL DISTRICTS OF a. Applicant b. Project AZ01
15. ESTIMATED FUNDING		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
Federal	\$75,150	
Applicant	\$0	

State	\$0	Program is not covered by E.O. 12372
Local	\$0	
Other	\$0	
Program Income	\$0	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
TOTAL	\$75,150	
18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS REQUIRED.		



Grant Management System



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Opportunities](#)[Grant Adjustments](#)[Grant Monitoring](#)[Conference
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Asked Questions](#)**Organization Information**

DUNS Number:	00-900-1702
Employer ID Number (EIN):	86-0092335
Legal Name:	Navajo Nation
Organizational Unit:	Executive and Judicial Branches
Address Line 1:	CTAS Applicants,c/o OPVP
Address Line 2:	Post Office Box 7440
City:	Window Rock
County:	Apache
State:	Arizona
Zip Code:	86515 - 7440
Type of Applicant:	Indian/Native American Tribal Government (Federally Recognized)
Type of Applicant (other):	
User Name:	CTASNavajo
Authorized Representative:	
Prefix:	Other
Prefix (other):	President
Suffix:	
Suffix (other):	
User First Name:	Ben
User Middle Initial:	
User Last Name:	Shelly
Title:	Other
Title (other):	President
Phone Number:	928-871-6352 Ext:
Fax Number:	928-871-4025
User E-mail Address:	president.benshelly@navajo-nsn.gov
Point of Contact:	
Prefix:	Ms.
Prefix (other):	
Suffix:	
Suffix (other):	
User First Name:	Josephine

Middle Initial:	S
User Last Name:	Foo
Title:	Other
Title (other):	Associate Attorney, Judicial
Phone Number:	505-326-2650 Ext:
Fax Number:	888-263-2051
User E-mail Address:	josephinefoo@navajo-nsn.gov
Secret Question/Secret Answer:	
Secret Question:	What is the name of your favorite pet?
Secret Answer:	██████

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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

PROJECT IDENTIFIERS

JAG 2014

- Evaluation
- Evaluation and Innovation Assessments
- Justice Information Sharing
- Program Evaluation
- Tribal Justice

The Judicial Branch of the Navajo Nation

Effecting Navajo Justice System Change through Assessment and Evaluation

An Application for Funding Under FY 2014 Edward Byrne Memorial
Justice Assistance Grant (JAG) Program

Submitted by: Raquel Chee, Grant Administrator, P.O. Box 520 Window
Rock, Arizona 86515. Phone: 928-871-7669. Fax: 928-871-6761
6/9/2014

Applicant Name: Navajo Nation Judicial Branch
2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Contents

Statement of the Problem.....	3
Project Design and Implementation.....	9
Capabilities and Competencies.....	12
Budget	14
Budget Narrative.....	15
References	16

Applicant Name: Navajo Nation Judicial Branch
2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Abstract

Applicant(s): The Judicial Branch of the Navajo Nation

Title: Effecting Navajo Justice System Change through Assessment and Evaluation

Amount requested: \$75,150

The Navajo Nation proposes to gain a comprehensive understanding of the strengths and weaknesses of the Navajo Justice system through a formal assessment and evaluation. Data shows that in 2012 only 5% of the 245,939 reported offenses ended up in our courts. There exists a need to determine where the gaps in the system are, prior to fixing them. The results of the evaluation will drive future plans for improvement and justice initiatives, as well as improve collaboration, communication and sharing of information within and across agency and jurisdictional boundaries. The key deliverable will be a Navajo Justice evaluation report for planning, improvement and increased safety for the Navajo public.

Statement of the Problem

1. Navajo Nation Demographics

The Navajo Tribe is the largest federally-recognized Indian Tribe in the United States by population and geographical area, extending into 13 counties in portions of northeastern AZ, northwestern NM and southeastern Utah and encompassing a land base of over 27,427 square miles, the largest land assigned to an American Indian jurisdiction. The Navajo Nation ranks as the largest Indian tribe with a population of nearly 300,000 Indians and non-Indians residing within its borders (U.S. Census, 2010). The Navajo Nation service area extends to public, tribal trust, tribal fee, BLM, Private, State and BIA Indian Allotment lands. In NM there are a further 80,000 enrolled members that reside in dependent Navajo communities, allotments and border towns. The reservation remains overwhelmingly underdeveloped with Coconino, Navajo, Apache, Socorro and McKinley counties registering many of the highest poverty levels in the United States. 57.4% of Individual Income on the Navajo Nation is less than \$10,000 compared to the US Population average of 7.4%.¹ Navajo communities deal with persistent, generational poverty, alcohol and substance abuse and rising violent crime.

2. Complex Navajo Tribal Justice System

Criminal cases are adjudicated under tribal laws. Non-Indians are civilly liable when committing tribal offenses. The Supreme Court authorizes members of the Navajo Nation Bar Association to practice before their courts through a system of advocates (non-law school trained) and lawyers. The judicial districts offer Peacemaker Services (restorative justice-sentencing alternatives) for all cases that come before the court. Local Peacemakers are selected from each of the communities and are trained in traditional alternative dispute resolution. There are two specialty

¹ RPI Consulting, 2011

Applicant Name: Navajo Nation Judicial Branch
2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

court projects, a Community Court in Aneth, Utah and a Healing to Wellness Court in Alamo and To'hajiilee, New Mexico that serve adults and youth. Veterans Outreach will be implemented this summer to enhance the Healing to Wellness Court. Detention facilities on Navajo have become deteriorated and dilapidated; two were recently demolished. Conditions are so dire that detainees can only stay overnight in three of six facilities and are only for temporary holding. Two new detention facilities have recently been built in Crownpoint, New Mexico and Tuba City, Arizona. There are also two juvenile detention facilities. With the rural and frontier nature of the reservation and detention facilities few and far between, most detainees have to be transported more than 70 miles to more permanent holding facilities. The Navajo Nation Department of Behavioral Health Services, who contract substance abuse prevention funds from Navajo Area Indian Health Service (NAIHS), provides adult and youth early intervention and prevention services. Navajo is a direct services tribe in certain aspects, but is primarily a self-determination services system. Law Enforcement, Corrections, Natural Resources, Education, IHS and the other district courts are funded through annual appropriations from the Bureau of Indian Affairs, various trust funds, P.L. 93-638 contracts and grant funding. Law enforcement through the Division of Public Safety (NDPS) includes the Navajo police and Criminal Investigations. They also work with BIA police, Drug Enforcement Agency, AZ Apache County Sheriff's Office, NM McKinley County Sheriff's Office, NM Socorro County Sheriff's Office, NM State Police, U.S. Marshals and the Federal Bureau of Investigation (FBI). There are over 276 law enforcement and 17 resource enforcement officers patrolling communities located over 10,000 miles of paved and unpaved roads, 17.2 million acres of remote parks and dwellings which amounts to one police officer for every 92 square miles in rural and frontier areas across three states. According to the U.S. Department of Justice, *Report of the Executive Committee for*

Indian Country Law Enforcement Improvements: Final Report to the Attorney General and the Secretary of the Interior, there is 0.9 officers for every 1,000 people.² Cross-deputization agreements exist in AZ and NM; Apache County (AZ); McKinley (NM); Socorro (NM) and with the AZ and NM State Police. The agreements ensure that these sheriff deputies enforce Navajo law in the Navajo courts. Police have an automated computer aided dispatch (CAD) and records management system (RMS). An automated integrated case management system (CMS) capable of justice information sharing has been implemented in the courts, peacemaking and probation services. Imminent plans include online justice information sharing. A Memorandum of Understanding is in place to share information with the AZ police. Law enforcement also coordinates multi-disciplinary task forces. SANE/SAFE sexual assault taskforce collects evidence and conducts follow up with victims and are reimbursed by the police and FBI. They also participate in the Sex Offender Registry and refine protocols for missing children in the Amber Alert Project. The Navajo Police Department (NPD) is utilizing the CODY law enforcement computerized records management system from dispatch, case investigation, corrections, modules and estimated usage is at 60%. Operational responsibilities of the Information Management Section (IMS) under NPD-NDPS are collection, storage and dissemination of NDPS criminal justice information and data. The data consists of computer aided dispatch information, incident, arrest, accident reports, citations, records of arrest and prosecution, court dispositions, fingerprint information and automated fingerprint identification System, statistical data. Criminal Investigators and Drug and Gang Unit officers obtain training and Special Law Enforcement commissions from the Bureau of Indian Affairs. Academy training is provided by AZ police. The AZ Justice Commission and Navajo Public Safety are

² U.S. Department of Justice, 1997

long standing partners in automated fingerprint sharing via AFIS. Traffic cases on Navajo Nation roadways in which deputized state or county police are the arresting officers are tried in Navajo courts. The NPD and Navajo Division of Social Services provide the primary crisis response for at risk youth and adults. The DSS – Department of Family Services is the primary agency for processing child abuse and neglect reports, to ensure shelter care, if necessary, and work with law enforcement to investigate alleged reports of neglect or abuse. Social Services, police and prosecutors have a protocol in place to respond to child abuse as of June, 2008. Navajo Area Indian Health Services along with four P.L. 93-638 contracted healthcare facilities provide primary health care, including mental health interventions. There are P.L. 93-638 Behavioral health programs that provide substance abuse prevention and intervention services. Outpatient treatment is offered by the Department of Behavioral Health Services (638 contracted programs) in the larger communities and offer very limited inpatient treatment settings.

3. Inadequate Communication and Coordination

As would be expected of the largest tribal government in the United States, the Navajo justice system is substantial and complex in comparison to other tribes. The Navajo justice system has numerous stakeholders located throughout 110 different chapters (local governments) and further divided into five agencies in three states. The quality of cross coordination in this intricate system is poor and confused because of its multi-faceted nature involving various tribal branches and departments, multiple counties, three states and federal jurisdictions. Navajo judicial resources are fragmented and work in silos. Meanwhile, the number of offenses reported on Navajo continues to rise. There are currently 0.9% law enforcement officers for every 1,000 Navajo citizens resulting in many complaints that aren't substantiated or filed for prosecution. Of the complaints that are filed, the Prosecutor's office can only handle a limited number with

only 11 Prosecutors on staff to cover over 27,000 acres. That translates into a ratio of 1 Prosecutor for every 27,000 people. As a result, many crimes go unpunished. In 2012 alone, 87.8% of reported crimes did not result in an arrest or conviction.³ Of the 12.2% or 30,038 criminal offenses that resulted in arrests, only 40% or 12,217 complaints were filed in the Judicial Courts.⁴ 12,217 is 5% of the total number of offenses reported for 2012: 245,939. In 2012 only 5% of reported forcible rape offenses and 15% of domestic violence complaints resulted in arrests.⁵ Based on statistics from the Navajo Nation Police Department (NPD), 25% of all offenses are substance abuse related with a large percentage being alcohol abuse and a growing percentage related to other drugs. Although the local IHS health promotion and disease prevention offices provide substance abuse and suicide prevention services, the Indian Health Service still identifies the highest ranked causes of death for Native Americans between the age of 1 and 44 as Unintentional Injuries and Suicide.⁶ The deficiencies and shortfalls reported in the Final Report to the United States Attorney General are valid and relative to the Navajo Nation on every level. Navajo lacks the resources to ensure our public is safe. Each year, the number of offenses committed is rising consistently with the rate doubling from 2011 to 2012.⁷ Enhanced authorities and provisions of the Tribal Law and Order Act of 2010 (TLOA) and the Violence Against Women Act Reauthorization Act of 2013 (VAWA) have not been implemented on the Navajo Nation. Discussions about doing so have not occurred.

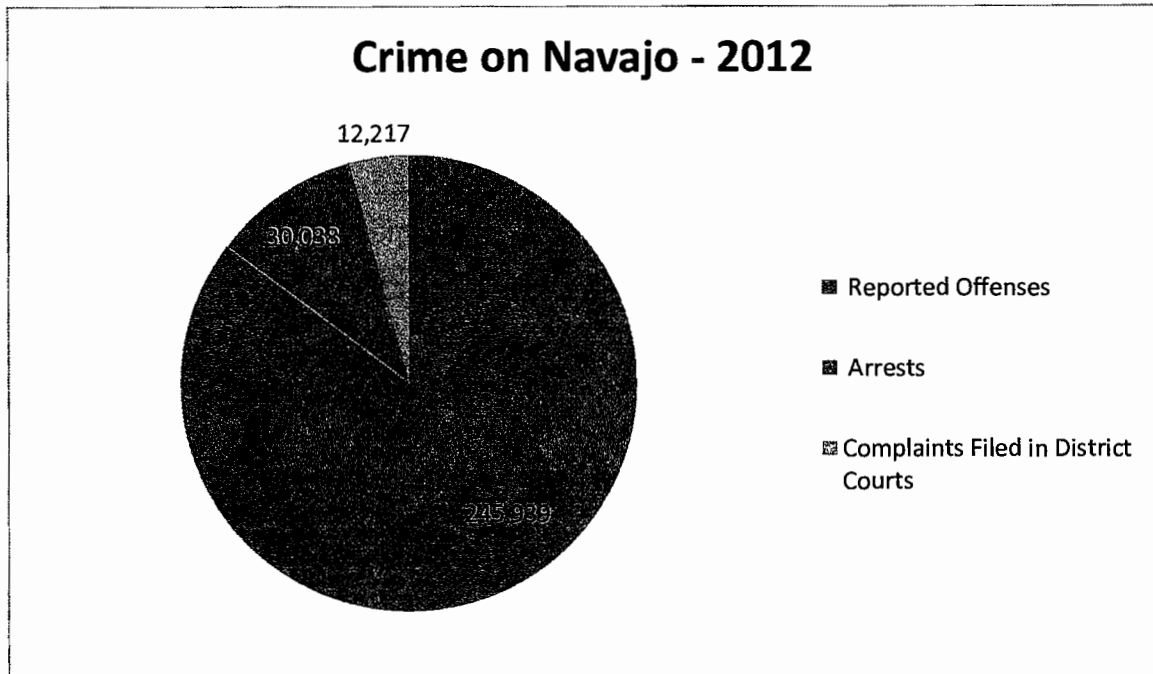
³ Navajo Nation Police, 2010-2012

⁴ Navajo Nation Judicial Branch, 2013

⁵ Navajo Nation Police, 2010-2012

⁶ Centers for Disease Control and Prevention, 1989-1998

⁷ Ibid.



Alarming numbers such as these underscore the need for a comprehensive assessment of the whole Navajo justice system to identify problems, weaknesses and strengths and to strategically plan based on the results. The justice community as a whole needs to identify goals and needs of the system. Communication needs to improve in and between all justice system stakeholders and a culture shift has to happen for the safety of all citizens of Navajo. A Justice Tribal Action Plan summit will need to occur followed by public information dissemination for feedback.

4. Prioritization

The tribe has done research into its statistics about its service delivery and acknowledges that the system is wrought with gaps. In response, the Navajo Nation Fiscal Year 2014 Budget was approved with a Condition of Appropriation that stipulates the need to find a solution to the reasons why the number of court cases filed is on a downward trend when the number of reported offenses is steadily rising. Law enforcement continuously collaborates with the Federal Bureau of Investigations to combat the illegal substance trafficking they periodically assess, identify and target. Several years

Applicant Name: Navajo Nation Judicial Branch
2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

ago, the tribe identified that information sharing needed to happen and formulated the Navajo Nation Integrated Justice Information Sharing Project. After careful consideration, the Navajo Nation recently announced that law enforcement and the court system as its main priorities to the Bureau of Indian Affairs.

Project Design and Implementation

Grant funding would allow the tribe to conduct a thorough assessment of the Navajo justice system. A Management Team will be created using members from the various components of the Justice Community. An evaluation using an outside evaluator of the current system will be conducted to yield recommendations for improvement and our viability to enact the enhanced provisions of TLOA, VAWA and ABBA. Evaluation will be comprehensive and focus on the moment an offense is reported all the way thru court case disposition or closure, the culture and attitudes that surround all the participants at every level and the timespan associated with the entire process. Inherent capacity of the system will be another evaluation point. Round table discussions will occur to discuss the assessment, evaluation and recommendations to guide future plans, developments and funding priorities through a Tribal Action Plan document.

Project Goals, Objectives and Timeline

Months	Project Goals	Related Objectives	Activities	Expected Completion Date	Person Responsible
3	Obtain a comprehensive understanding of the Navajo Nation Justice System and the role of all its stakeholders	Procure an evaluator	Issue a Request for Proposals for an evaluator	Month 2	Special Projects Director
3			Select an evaluator and finalize a contract for services	Month 3	

Applicant Name: Navajo Nation Judicial Branch
 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

5	Obtain a comprehensive understanding of the Navajo Nation Justice System and the role of all its stakeholders	Gather quantitative and qualitative data to analyze for information dissemination, discussion and planning	Collect quantitative data from housing services, law enforcement, criminal investigations, prosecutor's office, public defender's office, district courts, the supreme court, peacemaking services, Indian Health Service and other governmental entities to assess criminogenic behavior, the response of the system and services to address and prevent unlawful activity.	Month 5	Management Team and Evaluator
5			Develop surveys that can be distributed at public locations to the public.	Month 5	
5		Gather quantitative and qualitative data to analyze for information dissemination, discussion and development of a Navajo Nation Tribal Action Plan	Interview individuals involved in the justice system to gauge effectiveness and culture of the system.	Month 6	
7	Obtain a comprehensive understanding of the Navajo Nation Justice System and the role of all its	Analyze all the data, surveys, needs and comments received to gain a complete	Evaluator will analyze all the data received for an unbiased, true report of Navajo Nation Justice System.	Month 7	Management Team, Evaluator

Applicant Name: Navajo Nation Judicial Branch
 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

8	stakeholders	understanding of the Navajo Nation Justice System, its strengths, gaps where improvement is needed and use information for decision making.	Evaluator will make recommendations based on the data and information that is received.	Month 8	
8			Evaluator will develop a written report and presentation of the results.	Month 8	
9			Management Team and the Evaluator will present the report back to the Justice Community stakeholders and the public.	Month 9	
9	Develop a Navajo Nation Tribal Action Plan that will capitalize on strengths, eliminate deficiencies, and drive Justice initiatives that will improve, streamline and enhance service delivery.	Convene leaders, elders and Justice System stakeholders for planning	Involve stakeholders to review the Navajo justice report, recommendations and develop an action plan that will address the immediate future.	Month 11	Management Team, Evaluator
9			Involve stakeholders to review the Navajo justice report, recommendations and develop a 5 year Tribal Action Plan.	Month 11	
12		Obtain approval on Navajo Nation Tribal Action Plan.	Present Tribal Action Plan to the three branch chiefs for approval	Month 13	
13		Obtain approval on Navajo Nation Tribal Action Plan.	Present Tribal Action Plan to the Law & Order Committee for approval.	Month 14	

Applicant Name: Navajo Nation Judicial Branch
2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

15	Develop a Navajo Nation Tribal Action Plan that will capitalize on strengths, eliminate deficiencies, and drive Justice initiatives that will improve, streamline and enhance service delivery.	Utilize Navajo Nation Tribal Action Plan for all Navajo Justice driven initiatives and funding requests.	Rollout Navajo Nation Tribal Action Plan for Public Information in print and media format.	Month 16	Management Team
12	Reevaluate the effectiveness of the Tribal Action Plan in 2, 5 and 10 year intervals utilizing data that is obtained and analyzed.	Convene leaders, elders and Justice System stakeholders for planning	Involve stakeholders to provide input of the effectiveness of the Tribal Action Plan and make recommendations.	Month 12, 24 and 36	Navajo Nation Justice Community

Capabilities and Competencies

The Navajo Nation Judicial Branch will be the lead tribal agency responsible for the grant. The Judicial Branch management team is comprised of the Chief Justice who heads the entire Judicial Branch that includes the Special Projects office. The Special Projects office is supervised by a Director who supervises all the district Court Administrators and the entire staff of the Administrative Office of the Courts (AOC). AOC is comprised of a Human Resources, Fiscal and Information Technology offices. The AOC staff is funded through Navajo general funds. There will be no organizational change. The AOC Management team will ensure adequate fiscal oversight, oversight of implementation/work plans, and strategic direction. The team will ensure that the strategic direction of the project is aligned with the grant while incorporating the Navajo Nation's vision and mission. A project "steering committee" will be the overall primary advisory committee for project, and will receive updates from various members of the management teams on a monthly

Applicant Name: Navajo Nation Judicial Branch
 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

basis. The steering committee will provide leadership for the project. Coordinators will be assigned various tasks within the project. The training and technical assistance provider and the Coordinators will also provide updates to the steering committee. The steering committee will be comprised of AOC staff and justice system service providers. Grant funds are deposited in a Navajo Nation account. All expenses will be on a reimbursement basis via submission of Navajo Nation expense forms. The Division of Finance issues checks, including payroll, and maintains the accounting system (FMIS) for all government operations which reconciles accounting records monthly. The Office of Contracts and Grants sets up the initial accounts in FMIS and performs routine maintenance of those accounts. The Contract Accounting Section will perform the electronic draw down of funds and submits the financial reports to funding agencies. The AOC Grant Administrator will be responsible for preparing the narrative reports to the grantor, as required.

Justice System Stakeholders	Representation	Role
Judicial Branch	Supreme Court, Administrative Office of the Courts, 10 Judicial Districts, Judges, Probation officers, Peacemaker Liaisons; Staff Attorneys, Court Administrators, Office Tech, Chief Probation Officers	<ul style="list-style-type: none"> ❖ Primary program and fiscal managers of the Judicial Branch ❖ Will make up Management Team for Project ❖ Primary grant reporting and administration responsibility
Office of the President & Vice-President	Executive Branch departments and programs	<ul style="list-style-type: none"> ❖ Decision makers ❖ Direction and Leadership for Executive Branch departments and programs
Division of Public Safety	Local Law Enforcement and Corrections	<ul style="list-style-type: none"> ❖ Apprehension, Investigation and referral of cases to Prosecutor
Navajo Nation Office of the Prosecutor	All 10 Districts: Senior Prosecutors, Juvenile Presenting Officers and Staff	<ul style="list-style-type: none"> ❖ Files cases or pre-trial Diversion
Navajo Dept of Corrections	Navajo Nation Corrections Department (adult jail)	<ul style="list-style-type: none"> ❖ Detention facilities
Law & Order Committee	Navajo Nation Council	<ul style="list-style-type: none"> ❖ Legislative Authority
Health Systems – PL 93-638 Programs and Indian Health Services	Federal and Tribal Health Systems (Albuquerque Area, Navajo Area; Utah Navajo); Navajo Dept. Behavioral Health Services	<ul style="list-style-type: none"> ❖ Health care providers ❖ Adult Substance Abuse and mental health services ❖ Takes referrals from court for counseling, assessments, domestic violence; strategic planning
General Public	Representation of all 110 chapter communities	<ul style="list-style-type: none"> ❖ Justice consumer input and advocates

Applicant Name: Navajo Nation Judicial Branch
 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Budget

A. Consultants/Contracts		
Item	Computation	Cost
<i>Evaluator</i>	<i>\$450.00 X 167 Days of Contract Work</i>	<i>\$75,150.00</i>
<i>An evaluator contract will be procured out for work on a comprehensive assessment of the Navajo Justice system at a cost of \$450.00 per day for 167 days of contract work.</i>		
		TOTAL: \$75,150.00

B. Indirect Costs		
Description	Computation	Cost
Indirect Costs will not be Applied to an evaluator contract.	\$78,233 X 0% IDC rate	\$0
		TOTAL: \$0

Budget Summary	
Budget Category	Amount
A. Consultants/Contracts	\$75,150
Total Direct Costs	\$75,150
B. Indirect Costs	\$0
TOTAL PROJECT COSTS	\$75,150
Federal Request	\$75,150
Non-Federal Amount	\$0

Budget Narrative

A. CONSULTANTS/CONTRACTS

Funding of \$75,150 is needed to hire an Evaluator contractor who will conduct a comprehensive evaluation of the Navajo Justice System and produce a report with recommendations for improvement.

B. INDIRECT COSTS

The Federally approved indirect cost rate for the Navajo Nation is 17%. This rate will not be applied to a Consultant Contract, resulting in an Indirect Cost of \$0.

C. TOTAL PROGRAM COSTS

The total direct costs are \$75,150. Indirect costs are \$0. We are requesting federal assistance of \$75,150 which consists of \$75,150 in base costs and \$0 in indirect costs.

Applicant Name: Navajo Nation Judicial Branch
2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

References

Centers for Disease Control and Prevention. (1989-1998). Retrieved January 21, 2014, from Atlas of Injury Mortality Among American Indian and Alaska Native Children and Youth : http://www.cdc.gov/ncipc/pub-res/American_Indian_Injury_Atlas/08Explanation.htm

Navajo Nation Judicial Branch. (2013). *Judicial Branch of the Navajo Nation Annual Report for Fiscal Year 2012*. Window Rock: Navajo Nation Judicial Branch.

Navajo Nation Police. (2010-2012). *DOI/BIA Monthly Crime Report*.

RPI Consulting, J. P. (2011). *Phase II Housing Needs Assessment and Demographic Analysis*. Navajo Housing Authority. Durango: RPI Consulting.

U.S. Department of Justice. (1997). *Report of the Executive committee for Indian Country law Enforcement Improvements*. Washington, D.C. Retrieved from http://www.justice.gov/otj/icredact.htm#N_10_



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OMB APPROVAL NO. 1121-0329
EXPIRES 7/31/2016

Budget Detail Worksheet

- (1) **Purpose:** The Budget Detail Worksheet is provided for your use in the preparation of the budget and budget narrative. All required information (including the budget narrative) must be provided. Any category of expense not applicable to your budget may be left blank. Indicate any non-federal (match) amount in the appropriate category, if applicable.
- (2) For each budget category, you can see a sample by clicking (**To View an Example, Click Here**) at the end of each description.
- (3) There are various hot links listed in red in the budget categories that will provide additional information via documents on the internet.
- (4) **Record Retention:** In accordance with the requirements set forth in 28 CFR Parts 66 and 70, all financial records, supporting documents, statistical records, and all other records pertinent to the award shall be retained by each organization for at least three years following the closure of the audit report covering the grant period.
- (5) The information disclosed in this form is subject to the Freedom of Information Act under 5 U.S.C. 55.2.

A. **Personnel** – List each position by title and name of employee, if available. Show the annual salary rate and the percentage of time to be devoted to the project. Compensation paid for employees engaged in grant activities must be consistent with that paid for similar work within the applicant organization. Include a description of the responsibilities and duties of each position in relationship to fulfilling the project goals and objectives. *(Note: Use whole numbers as the percentage of time, an example is 75.50% should be shown as 75.50)* [To View an Example, Click Here](#)

PERSONNEL (FEDERAL)

Name	Position	Computation				Cost
		Salary	Basis	Percentage of Time	Length of Time	
			Year			\$0
FEDERAL TOTAL						\$0

PERSONNEL NARRATIVE (FEDERAL)

PERSONNEL (NON-FEDERAL)

Name	Position	Computation				Cost
		Salary	Basis	Percentage of Time	Length of Time	
			Year			\$0
NON-FEDERAL TOTAL						\$0

PERSONNEL NARRATIVE (NON-FEDERAL)

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TOTAL PERSONNEL	\$0
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B. Fringe Benefits – Fringe benefits should be based on actual known costs or an approved negotiated rate by a Federal agency. If not based on an approved negotiated rate, list the composition of the fringe benefit package. Fringe benefits are for the personnel listed in budget category (A) and only for the percentage of time devoted to the project. Fringe benefits on overtime hours are limited to FICA, Workman's Compensation and Unemployment Compensation. (Note: Use decimal numbers for the fringe benefit rates, an example is 7.65% should be shown as .0765) [To View an Example, Click Here](#)

FRINGE BENEFITS (FEDERAL)

Description	Computation		Cost
	Base	Rate	
			\$0
FEDERAL TOTAL			\$0

FRINGE BENEFITS NARRATIVE (FEDERAL)

FRINGE BENEFITS (NON-FEDERAL)

Description	Computation		Cost
	Base	Rate	
			\$0
NON-FEDERAL TOTAL			\$0

FRINGE BENEFITS NARRATIVE (NON-FEDERAL)

TOTAL FRINGE BENEFITS	\$0
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C. **Travel** – Itemize travel expenses of staff personnel by purpose (e.g., staff to training, field interviews, advisory group meeting, etc.). Describe the purpose of each travel expenditure in reference to the project objectives. Show the basis of computation (e.g., six people to 3-day training at \$X airfare, \$X lodging, \$X subsistence). In training projects, travel and meals for trainees should be listed separately. Show the number of trainees and the unit costs involved. Identify the location of travel, if known; or if unknown, indicate “location to be determined.” Indicate source of Travel Policies applied Applicant or Federal Travel Regulations. Note: Travel expenses for consultants should be included in the “Contractual/Consultant” category. [To View an Example, Click Here](#)

TRAVEL (FEDERAL)

Purpose of Travel	Location	Computation							Cost
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	Cost	
		Lodging		Night				\$0.00	
		Meals		Day				\$0.00	
		Mileage		Mile				\$0.00	
		Transportation:							
				Round-trip				\$0.00	
		Local Travel						\$0.00	
		Other							
								\$0.00	
		Subtotal						\$0.00	\$0
FEDERAL TOTAL									\$0

TRAVEL NARRATIVE (FEDERAL)

TRAVEL (NON-FEDERAL)

Purpose of Travel	Location	Computation							Cost			
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	Cost				
		Lodging		Night				\$0.00				
		Meals		Day				\$0.00				
		Mileage		Mile				\$0.00				
		Transportation:		Round-trip				\$0.00				
		Local Travel						\$0.00				
		Other						\$0.00				
		Subtotal								\$0.00	\$0	
NON-FEDERAL TOTAL									\$0			

TRAVEL NARRATIVE (NON-FEDERAL)

TOTAL TRAVEL	\$0
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D. **Equipment** – List non-expendable items that are purchased (Note: Organization’s own capitalization policy for classification of equipment should be used). Expendable items should be included in the “Supplies” category. Applicants should analyze the cost benefits of purchasing versus leasing equipment, especially high cost items and those subject to rapid technological advances. Rented or leased equipment costs should be listed in the “Contractual” category. Explain how the equipment is necessary for the success of the project, and describe the procurement method to be used. [To View an Example, Click Here](#)

EQUIPMENT (FEDERAL)

Item	Computation		Cost
	Quantity	Cost	
			\$0
FEDERAL TOTAL			\$0

EQUIPMENT NARRATIVE (FEDERAL)

EQUIPMENT (NON-FEDERAL)

Item	Computation		Cost
	Quantity	Cost	
			\$0
NON-FEDERAL TOTAL			\$0

EQUIPMENT NARRATIVE (NON-FEDERAL)

TOTAL EQUIPMENT	\$0
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E. **Supplies** – List items by type (office supplies, postage, training materials, copying paper, and expendable equipment items costing less than \$5,000, such as books, hand held tape recorders) and show the basis for computation. Generally, supplies include any materials that are expendable or consumed during the course of the project
To View an Example, Click Here

SUPPLIES (FEDERAL)

Supply Items	Computation		Cost
	Quantity/Duration	Cost	
			\$0
FEDERAL TOTAL			\$0

SUPPLIES NARRATIVE (FEDERAL)

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SUPPLIES (NON-FEDERAL)

Supply Items	Computation		Cost
	Quantity/Duration	Cost	
			\$0
NON-FEDERAL TOTAL			\$0

SUPPLIES NARRATIVE (NON-FEDERAL)

TOTAL SUPPLIES	\$0
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F. Construction – Provide a description of the construction project and an estimate of the costs. As a rule, construction costs are not allowable. In some cases, minor repairs or renovations may be allowable. Minor repairs and renovations should be classified in the "other" category. Consult with the program office before budgeting funds in this category. [To View an Example, Click Here](#)

CONSTRUCTION (FEDERAL)

Purpose	Description of Work	Cost
FEDERAL TOTAL		\$0

CONSTRUCTION NARRATIVE (FEDERAL)

CONSTRUCTION (NON-FEDERAL)

Purpose	Description of Work	Cost
NON-FEDERAL TOTAL		\$0

CONSTRUCTION NARRATIVE (NON-FEDERAL)

TOTAL CONSTRUCTION
\$0

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

Consultant Fees: For each consultant enter the name, if known, service to be provided, hourly or daily fee (8-hour day), and estimated time on the project. Consultant fees in excess of \$450 per day or \$56.25 per hour require additional justification and prior approval from OJP. To View an Example, Click Here

CONSULTANT FEES (FEDERAL)

Name of Consultant	Service Provided	Computation			Cost
		Fee	Basis	Quantity	
To be Determined	Evaluation and Assessment	\$450.00	8 Hour Day	167	\$75,150
SUBTOTAL					\$75,150

CONSULTANT FEES NARRATIVE (FEDERAL)

The Navajo Nation will follow the Navajo Nation Procurement Code to procure an evaluator through a formal Request for Proposals process. The Evaluator will be paid a maximum of \$450.00 per day for up to 167 days of contract work. The statement of work will include evaluation and assessment of the Navajo Justice System with an end product of a Navajo Justice System evaluation report and recommendations.

CONSULTANT FEES (NON-FEDERAL)

Name of Consultant	Service Provided	Computation			Cost
		Fee	Basis	Quantity	
			8 Hour Day		\$0
SUBTOTAL					\$0

CONSULTANT FEES NARRATIVE (NON-FEDERAL)

Consultant Expenses: List all expenses to be paid from the grant to the individual consultants in addition to their fees (i.e., travel, meals, lodging, etc.). This includes travel expenses for anyone who is not an employee of the applicant such as participants, volunteers, partners, etc.

CONSULTANT EXPENSES (FEDERAL)

Purpose of Travel	Location	Computation							Cost
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	Cost	
		Lodging		Night				\$0.00	
		Meals		Day				\$0.00	
		Mileage		Mile				\$0.00	
		Transportation:							
				Round-trip				\$0.00	
		Local Travel						\$0.00	
		Other							
								\$0.00	
		Subtotal						\$0.00	\$0
SUBTOTAL									\$0
FEDERAL TOTAL									\$75,150

CONSULTANT EXPENSES NARRATIVE (FEDERAL)

CONSULTANT EXPENSES (NON-FEDERAL)

Purpose of Travel	Location	Computation							Cost
		Item	Cost Rate	Basis for Rate	Quantity	Number of People	Number of Trips	Cost	
		Lodging		Night				\$0.00	
		Meals		Day				\$0.00	
		Mileage		Mile				\$0.00	
		Transportation.		Round-trip				\$0.00	
		Local Travel					\$0.00		
		Other						\$0.00	
		Subtotal							
SUBTOTAL									\$0
NON-FEDERAL TOTAL									\$0

CONSULTANT EXPENSES NARRATIVE (NON-FEDERAL)

TOTAL CONSULTANTS	\$75,150

Contracts: Provide a description of the product or service to be procured by contract and an estimate of the cost. Applicants are encouraged to promote free and open competition in awarding contracts. A separate justification must be provided for sole source contracts in excess of \$100,000. A sole source contract may not be awarded to a commercial organization that is ineligible to receive a direct award.

CONTRACTS (FEDERAL)

Item	Cost
FEDERAL TOTAL	\$0

CONTRACTS NARRATIVE (FEDERAL)

CONTRACTS (NON-FEDERAL)

Item	Cost
NON-FEDERAL TOTAL	\$0

CONTRACTS NARRATIVE (NON-FEDERAL)

TOTAL CONTRACTS	\$0
TOTAL CONSULTANTS/CONTRACTS	\$75,150

H. Other Costs – List items (e.g., rent ([arms-length transaction only](#)), reproduction, telephone, janitorial or security services, and investigative or [confidential](#) funds) by major type and the basis of the computation. For example, provide the square footage and the cost per square foot for rent or provide a monthly rental cost and how many months to rent. The basis field is a text field to describe the quantity such as square footage, months, etc. [To View an Example, Click Here](#)

OTHER COSTS (FEDERAL)

Description	Computation				Cost
	Quantity	Basis	Cost	Length of Time	
					\$0
FEDERAL TOTAL					\$0

OTHER COSTS NARRATIVE (FEDERAL)

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OTHER COSTS (NON-FEDERAL)

Description	Computation				Cost
	Quantity	Basis	Cost	Length of Time	
					\$0
NON-FEDERAL TOTAL					\$0

OTHER COSTS NARRATIVE (NON-FEDERAL)

TOTAL OTHER COSTS	\$0
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I. Indirect Costs – Indirect costs are allowed only if the applicant has a Federally approved indirect cost rate. A copy of the rate approval, (a fully executed, negotiated agreement), must be attached. If the applicant does not have an approved rate, one can be requested by contacting the applicant's cognizant Federal agency , which will review all documentation and approve a rate for the applicant organization, or if the applicant's accounting system permits, costs may be allocated in the direct costs categories. (Note: Use whole numbers as the indirect rate, an example is an indirect rate of 15.73% should be shown as 15.73) To View an Example, Click Here

INDIRECT COSTS (FEDERAL)

Description	Computation		Cost
	Base	Rate	
Navajo Nation Indirect Cost			\$0
FEDERAL TOTAL			\$0

INDIRECT COSTS NARRATIVE (FEDERAL)

The Navajo Nation Indirect Cost will not be applied to Consultant Fees.

INDIRECT COSTS (NON-FEDERAL)

Description	Computation		Cost
	Base	Rate	
			\$0
NON-FEDERAL TOTAL			\$0

INDIRECT COSTS NARRATIVE (NON-FEDERAL)

TOTAL INDIRECT COSTS	\$0
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Budget Summary – When you have completed the budget worksheet, transfer the totals for each category to the spaces below. Compute the total direct costs and the total project costs. Indicate the amount of Federal funds requested and the amount of non-Federal funds that will support the project.

Budget Category	Federal Request	Non-Federal Amounts	Total
A. Personnel	\$0	\$0	\$0
B. Fringe Benefits	\$0	\$0	\$0
C. Travel	\$0	\$0	\$0
D. Equipment	\$0	\$0	\$0
E. Supplies	\$0	\$0	\$0
F. Construction	\$0	\$0	\$0
G. Consultants/Contracts	\$75,150	\$0	\$75,150
H. Other	\$0	\$0	\$0
Total Direct Costs	\$75,150	\$0	\$75,150
I. Indirect Costs	\$0	\$0	\$0
TOTAL PROJECT COSTS	\$75,150	\$0	\$75,150

Federal Request	\$75,150
Non-Federal Amount	\$0
Total Project Cost	\$75,150

Public Reporting Burden

Paperwork Reduction Act Notice: Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a current valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this application is four (4) hours per application. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write the Office of Justice Programs, Office of the Chief Financial Officer, 810 Seventh Street, NW, Washington, DC 20531; and to the Public Use Reports Project, 1121-0188, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503.

2014 ARIZONA JAG ALLOCATIONS

Listed below are all jurisdictions in the state that are eligible for FY 2014 JAG funding, as determined by the JAG formula. If your jurisdiction is listed with another city or county government in a shaded area, you are in a funding disparity. In this case, the units of local government must develop a Memorandum of Understanding (MOU) and apply for an award with a single, joint application.

Finding your jurisdiction: (1) Disparate jurisdictions are listed in shaded groups below, in alphabetic order by county; (2) Eligible individual allocations are listed alphabetically below the shaded, disparate groupings.

Counties that have an asterisk (*) under the "Eligible Individual Allocation" column did not submit the level of violent crime data to qualify for a direct award from BJA, but are in the disparate grouping indicated by the shaded area. The JAG legislation requires these counties to remain a partner with the local jurisdictions receiving funds and must be a signatory on the required Memorandum of Understanding (MOU). A sample MOU is provided online at: <https://www.bja.gov/Funding/JAGMOU.pdf>. Disparate jurisdictions do not need to abide by the listed individual allocations, which are provided for information only. Jurisdictions in a funding disparity are responsible for determining individual amounts within the Eligible Joint Allocation and for documenting individual allocations in the MOU. For additional details regarding the JAG formula and award calculation process, with examples, please refer to the updated JAG Technical report: <https://www.bja.gov/Publications/JAGTechRpt.pdf>.

For JAG Frequently Asked Questions, please refer to BJA's JAG webpage: <https://www.bja.gov/Funding/JAGFAQ.pdf>.

AZ	COCONINO COUNTY	County	\$24,330	\$24,330
AZ	FLAGSTAFF CITY	Municipal		
AZ	MARICOPA COUNTY	County	\$85,768	
AZ	AVONDALE CITY	Municipal	\$20,828	
AZ	CHANDLER CITY	Municipal	\$51,439	
AZ	GILBERT TOWN	Municipal	\$18,278	
AZ	GLENDALE CITY	Municipal	\$98,977	
AZ	GOODYEAR CITY	Municipal	\$10,598	
AZ	MESA CITY	Municipal	\$166,836	
AZ	PEORIA CITY	Municipal	\$27,002	
AZ	PHOENIX CITY	Municipal	\$784,816	
AZ	SCOTTSDALE CITY	Municipal	\$33,238	
AZ	TEMPE CITY	Municipal	\$75,078	
AZ	SURPRISE CITY	Municipal	\$12,257	\$1,395,115
AZ	PIMA COUNTY	County	\$58,735	
AZ	TUCSON CITY	Municipal	\$325,259	\$385,004
AZ	YUMA COUNTY	County	\$47,553	\$47,553
AZ	YUMA CITY	Municipal		
AZ	CASA GRANDE CITY	Municipal	\$21,288	
AZ	COCHISE COUNTY	County	\$34,068	
AZ	DOUGLAS CITY	Municipal	\$15,114	
AZ	GILA RIVER PIMA-MARICOPA TRIBE	Tribal	\$12,994	
AZ	GRAHAM COUNTY	County	\$23,070	
AZ	HOPI TRIBAL	Tribal	\$16,619	
AZ	HUALAPAI TRIBE	Tribal	\$10,752	
AZ	MOHAVE COUNTY	County	\$12,441	
AZ	NAVAJO TRIBE	Tribal	\$75,262	
AZ	PINAL COUNTY	County	\$18,432	

AZ	PRESCOTT CITY	Municipal	\$14,561
AZ	SAFFORD CITY	Municipal	\$14,684
AZ	SIERRA VISTA CITY	Municipal	\$12,165
AZ	SOUTH TUCSON CITY	Municipal	\$14,039
AZ	YAVAPAI COUNTY	County	\$26,204
Local total			\$2,173,695

U.S. Department of Justice

OMB No. 1121-0329

Approval Expires 07/31/2016

Office of Justice Programs
Bureau of Justice Assistance



The U.S. Department of Justice (DOJ), Office of Justice Programs' (OJP) Bureau of Justice Assistance (BJA) is seeking applications for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program. This program furthers the Department's mission by assisting state, local, and tribal efforts to prevent or reduce crime and violence.

Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2014 Local Solicitation

Eligibility

Applicants are limited to units of local government appearing on the FY 2014 JAG Allocations List. To view this list, go to www.bja.gov/programs/jagr/14jagallocations.html. For JAG Program purposes, a unit of local government is: a town, township, village, parish, city, county, borough, or other general purpose political subdivision of a state; or, it may also be a federally recognized Indian tribe that performs law enforcement functions (as determined by the Secretary of the Interior). Otherwise a unit of local government may be any law enforcement district or judicial enforcement district established under applicable state law with authority to independently establish a budget and impose taxes. In Louisiana, a unit of local government means a district attorney or parish sheriff. In the District of Columbia or any U.S. Trust Territory, a unit of local government is any agency of the District of Columbia or federal government performing law enforcement functions for the District of Columbia or U.S. Trust Territory.

Deadline

Applicants must register in OJP's Grants Management System (GMS) prior to submitting an application for this funding opportunity. Select the "Apply Online" button associated with the solicitation title. See the "How to Apply" section on page 20 for more details. All registrations and applications are due by 8:00 p.m. eastern time on June 10, 2014. (See "Deadlines: Registration and Application," page 4.)

Contact Information

For technical assistance with submitting an application, contact the Grants Management System Support Hotline at 1-888-549-9901, option 3, or via e-mail to GMS.HelpDesk@usdoj.gov. The GMS Support Hotline hours of operation are Monday-Friday from 6:00 a.m. to 12 midnight eastern time, except federal holidays.

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must e-mail the BJA contact identified

below within 24 hours after the application deadline and request approval to submit their application.

For assistance with any other requirement of this solicitation, contact the BJA Justice Information Center at 1-877-927-5657, via e-mail to JIC@telesishq.com, or by live web chat. The BJA Justice Information Center hours of operation are 8:30 a.m. to 5:00 p.m. eastern time, Monday through Friday, and 8:30 a.m. to 8:00 p.m. eastern time, on the solicitation close date. You may also contact your State Policy Advisor.

Release date: April 24, 2014

Contents

Overview.....	4
Deadlines: Registration and Application.....	4
Eligibility.....	4
Program-Specific Information.....	4
Amount and Length of Awards.....	6
Budget Information.....	7
Other JAG Requirements.....	9
Reporting Requirements, Accountability Measures, and JAG Showcase.....	11
Priorities.....	12
What an Application Should Include.....	14
Information to Complete the Application for Federal Assistance (SF-424) (Required).....	14
Project Abstract (Required).....	14
Program Narrative (Required).....	15
Budget and Budget Narrative (Required).....	15
Review Narrative (Required).....	15
Applicant Disclosure of Pending Applications (Required).....	16
Memorandum of Understanding (if applicable).....	17
Tribal Authorizing Resolution (if applicable).....	17
Applicant Disclosure of High Risk Status.....	17
Additional Attachments (if applicable).....	18
Accounting System and Financial Capability Questionnaire.....	18
Review Process.....	19
Additional Requirements.....	19
How to Apply.....	20
Provide Feedback to OJP.....	22
Application Checklist.....	23

Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY 2014 Local Solicitation (CFDA #16.738)

Overview

The Edward Byrne Memorial Justice Assistance Grant (JAG) Program (42 U.S.C. 3751(a)) is the primary provider of federal criminal justice funding to state and local jurisdictions. The JAG Program provides states and units of local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution and court programs including indigent defense, prevention and education programs, corrections and community corrections, drug treatment and enforcement, crime victim and witness initiatives, and planning, evaluation, and technology improvement programs.

Deadlines: Registration and Application

Applicants must register in GMS prior to submitting an application for this funding opportunity. The deadline to register in GMS and the deadline to apply for funding under this announcement is 8:00 p.m. eastern time on June 10, 2014. See "How To Apply" on page 20 for details.

Eligibility

Refer to the title page for eligibility under this program.

Program-Specific Information

Program Areas

JAG funds may be used for state and local initiatives, technical assistance, strategic planning, research and evaluation (including forensics), data collection, training, personnel, equipment, forensic laboratories, supplies, contractual support, and criminal justice information systems that will improve or enhance such areas as:

- Law enforcement programs.
- Prosecution and court programs, including indigent defense.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment and enforcement programs.
- Planning, evaluation, and technology improvement programs.
- Crime victim and witness programs (other than compensation).

*Please note that JAG funding may be utilized in support of:

- Systems upgrades (hardware/software), including potential upgrades necessary for state, territories, units of local government and/or tribes to come into compliance with the FBI's UCR Redevelopment Project (UCRRP).
- Developing or sustaining state compatible incident based reporting systems.

Award Recipient Responsibilities: The Chief Executive Officer (CEO) of an eligible unit of local government or other officer designated by the CEO must submit the application for JAG funds. A unit of local government receiving a JAG award will be responsible for the administration of the funds including: distributing the funds; monitoring the award; submitting quarterly financial status (SF-425) and performance metrics reports and annual programmatic reports; and providing ongoing oversight and assistance to any subrecipients of the funds.

Governing Body Review: No fewer than 30 days prior to application submission, the applicant agency (fiscal agent in disparate situations) must make the grant application available for review by the governing body (or to the organization designated by the governing body. **See the Review Narrative section on page 15 for additional information.**

Public Comment: At the time of application submission, the applicant agency (the fiscal agent in disparate situations) must provide an assurance that the application was made public and an opportunity to comment was provided to citizens and neighborhood or community organizations to the extent the applicable law or established procedure makes such an opportunity available. **See the Review Narrative section on page 15 for additional information.**

Prohibited Uses: No JAG funds may be expended outside of JAG program areas. Even within these program areas, however, JAG funds cannot be used directly or indirectly for security enhancements or equipment for nongovernmental entities not engaged in criminal justice or public safety. Additionally, **JAG funds may not be used directly or indirectly to pay for any of the following items unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order:**

- *Vehicles, vessels, or aircraft.
- **Unmanned aerial vehicles/unmanned aircraft, aircraft system, or aerial vehicles (UA/UAS/UAV).
- Luxury items.
- Real estate.
- Construction projects (other than penal or correctional institutions).
- Any similar items.

***Police cruisers, police boats, and police helicopters are allowable vehicles under JAG and do not require BJA certification.**

****Unmanned Aircraft, Aircraft System, or Aerial Vehicles (UA/UAS/UAV):** No JAG funds may be expended on these items unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order. In addition, no JAG funds may be expended for this purpose without Federal Aviation Administration (FAA) approval and certification that the use is legal in the local jurisdiction. Also, any grant award using funds for this purpose may be subject to additional conditions and reporting criteria, which will be spelled out in a customized special condition attached to the grant award.

For information related to requesting a waiver to obtain BJA certification for any prohibited item, or for examples of allowable vehicles that do not require BJA certification, refer to the JAG FAQs on BJA's [JAG web page](#).

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- Improving the quantity and quality of evidence OJP generates;
- Integrating evidence into program, practice, and policy decisions within OJP and the field; and
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

OJP's CrimeSolutions.gov web site is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services. Additionally, when considering evidence-based programs and practices specific to reentry, it is recommended that jurisdictions review the *What Works in Reentry Clearinghouse* for important research on the effectiveness of a wide variety of reentry programs and practices. The Clearinghouse provides a one-stop shop for practitioners and service providers seeking guidance on evidence-based reentry interventions.

Amount and Length of Awards

Eligible allocations under JAG are posted annually on BJA's JAG web page: www.bia.gov/ProgramDetails.aspx?Program_ID=59.

Awards of at least \$25,000 or more are 4 years in length with an award period of October 1, 2013 through September 30, 2017. Extensions beyond a 4-year period may be made on a case-by-case basis at the discretion of BJA and must be requested via the Grants Management System (GMS) **no less than 30 days prior to the grant end date**.

Awards that are less than \$25,000 are 2 years in length with an award period of October 1, 2013 through September 30, 2015. Requests for up to an additional 2 years to complete performance of the award will be granted automatically, pursuant to 42 U.S.C. § 3751(f). Extensions beyond a 4-year period may be made on a case-by-case basis at the discretion of BJA and must be requested via the Grants Management System (GMS) **no less than 30 days prior to the grant end date**.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

Budget Information

AG awards are based on a statutory formula as described below.

Although JAG grantees and subgrantees are required to report on quarterly accountability measures through BJA's Performance Measurement Tool (PMT), those reports are intended to promote greater transparency about the use of JAG funds and do not determine the amount of JAG funds allocated to a state and/or localities.

Applicants must submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. See the budget narrative description under the "How to Apply" section (page 20) for more information.

JAG Formula: Once each fiscal year's overall JAG Program funding level is determined, BJA partners with the Bureau of Justice Statistics (BJS) to begin a four-step grant award calculation process which consists of:

1. Computing an initial JAG allocation for each state and territory, based on their share of violent crime and population (weighted equally).
2. Reviewing the initial JAG allocation amount to determine if the state or territory allocation is less than the minimum ("de minimus") award amount defined in the JAG legislation (0.25 percent of the total). If this is the case, the state or territory is funded at the minimum level, and the funds required for this are deducted from the overall pool of JAG funds. Each of the remaining states receives the minimum award plus an additional amount based on their share of violent crime and population.
3. Dividing each state's final award amount (except for the territories and District of Columbia) between state and local governments at a rate of 60 and 40 percent, respectively.

4. Determining local unit of government award allocations, which are based on their proportion of the state's 3-year violent crime average. If a local eligible award amount is less than \$10,000, the funds are returned to the state to be awarded to these local units of government through the state agency. If the eligible award amount is \$10,000 or more, then the local government is eligible to apply for a JAG award directly from BJA.

Administrative Funds: A unit of local government may use up to 10 percent of the award, including interest, for costs associated with administering JAG funds.

Supplanting: Supplanting is prohibited under JAG. Applicants cannot replace or supplant non-federal funds that have been appropriated for the same purpose. See the JAG FAQs on BJA's JAG web page for examples of supplanting.

Leveraging of Grant Funds: Although supplanting is prohibited, the leveraging of federal funding is encouraged. For example, a city may utilize JAG and Homeland Security Grant Program (HSGP) money to fund different portions of a fusion center project. In instances where leveraging occurs, all federal grant funds must be tracked and reported on separately and may not be used to fund the same line items. Additionally, federal funds cannot be used as match for other federal awards.

7

Disparate Certification: A disparate allocation occurs when a city or municipality is allocated one-and-one-half times (150 percent) more than the county, while the county bears more than 50 percent of the costs associated with prosecution or incarceration of the municipality's Part 1 violent crimes. A disparate allocation also occurs when multiple cities or municipalities are collectively allocated four times (400 percent) more than the county, and the county bears more than 50 percent of the collective costs associated with prosecution or incarceration of each municipality's Part 1 violent crimes.

- ★ Jurisdictions certified as disparate must identify a fiscal agent that will submit a joint application for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds must be completed and signed by the Authorized Representative for each participating jurisdiction. The signed MOU should be attached to the application. For a sample MOU, go to www.bja.gov/Funding/JAGMOU.pdf.

Trust Fund: SAs may draw down JAG funds in advance. To do so, a trust fund must be established in which to deposit the funds. The trust fund may or may not be an interest-bearing account. If subrecipients draw down JAG funds in advance, they also must establish a trust fund in which to deposit funds. This trust fund requirement does not apply to direct JAG award recipients or subrecipients that draw-down on a reimbursement basis rather than in advance.

Match Requirement: Match is not required under the JAG Program. Although match is an effective strategy to expand justice funds and build buy-in for local criminal justice initiatives, BJA encourages states to consider financial and other potential local constraints related to imposing a match requirement on subgrantees, as it may adversely affect small local jurisdictions. Matching funds become part of the overall award amount, and as such are subject to audit and should be expended prior to closeout.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000 made under this solicitation, recipients may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the award recipient at a rate that exceeds 110 percent 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. The 2014 salary table for SES employees is available at www.opm.gov/salary-tables. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, the limitation on compensation rates allowable under an award. An applicant requesting a waiver should include a detailed justification in the budget narrative of the application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request the applicant to adjust and resubmit the budget.

The justification should include the particular qualifications and expertise of the individual, the uniqueness of the service the individual will provide, the individual's specific knowledge of the

8

program or project being undertaken with award funds, and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work to be done.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages applicants that propose to use award funds for any conference-, meeting-, or training-related activity to review carefully—before submitting an application—the OJP policy and guidance on “conference” approval, planning, and reporting available at www.ojp.gov/funding/confcost.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most such costs for cooperative agreement recipients and of some such costs for grant recipients; and (3) set cost limits, including a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the “Civil Rights Compliance” section of the OJP “Other

Requirements for OJP Applications” web page at www.ojp.usdoj.gov/funding/other_requirements.htm.

Other JAG Requirements

Body Armor Certification

- Ballistic-resistant and stab-resistant body armor can be funded through two BJA-administered programs: the JAG Program and the Bulletproof Vest Partnership (BVP) Program.

- The BVP Program is designed to provide a critical resource to state and local law enforcement through the purchase of ballistic-resistant and stab-resistant body armor. A jurisdiction is able to request up to 50 percent of the cost of a vest with BVP funds. For more information on the BVP Program, including eligibility and application, refer to the [BVP web page](http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm).

- JAG funds may also be used to purchase vests for an agency, but they may not be used to pay for that portion of the ballistic-resistant vest (50 percent) that is not covered by BVP funds. Unlike BVP, JAG funds used to purchase vests do not require a 50 percent match.

- Vests purchased with JAG funds may be purchased at any threat level, make, or model from any distributor or manufacturer, as long as the vests have been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. In addition, vests purchased must be American-made. Information on the latest NIJ standards can be found at: www.nij.gov/topics/technology/body-armor/safety-initiative.htm.

- As is the case in BVP, grantees who wish to purchase vests with JAG funds must certify that law enforcement agencies receiving vests have a written “mandatory wear” policy in effect.

9

FAQs related to the mandatory wear policy and certifications can be found at www.bia.gov/Funding/JAGFAQ.pdf. This policy must be in place for at least all uniformed officers before any FY 2014 funding can be used by the agency for vests. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty. The certification must be signed by the certifying official and must be attached to the application. If the grantee proposes to change project activities to utilize JAG funds to purchase bulletproof vests after the application period (during the project period), the grantee must submit the signed certification to BJA at that time. A mandatory wear concept and issues paper and a model policy are available by contacting the BVP Customer Support Center at bvests@usdoj.gov or toll free at 1-877-758-3787.

- A copy of the certification related to the mandatory wear can be found at www.bia.gov/Funding/BodyArmor/MandatoryWearCert.pdf.

Interoperable Communications

- Grantees (including subgrantees) that are using FY 2014 JAG Program funds to support emergency communications activities (including the purchase of interoperable communications equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order) must ensure:

- Compliance with the *FY 2014 SAFECOM Guidance on Emergency Communications Grants* (including provisions on technical standards that ensure and enhance interoperable communications).
- Adherence to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band.
- Projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC) in the state of the project. As the central coordination point for their state's interoperability effort, the SWIC plays a critical role, and can serve as a valuable resource. SWICs are responsible for the implementation of the SCIP through coordination and collaboration with the emergency response community. The U.S. Department of Homeland Security Office of Emergency Communications maintains a list of SWICs for each of the 56 states and territories. Contact OEC@hq.dhs.gov.
- All communications equipment purchased with grant award funding (plus the quantity purchased of each item) is identified during quarterly performance metrics reporting.

Use of Global Standards Package

In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at www.it.ojp.gov/gisp_grantcondition. Grantees shall document planned approaches to information sharing and describe compliance

10

to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database
If JAG program funds will be used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS), the national DNA database operated by the Federal Bureau of Investigation (FBI) by a government DNA lab with access to CODIS. No profiles generated with JAG funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. For more information, refer to the NIJ FY 2014 DNA Backlog Reduction Program, available at <https://ncjrs.gov/pdffiles1/nij/s001112.pdf>.

In addition, funds may not be used for purchase of DNA equipment and supplies when the resulting DNA profiles from such technology are not accepted for entry into CODIS.

Reporting Requirements, Accountability Measures, and JAG Showcase

Award recipients will be required to submit quarterly financial status (SF-425) and annual programmatic reports through GMS, quarterly accountability metrics reports (see below) through BJA's Performance Measurement Tool (PMT), and Federal Funding Accountability and Transparency Act (FFATA) reports through the FFATA Sub-award Reporting System (FSRS) as necessary (see FFATA section below).

Accountability Measures

To assist the Department in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants who receive funding under this solicitation must provide data that measures the results of their work done under this solicitation. **Quarterly accountability metrics reports must be submitted through BJA's PMT, available at www.biaperformancetools.org. The accountability measures can be found at: www.biaperformancetools.org/help/JAGMeasuresQuestionnaire.pdf.**

Data reported by JAG grantees and subgrantees for this report does not determine JAG funding, which is calculated based on a statutory formula combining population and Uniform Crime Reporting Part I crime data. BJA encourages JAG grantees to make decisions on funding through a collaborative process involving all major stakeholders including law enforcement, courts, indigent defense, prosecution, corrections and community corrections, treatment providers, crime victims, and others. The measures are not designed to replace the planning that should occur at the state and local level.

Submission of accountability measures data is not required for the application. Instead, applicants should discuss in their application their proposed methods for collecting data for accountability measures. Refer to the section "What an Application Should Include" on page 14 for additional information.

Note on Project Evaluations

Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations

11

designed to develop or contribute to generalizable knowledge) may constitute "research" for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements likely do not constitute "research." Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research.

Research for the purposes of human subjects protections for OJP-funded programs is defined as, "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge" 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the "Research and the Protection of Human Subjects" section of the OJP "Other Requirements for OJP Applications" web page (www.ojp.usdoj.gov/funding/other_requirements.htm). Applicants whose proposals may involve a research or statistical component also should review the "Confidentiality" section on that Web page.

JAG Showcase

The **JAG Showcase** was designed to identify and highlight JAG projects that have demonstrated success or shown promise in reducing crime and positively impacting communities. BJA has now expanded the concept of the JAG Showcase to other BJA grant programs and created a new **BJA Success Story web page**. This new web page will be a valuable resource for states, localities, territories, tribes and criminal justice professionals who seek to identify and learn about JAG and other successful BJA funded projects linked to innovation, crime reduction, and evidence based practices.

If you have a JAG Success Story you would like to submit, sign in to your **My BJA account** to access the Success Story Submission form. If you do not have a **My BJA account**, please **Register**. Once you register, one of the available areas on your **My BJA** page will be "**My Success Stories**." Within this box, you will see an option to add a **Success Story**. Once reviewed and approved by BJA, all success stories will appear on the new **BJA Success Story web page**.

Priorities

BJA recognizes that the downturn in the economy has resulted in significant pressures on state and local criminal justice systems. In these challenging times, shared priorities and leveraged resources can make a significant impact. In light of this, it is important to make SAAs and local JAG recipients aware of several areas of priority that may be of help in maximizing the effectiveness of JAG funding at the state and local level.

In addition to our longstanding and unwavering commitment to keeping violent crime at its lowest level in decades, the following priorities represent key areas where BJA will be focusing nationally and invite each state and local JAG recipient to join us in addressing these challenges as a part of our JAG partnership.

12

Reducing Gun Violence

Gun violence has touched every state, county, city, town, and tribal government in America. In the aftermath of the Sandy Hook Elementary School tragedy and recent mass shooting at the Washington Navy Yard, BJA continues to encourage states and localities to invest valuable JAG funds in programs to: combat gun violence, enforce existing firearms laws, improve the process used to ensure that those prohibited from purchasing or owning guns are prevented from doing so, enhance reporting to the FBI's National Instant Criminal Background Check System (NICS) and provide active shooter response training to law enforcement officers and first responders.

Recidivism Reduction, Pretrial Reform and Justice System Realignment

In this time of fiscal austerity and smaller state and local budgets, reducing unnecessary incarceration in a manner that promotes public safety is a paramount goal. Effective community supervision coupled with evidence-based program interventions can result in significant reductions in recidivism. A priority funding area is the implementation of effective pretrial services programs. The use of validated risk assessment tools to inform pre-trial release decisions is critical. For a variety of resources, or to request BJA supported technical assistance from the Pre-trial Justice Institute, see www.pretrial.org. Another priority for JAG funding is to support innovative programs and approaches in probation and parole supervision that improve services to offenders and increase collaborative efforts among community supervision agencies with law enforcement and the courts. Another promising approach to justice systems reform is the Justice Reinvestment Initiative (JRI), a public-private partnership between BJA and the PEW Public Safety Performance Project. Currently, 19 states and 17 local governments are working to control spiraling incarceration costs through JRI and reinvestment savings in evidence-based criminal justice programs and strategies. Strategic investment of JAG funds to implement JRI legislation and policy changes in those states and localities can augment federal funds and achieve greater cost savings and reinvestments in programs to promote public safety. (See the Urban Institute's [Justice Reinvestment Initiative State Assessment Report](#).)

Indigent Defense

Another key priority area is support for indigent defense. BJA continues to encourage states and units of local government to use JAG funds to support the vital needs of the indigent defense community. Attorney General Holder has consistently stressed that the crisis in indigent defense reform is a serious concern which must be addressed if true justice is to be achieved in our nation. In 2002, the American Bar Association (ABA) published [Ten Principles of a Public Defense Delivery System](#) which represent fundamental building blocks for implementing quality legal representation for indigent defendants. (See ABA's [Ten Principles of a Public Defense Delivery System](#).)

Improving Mental Health Services

Disproportionate numbers of people with mental illness are involved in the criminal justice system often as a result of untreated or undertreated mental illness. This is an issue that impacts numerous facets of the criminal justice system. After the Newtown tragedy, numerous states began pushing for and adopting policies supporting early identification and intervention. States aimed to enhance mental health screening services to identify emerging mental illness in children and adolescents and to ensure adequate access to care. BJA encourages states and units of local government to utilize JAG funding in support of programs and policy changes

13

aimed at the following: identifying and treating people with severe mental illness before they reach crisis point; training law enforcement and correctional officers on mental health and mental health related crisis-intervention; increasing justice system diversion strategies to divert offenders with mental illness from unnecessary arrest and incarceration to more appropriate and cost-effective community-based treatment and supervision; mental health courts, allowing inmates to continue psychotropic medication in jails, and improving oversight of mental health care in jails, increasing post-jail housing options and enhancing community mental health services. (See [Adults with Behavioral Health Needs under Correctional Supervision](#).)

Evidence-Based "Smart" Programs

Many criminal justice agencies continue to experience unprecedented budget cuts, layoffs, and reductions in force. These challenges must be met by making wider use of advancements in the criminal justice field in the last several decades which rely on use of data, crime analysis, cutting edge technology, research and evaluations regarding evidence-based and high-performing programs. A useful matrix of evidence-based policing programs and strategies is available through the Center for Evidence-Based Policy at George Mason University. In the re-entry field, a summary of research-based re-entry strategies is available on the National Reentry Resource Center's [What Works in Reentry](#) Clearinghouse link. BJA offers a number of program models designed to effectively implement evidence based strategies including Smart Policing, Smart Supervision, Smart Pretrial, and Smart Prosecution.

BJA encourages states and units of local government to use JAG funds to support these "smart on crime" strategies, including effective partnerships with universities and research partners and with non-traditional criminal justice partners.

What an Application Should Include

Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of their application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude the recipient from accessing or using award funds pending satisfaction of the conditions.

Refer to the BJA Grant Writing and Management Academy and OJP's Grants 101 for an overview of what should be included in each application requirement. These trainings can be found at bia.ncjrs.gov/gwma/index.html and www.ojp.gov/grants101/.

OJP strongly recommends use of appropriately descriptive file names (e.g., "Program Narrative," "Budget Narrative," "Memoranda of Understanding," etc.) for all attachments.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a standard form required for use as a cover sheet for submission of pre-applications, applications, and related information. GMS takes information from the applicant's profile to populate the fields on this form.

2. Project Abstract

Applicants must provide an abstract that includes the applicant's name, title of the project, goals of the project, and a description of the strategies to be used. In addition, above or below the abstract narrative, applicants must identify up to 5 project identifiers that would

14

be associated with proposed project activities. The list of all identifiers can be found at www.bja.gov/funding/JAGidentifiers.pdf. The abstract should not exceed a half-page, or 400-500 words.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

3. Program Narrative

Applicants must submit a program narrative that generally describes the proposed program activities for the two or four year grant period. The narrative must outline the type of programs to be funded by the JAG award and provide a brief analysis of the need for the programs. Narratives must also identify anticipated coordination efforts involving JAG and related justice funds. Certified disparate jurisdictions submitting a joint application must specify the funding distribution to each disparate unit of local government and the purposes for which the funds will be used.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

4. Budget and Budget Narrative

Applicants must submit a budget and budget narrative outlining how JAG funds, including administrative funds if applicable, will be used to support and implement the program. This narrative should include a full breakdown of administrative costs, as well as an overview of how funds will be allocated across approved JAG purpose areas. Applicants should utilize the following approved budget categories to label the requested administrative and/or sub-grant expenditures: Personnel, Fringe Benefits, Travel, Equipment, Supplies, Consultants/Contracts, and an Other category. For informational purposes only, a sample budget form may be found at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf.

For questions pertaining to budget and examples of allowable and unallowable costs, see the OJP Financial Guide at www.ojp.usdoj.gov/financialguide/index.htm.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

a. Non-Competitive Procurement Contracts In Excess of Simplified Acquisition Threshold

If an applicant proposes to make one or more non-competitive procurements of products or services, where the non-competitive procurement will exceed the simplified acquisition threshold (also known as the small purchase threshold), which is currently set at \$150,000, the application should address the considerations outlined in the [OJP Financial Guide](#).

5. Review Narrative

Applicants must submit information documenting that the date the JAG application was made available for review by the governing body, or to an organization designated by that governing body, not less than 30 days before the application was submitted to BJA. The attachment must also specify that an opportunity to comment was provided to citizens prior

to application submission to the extent applicable law or established procedures make such opportunity available.

Below are notification language templates that can be utilized in completing this section of the application.

The (provide name of City/County/Tribe) made its Fiscal Year 2014 JAG application available to the (provide name of governing body) for its review and comment on (provide date), or intends to do so on (provide date).

The (provide name of City/County/Tribe) made its Fiscal Year 2014 JAG application available to citizens for comment prior to application submission by (provide means of notification), or the application has not yet been made available for public review/comment.

Failure to submit this required information will result in an application being returned in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding of funds special condition at the time of award.

6. Applicant Disclosure of Pending Applications

Applicants are to disclose whether they have pending applications for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation. The disclosure should include both direct applications for federal funding (e.g., applications to federal agencies) and indirect applications for such funding (e.g., applications to state agencies that will subaward federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding.

Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- the federal or state funding agency
- the solicitation name/project name
- the point of contact information at the applicable funding agency.

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Applicants should include the table as a separate attachment, with the file name "Disclosure of Pending Applications," to their application. Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page (e.g., "Applicant Name on SF-424) does not have pending applications submitted within the last 12 months for federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.").

7. **Memorandum of Understanding (if applicable)**

Jurisdictions certified as disparate must identify a fiscal agent that will submit a **joint application** for the aggregate eligible allocation to all disparate municipalities. The joint application must determine and specify the award distribution to each unit of local government and the purposes for which the funds will be used. When beginning the JAG application process, a Memorandum of Understanding (MOU) that identifies which jurisdiction will serve as the applicant/fiscal agent for joint funds **must** be completed and signed by the Authorized Representative for each participating jurisdiction. The signed MOU must be attached to the application. For a sample MOU, go to www.bia.gov/Funding/JAGMOU.pdf.

Failure to submit this required information will result in an application being change requested in the Grants Management System (GMS) for inclusion of the missing information OR the attachment of a withholding special condition at the time of award if time does not permit for a change request process.

8. **Tribal Authorizing Resolution (if applicable)**

Tribes, tribal organizations, or third parties proposing to provide direct services or assistance to residents on tribal lands should include in their applications a resolution, a letter, affidavit, or other documentation, as appropriate, that certifies that the applicant has the legal authority from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for a grant on behalf of a tribe or multiple specific tribes, then the application should include appropriate legal documentation, as described above, from all tribes that would receive services/assistance under the grant. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

Applicants unable to submit an application that includes a fully-executed (i.e., signed) copy of appropriate legal documentation, as described above, consistent with the applicable tribe's governance structure, should, at minimum, submit an unsigned, draft version of such legal documentation as part of its application (except in cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If receiving funding, BJA will make use of and access to funds will be contingent on receipt of the fully-executed legal documentation.

9. **Applicant Disclosure of High Risk Status**

Applicants are to disclose whether they are currently designated high risk by another federal grant making agency. This includes any status requiring additional oversight by the federal agency due to past programmatic or financial concerns. If an applicant is designated high risk by another federal grant making agency, you must email the following information to

OJPComplianceReporting@usdoj.gov at the time of application submission:

- The federal agency that currently designated the applicant as high risk;
- Date the applicant was designated high risk;
- The high risk point of contact name, phone number, and email address, from that federal agency; and
- Reasons for the high risk status.

OJP seeks this information to ensure appropriate federal oversight of any grant award. Unlike the Excluded Parties List, this high risk information does not disqualify any organization from receiving an OJP award. However, additional grant oversight may be included, if necessary, in award documentation.

10. **Additional Attachments (if applicable)**

Research and Evaluation Independence and Integrity

If a proposal involves research and/or evaluation, regardless of the proposal's other merits, in order to receive funds, the applicant must demonstrate research/evaluation independence, including appropriate safeguards to ensure research/evaluation objectivity and integrity.

For purposes of this solicitation, research and evaluation independence and integrity pertains to ensuring that the design, conduct, or reporting of research and evaluation funded by BJA grants, cooperative agreements, or contracts will not be biased by any personal or financial conflict of interest on the part of the investigators responsible for the research and evaluation or on the part of the applicant organization. Conflicts can be either actual or apparent. Examples of potential investigator (or other personal) conflict situations may include those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization could not be given a grant to evaluate a project if that organization had itself provided substantial prior technical assistance to that project, as the organization in such an instance would appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability is a problem.

In the attachment dealing with research and evaluation independence and integrity, the applicant should explain the process and procedures that the applicant has put in place to identify and eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or subrecipients. It should also identify any potential organizational conflicts of interest on the part of the applicant with regard to the proposed research/evaluation. If the applicant reasonably believes that no potential personal or organizational conflicts of interest exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. Documentation that may be helpful in this regard could include organizational codes of ethics/conduct or policies regarding organizational, personal, and financial conflicts of interest.

For situations in which potential personal or organizational conflicts of interest exist, in the attachment, the applicant should identify the safeguards the applicant has or will put in place to eliminate, mitigate, or otherwise address those conflicts of interest.

Considerations in assessing research and evaluation independence and integrity will include, but may not be limited to, the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the organization in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

11. Accounting System and Financial Capability Questionnaire

Any applicant (other than an individual) that is a non-governmental entity and that has not received any award from OJP within the past 3 years must download, complete, and submit this [form](#).

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. BJA reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. BJA will review applications for formula awards to ensure statutory requirements have been met.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

Additional Requirements

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OJP encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Civil Rights Compliance Specific to State Administering Agencies
- Faith-Based and Other Community Organizations
- Confidentiality
- Research and the Protection of Human Subjects
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- Reporting of Potential Fraud, Waste, and Abuse, and Similar Misconduct
- National Environmental Policy Act (NEPA)

- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs Financial Guide
- Suspension or Termination of Funding
- Non-profit Organizations
- For-profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act of 2006 (FFATA)
- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Active SAM Registration
- Policy and Guidance for Approval, Planning, and Reporting of Conferences (including Meetings and Trainings)
- OJP Training Guiding Principles for Grantees and Subgrantees

How to Apply

Applicants must submit applications through the Grants Management System (GMS), which provides cradle to grave support for the application, award, and management of awards at OJP. Applicants must **register in GMS for each specific funding opportunity**. Although the registration and submission deadlines are the same, OJP urges applicants to **register promptly**, especially if this is their first time using the system. Find complete instructions on how to register and submit an application in GMS at www.ojp.usdoj.gov/amsbtl. Applicants that experience technical difficulties during this process should e-mail GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), Monday–Friday from 6:00 a.m. to midnight eastern time, except federal holidays. OJP recommends that applicants **register promptly** to prevent delays in submitting an application package by the deadline.

Note on File Types: GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: ".com", ".bat", ".exe", ".vbs", ".css", ".cfg", ".dat", ".db", ".dbf", ".dll", ".ini", ".log", ".ora", ".sys", and ".zip".

All applicants should complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their application for a new award or a supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.
2. **Acquire registration with the System for Award Management (SAM).** SAM is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the SAM database. Applicants must **update or renew their SAM registration annually** to maintain an active status.

Information about SAM registration procedures can be accessed at www.sam.gov.

3. **Acquire a GMS username and password.** New users must create a GMS profile by selecting the "First Time User" link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to www.ojp.usdoj.gov/gmscbl/.
4. **Verify the SAM (formerly CCR) registration in GMS.** OJP requests that all applicants verify their SAM registration in GMS. Once logged into GMS, click the "CCR Claim" link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the "Funding Opportunities" link on the left side of the page. Select "Bureau of Justice Assistance" and the "Edward Byrne Memorial Justice Assistance Grant (JAG) Program-Local Solicitation."
6. **Register by selecting the "Apply Online" button associated with the funding opportunity title.** The search results from step 5 will display the funding opportunity title along with the registration and application deadlines for this funding opportunity. Select the "Apply Online" button in the "Action" column to register for this funding opportunity and create an application in the system.
7. **Complete the Disclosure of Lobbying Activities, if applicable.** Any applicant that expends any funds for lobbying activities must provide the detailed information requested on the form, *Disclosure of Lobbying Activities* (SF-LLL).
8. **Follow the directions in GMS to submit an application consistent with this solicitation.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, applicants must wait for GMS approval before submitting an application. OJP urges applicants to submit the application **at least 72 hours prior** to the application due date.

Note: Duplicate Applications

If an applicant submits multiple versions of an application, BJA will review the most recent version submitted.

Experiencing Unforeseen GMS Technical Issues

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must e-mail your State Policy Advisor **within 24 hours after the application deadline** and request approval to submit their application. The e-mail must describe the technical difficulties and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any GMS Help Desk or SAM tracking number(s). **Note: BJA does not approve requests automatically.** After the program office reviews the submission, and contacts the GMS Help Desk to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the applicant failed to follow all required procedures, which resulted in an untimely application submission, OJP will deny the applicant's request to submit their application.

The following conditions are generally insufficient to justify late submissions:

- failure to register in SAM or GMS in sufficient time
- failure to follow GMS instructions on how to register and apply as posted on the GMS Web site
- failure to follow each instruction in the OJP solicitation
- technical issues with the applicant's computer or information technology environment, including firewalls.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the OJP funding Web page at www.ojp.usdoj.gov/funding/solicitations.htm.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, the application submission process, and/or the application review/peer review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This e-mail is for feedback and suggestions only. Replies are **not** sent from this mailbox. If you have specific questions on any program or technical aspect of the solicitation, you must directly contact the appropriate number or e-mail listed on the front of this solicitation document. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please e-mail your resume to ojppeerreview@lmbs.com. The OJP Solicitation Feedback email account will not forward your resume. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization have submitted an application.

Application Checklist

Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2014 Local Solicitation

This application checklist has been created to assist in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

___ Acquire a DUNS Number (see page 21)

___ Acquire or renew registration with SAM (see page 21)

To Register with GMS:

___ For new users, acquire a GMS username and password* (see page 21)

___ For existing users, check GMS username and password* to ensure account access (see page 21)

___ Verify SAM registration in GMS (see page 21)

___ Search for correct funding opportunity in GMS (see page 21)

___ Register by selecting the "Apply Online" button associated with the funding opportunity title (see page 21)

*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contacts designated within GMS at the time the account was established. Neither OJP or the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

General Requirements:

___ Review "Other Requirements" web page

Eligibility Requirement:

___ Jurisdiction listed as the legal name on the application corresponds with the eligible

___ jurisdiction listed on BJA's [JAG web page](#)

___ Federal amount requested is within the allowable limit of the FY 2014 JAG

___ Allocations List as listed on BJA's [JAG web page](#)

What an Application Should Include:

___ Application for Federal Assistance (SF-424) (see page 14)

___ Project Abstract (see page 14)

___ Program Narrative (see page 15)

___ Budget and Budget Narrative (see page 15)

___ Review Narrative (see page 15)

___ Applicant Disclosure of Pending Applications (see page 16)

___ Memorandum of Understanding, if applicable (see page 17)

___ Tribal Authorizing Resolution, if applicable (see page 17)

___ Applicant Disclosure of High Risk Status (see page 17)

___ Research and Evaluation Independence and Integrity, if applicable (see page 18)

___ Accounting System and Financial Capability Questionnaire (if applicable) (see page 19)

___ Disclosure of Lobbying Activities, if applicable ([SF-LLL](#)) (see page 21)




October 31, 2014

MEMORANDUM

TO : 2 N.N.C. § 164A Admin Reviewers

FROM :


Cordell Shortey, Contracting Officer
Contracts and Grants Section- OMB

SUBJECT : Document No. 002397 - JAG 2014 Grant Award #2014-DJ-BX-1085.

The subject documents attached hereto has been marked **Insufficient**, surname comes with the following concern:

1. Navajo Nation Budget not attached. NN Budget Forms 1-6 are not attached to 164 documents.
2. See attachment, page 67 of Post Award Requirement's, Indirect Costs should be included as 16.95% not 10%. Grant notification did not state that 10% was a requirement. According to letter submitted by Rachel Chee, Grant Administrator, 10% was stipulated in grant notification. Documents attached state only if there is no approved plan. NN does have a negotiated IDC rate, therefore IDC need to be at most recent rate of 16.95% and included in budget. No calculations of how Judicial Branch came to rate of 10%. Per 164 Executive Review #002052, Judicial Branch was informed that the current rate of 16.95% was to be inclusive of budget application. Both OOC and OMB/CGS submitted memorandums to reviewers and program to make corrections. See attached memos, dated June 10, 2014 from Cordell Shortey, Contracting Officer and memo dated June 11, 2014 from Tammy Tso, Accounting Supervisor.
3. The proposed budget to JAG was to hire an evaluator through a Professional Service Contract (PSC). A PSC cannot be used by Navajo Nation as a procurement contract and as such does not qualify as "Pass Thru" or exclusion to IDC.

Judicial Branch is requesting an expedited review to ensure services are completed, but as such document is insufficient and OMB/CGS recommends Non-signature approval until corrections have been made. Contact our office (928) 810-8535, should you have any questions.

Cc: attachments
File/Chrono



THE NAVAJO NATION

Office of the Controller * P. O. Box 3150 * Window Rock, Arizona * 86515

Ben Shelly
PRESIDENT

Rex Lee Jim
VICE PRESIDENT

MEMORANDUM

TO: 2 N.N.C §164 Administration Reviewers

FROM: Tammy Tso
Tammy Tso, Accounting Supervisor
Contract Accounting Section
Office of the Controller

DATE: December 19, 2014

SUBJECT: Section 164 Review for Document No. 2397; FY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) application in the amount of \$75,150.

Contract Accounting has reviewed the referenced document and finds it insufficient due to the discrepancies found with the IDC rates and amounts identified within the 164 review packet.

- The Indirect Costs rate of 10% stated on the Nation's budget form page 4 of 4 is inconsistent with the approved awarding budget.
- As found in the budget narrative the full amount of the grant award is budgeted under Consultants/Contracts (Section G) for \$75,150.
- Also found, in the approved budget narrative under section I; Indirect Cost line item shows no approved budget amount allocated with a brief statement that the Navajo Nation Indirect Cost will not be applied to Consultant Fees.

At this time, we recommend the program revise the Navajo Nation budget forms removing the Indirect cost of \$6,832 and increasing the contractual services to \$75,150.

Should you have any questions, please call me at (928) 871-6130.

Xc: Ben Peshlakai, Sr. Accountant

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

DISCLOSURE OF PENDING APPLICATIONS

JAG 2014

The Navajo Nation Judicial Branch does not have pending applications submitted within the last 12 months for federally funded assistance that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation

REVIEW NARRATIVE

A press release of the Navajo Nation Judicial Branch's application for JAG funding in the amount of \$75,150 was widely distributed on June 11, 2014 informing the public of the contents of the application and the opportunity for comment. The application was also posted on the Navajo Nation Judicial Branch website at www.navajocourts.org placed for public comment on June 11, 2014 for a 30-day comment period ending July 12, 2014.

There will also be a second opportunity for comment when the award notification is received and legislation is initiated to accept the award. The Navajo Nation Legislative Branch will release the application for Internet Public Review for a 5 Day Comment Period. Clear instructions on how to submit comments are provided for all pending legislation.

A handwritten signature in black ink, appearing to read 'Raquel Chee', with a stylized, flowing script.

Raquel Chee

Grant Administrator

Administrative Office of the Courts

Navajo Nation Judicial Branch

Raquel Chee

From: Karen Francis
Sent: Wednesday, June 11, 2014 3:44 PM
To: Herb Yazzie; Eleanor Shirley; Allen Sloan; Jennifer Benally; Irene S. Black; Cynthia Thompson; Rudy I. Bedonie; Carol K. Perry; Geraldine Benally; Genevieve Woody; William J. Platero; Roy J. Tso; Victoria R. Yazzie; Leonard Livingston; judge_toledo@yahoo.com; Josephine Foo; Tina Tsinigine; dgmoquin@yahoo.com; Alisha R. Thompson; Malcolm P. Begay; Glen Renner; Jordan M. Hale; Robyn Neswood; Derrick J. Burbank; Sharon M. Noel; Alice Huskie; Lavonne Yazzie; Susie L. Martin; Vanessa Mescal; Darlene V. Lafrance; Ethel Laughing; Rena Thompson; Esther Jose; Regina C. Begay-Roanhorse; Barbara Willeto; Arlene Lee; Linda Bitsoi; M. Teresa Hopkins; Raquel Chee; PaulineYazzie; teresachee; Ben Mariano; Rosita A. Kelly; Larry Hoskie; Elton R. Dalgai; Roberta Sam; Melva James; Sandra L. Dalgai; Paulette C. Begay; Lucinda A. Yellowhair; Gloria Benally; Roger Begay; Andrea J. Boyd; Michael Smith; LaVerne H. Garnenez; Marquerita Lincoln; Melanie A. Price; Tamara Johnson; Yvonne A. Gorman; Lyle Thompson
Subject: Judicial Branch applying for Justice Assistance Grant

FOR IMMEDIATE RELEASE

DATE: Wednesday, June 11, 2014

NAVAJO NATION JUDICIAL BRANCH APPLYING FOR JUSTICE ASSISTANCE GRANT

The Navajo Nation Judicial Branch is seeking \$75,150 through the Edward Byrne Memorial Justice Assistance Grant to conduct an assessment and evaluation of the Navajo justice system.

The title of the grant application is "Effecting Navajo Justice System Change through Assessment and Evaluation."

The Navajo Nation proposes to gain a comprehensive understanding of the strengths and weaknesses of the Navajo justice system through a formal assessment and evaluation. Data shows that in 2012 only 5 percent of 245,939 reported offenses ended up in the Navajo court system. There is a need to determine where the gaps in the system are to be able to fix them. The results of the evaluation will drive the development of future plans for improvement and justice initiatives, as well as improve collaboration, communication and sharing of information within and across agency and jurisdictional boundaries. The key deliverable will be a Navajo justice evaluation report for planning, improvement and increased safety for the Navajo public.

The application of the Judicial Branch is now on the www.navajocourts.org website for a 30-day public comment period ending July 12, 2014. Comments may be sent to Raquel Chee, grants administrator, at rchee@navajo-nsn.gov.

According to the U.S. DOJ Bureau of Justice Assistance website, the JAG Program "is the leading source of federal justice funding to state and local jurisdictions. The JAG Program provides states, tribes, and local governments with critical funding necessary to support a range of program areas including law enforcement, prosecution, indigent defense, courts, crime prevention and education, corrections and community corrections, drug treatment and enforcement, planning, evaluation, technology improvement, and crime victim and witness initiatives."

###

Contact:

Karen Francis, *Government Relations Officer*

Office of the Chief Justice

JUDICIAL BRANCH OF THE NAVAJO NATION

Office: (928) 871-6920

Fax: (928) 871-6761

E-mail: karenfrancis@navajo-nsn.gov

www.navajocourts.org

Raquel Chee

From: Lawrence Ruzow <laruzow@gmail.com>
Sent: Wednesday, June 25, 2014 6:57 AM
To: Raquel Chee
Subject: Justice Assistance Grant Proposal

Dear Ms. Chee:

As a long time member of the Navajo Nation Bar Association, I support any effort by the Navajo government to improve the Navajo Criminal Justice System and bring down the extraordinarily high violent crime rate in the Navajo Nation. The safety of the Navajo people and others living, working and visiting the Navajo Nation is at stake and the present system is woefully inadequate.

I am convinced that the principal reason the present system does not work well is inadequate funding--for law enforcement; for the courts and for the detention and rehabilitation system. I am convinced as well that ancillary causes are poverty, a poor educational system and the decline of traditional Navajo families and traditional Navajo values such as harmony, cooperation and good relationships between people.

I know that the Judicial Branch does what it can with very limited resources, but the real answer has to be increased resources coupled with highly qualified people.

Good luck with the grant.

Larry
Lawrence A. Ruzow
Flagstaff

Postaward Requirements

INDIRECT COSTS

Introduction

Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. Examples of costs usually treated as indirect include those incurred for facility operation and maintenance, depreciation, and administrative salaries.

Federal Indirect Cost Rate—Negotiated Agreements

If a Federal awarding agency has approved your indirect cost rate or allocation plan in the past, then another awarding agency may accept the same indirect cost rate or allocation plan, provided the rate or plan is based on allocation methods substantially in accord with those set forth in the applicable cost circulars.

Where the approved provisional indirect cost rate is lower than the actual indirect cost rate incurred, you may not charge expenses included in overhead pools (e.g., accounting services, legal services, building occupancy and maintenance) as direct costs.

Exclusion of some subawards or subcontracts from overhead recovery:

- Organizations with an approved indirect cost rate who are using total direct costs as the base usually exclude subawards in excess of \$25,000 under awards and capital expenditures from any overhead recovery.
- The negotiated agreement will stipulate that major subcontracts are excluded from the base for overhead recovery.

No Approved Plan

If you do not have an approved Federal indirect cost rate, you will be unable to recover funds budgeted for indirect costs until a rate is approved.

- A special condition will be added to the award prohibiting the obligation, expenditure, or drawdown of funds reimbursement for indirect costs until an indirect cost rate has been approved by your cognizant Federal agency, and a Grant Adjustment Notice has been issued retiring the special condition.
- **There is an exception:** If you are a unit of government within a local jurisdiction to which the Office of Management and Budget (OMB) has not assigned a cognizant Federal agency, then you are not required to submit your indirect cost proposal, unless the awarding agency requires a copy of the proposal.

Establishment of Indirect Cost Rates

In order to be reimbursed for indirect costs, you must first establish an appropriate indirect cost rate.

- To do this, you must prepare an indirect cost rate proposal and submit it to your cognizant Federal agency.
- Instructions on how to prepare an indirect cost rate proposal are available in the Indirect Costs resource document at the Office of Justice Programs (OJP): Funding Resources web page.

FINANCIAL MANAGEMENT TIPS

There is an exception: If you are a local unit of government, you are not required to submit an indirect rate cost agreement. However, you are required to retain your cost allocation plan on file for review.

Postaward Requirements

INDIRECT COSTS

ACTION ITEM

If an indirect cost proposal is not submitted within 90 days after the award date, indirect costs cannot be recovered for the period prior to submission of the proposal.

- To support the indirect cost proposal, as an award recipient you are responsible for ensuring that independent audits of your organization are conducted in accordance with existing Federal auditing and reporting standards set forth in [OMB Circular A-133](#). A copy of the audit report must be submitted to your cognizant Federal agency to support the indirect cost proposal.
- As part of requesting an indirect cost rate, you must submit with your indirect cost allocation plan a signed certification stating that the plan only includes allowable costs.
- Additional guidance for completing an indirect cost proposal as an award recipient, as well as examples of how certain information should be provided, is available through the U.S. Department of Health and Human Services (HHS) Program Support Center [website](#).

After negotiations, your cognizant Federal agency will establish either a provisional, final, or fixed-with-carry-forward indirect cost rate, depending on the cost principles that apply to your type of organization.

Indirect Cost Distribution Bases

Irrespective of the allocation method used by the organization, only the following three “direct cost” bases for a percentage share of indirect costs will be allowed by OJP and are available to you as a distribution base:

- **Modified Total Direct Cost, or MTDC.** This base includes all direct costs incurred by the organization with the exception of distorting items such as equipment, capital expenditures, pass-through funds, and each major subcontract or subaward over \$25,000.
- **Direct Salaries and Wages.** This base includes only the costs of direct salaries and wages incurred by the organization.
- **Direct Salaries and Wages plus Fringe Benefits.** This base includes the costs of direct salary and wages and the direct fringe benefits incurred by the organization.

Transferring funds into or out of the indirect cost category is not allowable without prior approval from the awarding agency. A budget modification is required.

Cost Allocation Plans—Central Support Services

- State agencies and local units of government may not charge to an award the cost of central support services supplied by the State or local units of government, except pursuant to a cost allocation plan approved by [HHS](#).
- The rate to be applied may be on a [fixed rate with carry forward provision](#).

Lobbying Costs and the Indirect Cost Pool

When an organization seeks reimbursement for indirect costs, total [lobbying](#) costs must be separately identified in the indirect cost rate proposal and thereafter treated as other unallowable activity costs in accordance with the above procedures and [Appendix A of Title 2, CFR Part 230](#).

Requirements for recipient organizations:

- Unallowable costs associated with the indirect cost pool (e.g., lobbying) must be added to the base.
- Organizations must submit, as part of their annual indirect cost rate proposal, a certification that they are in compliance with all the requirements and standards.

Postaward Requirements

INDIRECT COSTS

- Organizations must maintain adequate records to demonstrate that they have identified costs as allowable or unallowable in line with Appendix B of Title 2 CFR Part 230.

Exemption from some record-keeping requirements:

- Recipient organizations will not be required to create time logs, calendars, or similar records for purposes of complying with this section during any particular calendar month when:
 - ▶ The employee engages in lobbying;
 - ▶ Twenty-five percent or less of the employee's compensated hours of employment during that calendar month constitutes lobbying; and
 - ▶ Within the preceding 5-year period, the organization has not materially misstated allowable or unallowable costs of any nature, including legislative lobbying costs.
- When the first two conditions listed above are met, organizations are not required to establish records to support the allowability of claimed costs in addition to records already required or maintained.
- Also when the first two conditions are met, the absence of time logs, calendars, or similar records will not serve as a basis for disallowing costs by contesting estimates of lobbying time spent by employees during a calendar month.
- Unallowable costs associated with the indirect cost pool (e.g., lobbying) must be added to the base.

Approval of Indirect Cost Rates for Subrecipients

As the direct recipient of Federal funding, you are responsible for approving indirect cost rates for your subrecipients. The Federal awarding agency will not approve indirect cost rates beyond the direct recipient level.

FINANCIAL MANAGEMENT TIP

Subrecipients who are also direct recipients of Federal awards may already have a Federally approved indirect cost rate.

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

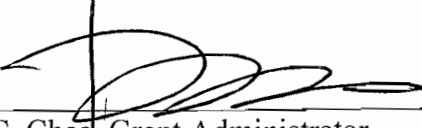
HERB YAZZIE
Chief Justice of the Navajo Nation



M. TERESA HOPKINS
Director of Special Projects

June 9, 2014

To: SAS REVIEWERS

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

Subject: Document 2052 – 2014 JAG Proposal

The attached document is the Navajo Nation's 2014 JAG Proposal that will be used to fund a formal evaluation and assessment of the Navajo Nation Justice System.

Key points:

1. \$75,150 is being requested to procure a contract with an independent evaluator. No indirect cost rate will be charged as the entire amount will be for Consultant Fees.
2. There is no matching requirement.
3. Deadline is Tuesday, June 10, 2014.

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

I am available at 871-7019 to answer any questions. Thank you.

EXECUTIVE OFFICIAL REVIEWTitle of Document: FY 2014 Justice Assistance Grant (JAG) Contact Name: CHEE, RAQUEL C.Program/Division: JUDICIAL BRANCHEmail: rchee@navajo-nsn.gov Phone Number: 928-871-7019☐ **Business Site Lease** Sufficient Insufficient

1. Division: _____	Date: _____	□	□
2. Office of the Controller: _____	Date: _____	□	□
(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: _____	□	□

☐ **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: _____	□	□
2. Office of the Attorney General: _____	Date: _____	□	□

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

1. Office of Management and Budget: _____	Date: _____	□	□
2. Office of the Controller: _____	Date: _____	□	□
3. Office of the Attorney General: _____	Date: _____	□	□

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

1. NNEPA: _____	Date: _____	□	□
2. Office of the Attorney General: _____	Date: _____	□	□

☐ **Lease Purchase Agreements**

1. Office of the Controller: _____	Date: _____	□	□
(recommendation only)			
2. Office of the Attorney General: _____	Date: _____	□	□

☒ **Grant Applications**

1. Office of Management and Budget: <u>C.M. - see memo</u>	Date: <u>6/10/14</u>	□	□
2. Office of the Controller: <u>D. - see memo</u>	Date: <u>6/11/14</u>	□	□
3. Office of the Attorney General: <u>[Signature]</u>	Date: <u>6/11/14</u>	□	□

☐ **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: _____	□	□
2. Office of the Attorney General: _____	Date: _____	□	□

☐ **Relinquishment of Navajo Membership**

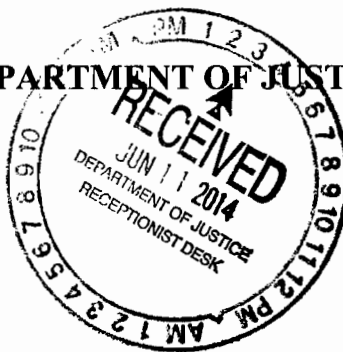
1. Land Department: _____	Date: _____	□	□
2. Elections: _____	Date: _____	□	□
3. Office of the Attorney General: _____	Date: _____	□	□



☐ RESUBMITTAL

NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
6-11-14 @ 2:33p	
DATE / TIME	
<input type="checkbox"/> 7 Day Deadline	
DOC #:	002052
SAS #:	
UNIT:	H59u

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

CLIENT TO COMPLETE			
DATE OF REQUEST: 6-11-14		ENTITY/DIVISION: Judicial Branch	
CONTACT NAME: Raquel Chae		DEPARTMENT: Spec. Projects	
PHONE NUMBER: 871-7018		E-MAIL:	
TITLE OF DOCUMENT: Duett 002052 FY2014 Justice Assist. Grant (JAG)			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 6/11 @ 2:00		REVIEWING ATTORNEY/ADVOCATE: km	
DATE/TIME OUT OF UNIT: 6/12 @ 10:13		LS	
DOJ ATTORNEY/ADVOCATE COMMENTS			
Okay			
REVIEWED BY: (PRINT)		DATE / TIME	
SURNAMED BY: (PRINT)		DATE / TIME	
Kandis Marflew		6/4/14 2:57p.m.	
DOJ Secretary Called: Teresa		for Document Pick Up on 6/12 at 10:13 By: Smith	
PICKED UP BY: (PRINT)		DATE / TIME:	



THE NAVAJO NATION

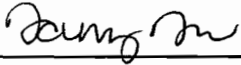
Office of the Controller * P. O. Box 3150 * Window Rock, Arizona * 86515

Ben Shelly
PRESIDENT

Rex Lee Jim
VICE PRESIDENT

MEMORANDUM

TO: 2 N.N.C §164 Administration Reviewers

FROM: 

Tammy Tso, Accounting Supervisor
Contract Accounting Section
Office of the Controller

DATE: June 11, 2014

SUBJECT: Section 164 Review for Document No. 2052; FY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) application in the amount of \$75,150.

Contract Accounting has reviewed the referenced document and finds it insufficient due to the Indirect Costs rate of 17% as shown on the budget narrative section of page 15 section B of the grant application. The last approved Navajo Nation IDC rate is for FY13 at 16.95% and also noted in memo dated June 10, 2014 from the Contracts and Grants Office.

Currently the Nation does not have an approved rate for FY14 and cannot budget for IDC as the USDOJ OCFO Financial Guide prohibits the recovery of IDC with no approved plan (See attached copy). If a budget amount for IDC is included in the grant application and the Nation is awarded there will be a special conditions that prohibits the obligation, expenditure or drawdown of funds for reimbursements until an approved rate is in place; this is the case of other USDOJ grants awarded to the Nation which now shows unspent funds and likely be reverted back to the funding agency.

At this time, we recommend revising page 15 to show the last approved rate is for FY13 at 16.95% and currently there is no approved rate in place at this time and to comply with the USDOJ OCFO financial guidelines the Nation will not include an IDC budget amount.

Should you have any questions, please call me at (928) 871-6130.

Xc: Ben Peshlakai, Sr. Accountant

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

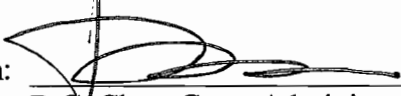


HERB YAZZIE
Chief Justice of the Navajo Nation

M. TERESA HOPKINS
Director of Special Projects

August 4, 2014

To: SAS REVIEWERS

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

Subject: Document 2397 – JAG 2014 Grant Award #2014-DJ-BX-1085

Attached you will find Document #2397, the Award Document for Fiscal Year Justice 2014 Assistance Grant #2014-DJ-BX-1085 in the amount of \$75,150. The original Section 164 Review Packet #2052 for the grant proposal is also attached.

The purpose of the grant is to gain a comprehensive understanding of the strengths and weaknesses of the Navajo Nation Justice System through a formal assessment and evaluation. The grant notification was received on August 1, 2014 with the award period of October 1, 2013 to September 30, 2017. The Indirect Cost Rate of 10% is the maximum amount as stipulated in the Grant Notification.

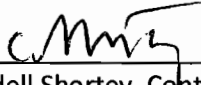
The Judicial Branch requests your expeditious review and approval of our 2014 JAG Grant Award.

I am available at 871-7019 to answer any questions. Thank you.



MEMORANDUM

TO: 2 NNC § 164.B Reviewers

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

DATE: June 10, 2014

RE: Official Review No. 002052: Application for FY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) in the Amount of \$75,150.

This application is to fund a proposal *"to gain a comprehensive understanding of the strengths and weaknesses of the Navajo Justice system through a formal assessment and evaluation."* This grant application is to fund a professional service contract for evaluation services.

Since this proposed amount \$25,000 or more, any award will be four years in length with an award period of October 1, 2013 through September 30, 2017. The proposed project timeline fits within this timeframe. The application is using the official DUNS and EIN numbers.

The application does not have certain elements explicitly outlined as recommended by the FY 2014 Local Solicitation. This includes the identification of the project identifier in the Project Abstract section, the documentation demonstrating notification to the public, and a draft of the proposed Law and Order Committee legislation.

The Local Solicitation states, *"Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of their application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude the recipient from accessing or using award funds pending satisfaction of the conditions."* If awarded, the expectation is that there will be Special Conditions.

If awarded, the entirety of this grant is to fund an evaluation of the judicial process through an evaluator through a professional service contract. Pursuant to the Budget Instructions and Policies Manual in Appendix R, E. Requirements on Indirect Costs (IDC), 2.b. it states in part, *"Professional Service Contracts used by Navajo Nation as a procurement contract does not qualify as an exclusion or pass-through."*

In this instance, Indirect Costs should be included in the budget and will either add to the overall Federal request, or subtract the amount available for an evaluation professional service contract. The most recent IDC rate is for FY2013 at 16.95%.

Although this proposed grant is being submitted by the Judicial Branch, the Authorized Representative is listed as President Ben Shelly. Unless this is a requirement of the application, the Chief Justice is authorized to sign and approve this grant application.

As currently written, this document is insufficient due to the above issues. Should you have any questions, please contact the Contracts and Grants Section at (928) 810-8535.

c: RDuncan, Principal Contract Analyst, CGS
File



Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

August 1, 2014

The Honorable Herb Yazzie
Navajo Nation
P.O. Box 9000
Window Rock, AZ 86515

Dear Chief Justice Yazzie:

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 FY 14 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local in the amount of \$75,150 for Navajo Nation.

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, Dara H. Schulman, Program Manager at (202) 514-9967; 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,

Denise O'Donnell
Director

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

August 1, 2014

The Honorable Herb Yazzie
Navajo Nation
P.O. Box 9000
Window Rock, AZ 86515

Dear Chief Justice Yazzie:

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(c); 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

SAAAs 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, SAAAs 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
Bureau of Justice Assistance

Grant

PAGE 1 OF 7

1. RECIPIENT NAME AND ADDRESS (Including Zip Code) Navajo Nation P.O. Box 9000 Window Rock, AZ 86515		4. AWARD NUMBER: 2014-DJ-BX-1085	
		5. PROJECT PERIOD: FROM 10/01/2013 TO 09/30/2017 BUDGET PERIOD: FROM 10/01/2013 TO 09/30/2017	
		6. AWARD DATE 08/01/2014	7. ACTION
1A. GRANTEE IRS/VENDOR NO. 860092335		8. SUPPLEMENT NUMBER 00	Initial
		9. PREVIOUS AWARD AMOUNT \$ 0	
3. PROJECT TITLE Navajo Justice System Change through Assessment and Evaluation		10. AMOUNT OF THIS AWARD \$ 75,150	
		11. TOTAL AWARD \$ 75,150	
12. SPECIAL CONDITIONS THE ABOVE GRANT PROJECT IS APPROVED SUBJECT TO SUCH CONDITIONS OR LIMITATIONS AS ARE SET FORTHON THE ATTACHED PAGE(S).			
13. STATUTORY AUTHORITY FOR GRANT This project is supported under FY 14(BJA - JAG) 42 USC 3750, et seq.			
15. METHOD OF PAYMENT GPRS			
AGENCY APPROVAL		GRANTEE ACCEPTANCE	
16. TYPED NAME AND TITLE OF APPROVING OFFICIAL Denise O'Donnell Director		18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL Herb Yazzie Chief Justice of The Navajo Nation	
17. SIGNATURE OF APPROVING OFFICIAL 		19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL 	19A. DATE 12/9/14
AGENCY USE ONLY			
20. ACCOUNTING CLASSIFICATION CODES FISCALY FUND C BUD. A OFC. DIV. RE SUB. POMS AMOUNT EAR ODE CT. G. X B DJ 80 00 00 75150		21. NDJUGT0405	

OJP FORM 4000/2 (REV. 5-87) PREVIOUS EDITIONS ARE OBSOLETE.

OJP FORM 4000/2 (REV. 4-88)



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD
CONTINUATIONSHEET
Grant**

PAGE 2 OF 7

PROJECT NUMBER 2014-DJ-BX-1085

AWARD DATE 08/01/2014

SPECIAL CONDITIONS

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.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD
CONTINUATIONSHEET
Grant**

PAGE 3 OF 7

PROJECT NUMBER 2014-DJ-BX-1085

AWARD DATE 08/01/2014

SPECIAL CONDITIONS

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 agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and 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 BJA and OCFO 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 BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO'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).



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD
CONTINUATIONSHEET
Grant**

PAGE 4 OF 7

PROJECT NUMBER 2014-DJ-BX-1085

AWARD DATE 08/01/2014

SPECIAL CONDITIONS

16. 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).
17. The recipient agrees that all income generated as a direct result of this award shall be deemed program income. All program income earned must be accounted for and used for the purposes of funds provided under this award, including such use being consistent with the conditions of the award, the effective edition of the OJP Financial Guide and, as applicable, either (1) 28 C.F.R. Part 66 or (2) 28 C.F.R. Part 70 and 2 C.F.R. Part 215 (OMB Circular A-110). Further, the use of program income must be reported on the quarterly Federal Financial Report, SF 425.
18. To avoid duplicating existing networks or IT systems in any initiatives funded by BJA for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the grantee can demonstrate to the satisfaction of BJA that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.
19. In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the grantee to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular grant. Grantee shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: http://www.it.ojp.gov/gsp_grantcondition. Grantee shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.
20. The recipient is required to establish a trust fund account. (The trust fund may or may not be an interest-bearing account.) The fund, including any interest, may not be used to pay debts or expenses incurred by other activities beyond the scope of the Edward Byrne Memorial Justice Assistance Grant Program (JAG). The recipient also agrees to obligate the grant funds in the trust fund (including any interest earned) during the period of the grant and expend within 90 days thereafter. Any unobligated or unexpended funds, including interest earned, must be returned to the Office of Justice Programs at the time of closeout.
21. JAG funds may be used to purchase vests for an agency, but they may not be used as the 50% match for purposes of the Bulletproof Vest Partnership (BVP) program.
22. The recipient agrees to submit a signed certification that that all law enforcement agencies receiving vests purchased with JAG funds have a written "mandatory wear" policy in effect. Fiscal agents and state agencies must keep signed certifications on file for any subrecipients planning to utilize JAG funds for ballistic-resistant and stab-resistant body armor purchases. This policy must be in place for at least all uniformed officers before any JAG funding can be used by the agency for body armor. There are no requirements regarding the nature of the policy other than it being a mandatory wear policy for all uniformed officers while on duty.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD
CONTINUATIONSHEET
Grant**

PAGE 5 OF 7

PROJECT NUMBER 2014-DJ-BX-1085

AWARD DATE 08/01/2014

SPECIAL CONDITIONS

23. Ballistic-resistant and stab-resistant body armor purchased with JAG funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the vests have been tested and found to comply with applicable National Institute of Justice ballistic or stab standards and are listed on the NIJ Compliant Body Armor Model List (<http://nij.gov>). In addition, ballistic-resistant and stab-resistant body armor purchased must be American-made. The latest NIJ standard information can be found here: <http://www.nij.gov/topics/technology/body-armor/safety-initiative.htm>.
24. The grantee agrees to assist BJA in complying with the National Environmental Policy Act (NEPA), the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of these grant funds, either directly by the grantee or by a subgrantee. Accordingly, the grantee agrees to first determine if any of the following activities will be funded by the grant, prior to obligating funds for any of these purposes. If it is determined that any of the following activities will be funded by the grant, the grantee agrees to contact BJA.

The grantee understands that this special condition applies to its following new activities whether or not they are being specifically funded with these grant funds. That is, as long as the activity is being conducted by the grantee, a subgrantee, or any third party and the activity needs to be undertaken in order to use these grant funds, this special condition must first be met. The activities covered by this special condition are:

- a. New construction;
- b. Minor renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The grantee understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. The grantee further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed at <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>, for programs relating to methamphetamine laboratory operations.

Application of This Special Condition to Grantee's Existing Programs or Activities: For any of the grantee's or its subgrantees' existing programs or activities that will be funded by these grant funds, the grantee, upon specific request from BJA, agrees to cooperate with BJA in any preparation by BJA of a national or program environmental assessment of that funded program or activity.

25. The recipient agrees that any information technology system funded or supported by OJP funds will comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 42 U.S.C. 3789g(c)-(d). Recipient may not satisfy such a fine with federal funds.
26. The recipient agrees to ensure that the State Information Technology Point of Contact receives written notification regarding any information technology project funded by this grant during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these grant funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to <http://www.it.ojp.gov/default.aspx?area=policyAndPractice&page=1046>.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD
CONTINUATIONSHEET
Grant**

PAGE 6 OF 7

PROJECT NUMBER 2014-DJ-BX-1085

AWARD DATE 08/01/2014

SPECIAL CONDITIONS

27. The grantee agrees to comply with the applicable requirements of 28 C.F.R. Part 38, the Department of Justice regulation governing "Equal Treatment for Faith Based Organizations" (the "Equal Treatment Regulation"). The Equal Treatment Regulation provides in part that Department of Justice grant awards of direct funding may not be used to fund any inherently religious activities, such as worship, religious instruction, or proselytization. Recipients of direct grants may still engage in inherently religious activities, but such activities must be separate in time or place from the Department of Justice funded program, and participation in such activities by individuals receiving services from the grantee or a sub-grantee must be voluntary. The Equal Treatment Regulation also makes clear that organizations participating in programs directly funded by the Department of Justice are not permitted to discriminate in the provision of services on the basis of a beneficiary's religion. Notwithstanding any other special condition of this award, faith-based organizations may, in some circumstances, consider religion as a basis for employment. See http://www.ojp.gov/about/ocr/equal_fbo.htm.
28. The recipient acknowledges that all programs funded through subawards, whether at the state or local levels, must conform to the grant program requirements as stated in BJA program guidance.
29. Grantee agrees to comply with the requirements of 28 C.F.R. Part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.
30. 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.
31. The recipient agrees to monitor subawards under this JAG award in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide, and to include the applicable conditions of this award in any subaward. The recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of JAG funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.
32. The recipient agrees that funds received under this award will not be used to supplant State or local funds, but will be used to increase the amounts of such funds that would, in the absence of Federal funds, be made available for law enforcement activities.
33. Award recipients must submit quarterly a Federal Financial Report (SF-425) and annual performance reports through GMS (<https://grants.ojp.usdoj.gov>). Consistent with the Department's responsibilities under the Government Performance and Results Act (GPRA), P.L. 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Therefore, quarterly performance metrics reports must be submitted through BJA's Performance Measurement Tool (PMT) website (www.bjapcrformancetools.org). For more detailed information on reporting and other JAG requirements, refer to the JAG reporting requirements webpage. Failure to submit required JAG reports by established deadlines may result in the freezing of grant funds and future High Risk designation.
34. Award recipients must verify Point of Contact (POC), Financial Point of Contact (FPOC), and Authorized Representative contact information in GMS, including telephone number and e-mail address. If any information is incorrect or has changed, a Grant Adjustment Notice (GAN) must be submitted via the Grants Management System (GMS) to document changes.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

**AWARD
CONTINUATIONSHEET
Grant**

PAGE 7 OF 7

PROJECT NUMBER 2014-DJ-BX-1085

AWARD DATE 08/01/2014

SPECIAL CONDITIONS

35. The grantee agrees that within 120 days of award acceptance, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. Additionally, all future task force members are required to complete this training once during the life of this award, or once every four years if multiple awards include this requirement. The training is provided free of charge online through BJA's Center for Task Force Integrity and Leadership (www.ctfli.org). This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability. When BJA funding supports a task force, a task force personnel roster should be compiled and maintained, along with course completion certificates, by the grant recipient. Additional information is available regarding this required training and access methods via BJA's web site and the Center for Task Force Integrity and Leadership (www.ctfli.org).
36. No JAG funds may be expended on the purchase of unmanned aircraft, unmanned aircraft systems or unmanned aerial vehicles (UA/UAS/UAV), unless the BJA Director certifies that extraordinary and exigent circumstances exist, making them essential to the maintenance of public safety and good order. Any state or local jurisdiction receiving BJA approval to utilize JAG funds for this type of purchase must certify to DOJ that it received Federal Aviation Administration (FAA) approval to operate a UA/UAS/UAV and that it is legal to operate a UA/UAS/UAV in the proposed jurisdiction or geographic area. The recipient must submit a statement on the goals and objectives for the use of a UA/UAS/UAV, the anticipated specific uses, and policy regarding privacy considerations. BJA may require additional reporting requirements that will be stipulated post award.
37. BJA strongly encourages the recipient to submit annual (or more frequent) JAG success stories. To submit a success story, sign in to your My BJA account at <https://www.bja.gov/Login.aspx> to access the Success Story Submission form. If you do not yet have a My BJA account, please register at <https://www.bja.gov/profile.aspx>. Once you register, one of the available areas on your My BJA page will be "My Success Stories". Within this box, you will see an option to add a Success Story. Once reviewed and approved by BJA, all success stories will appear on the new BJA Success Story web page at <https://www.bja.gov/SuccessStoryList.aspx>.
38. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance, Office of Justice Programs has reviewed and approved the Program Narrative portion of the application and has issued a Grant Adjustment Notice (GAN) informing the recipient of the approval.
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

Bureau of Justice Assistance

Washington, D.C. 20531

Memorandum To: Official Grant File

From: Orbin Terry, NEPA Coordinator

Subject: Incorporates NEPA Compliance in Further Developmental Stages for Navajo Nation

The Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and local governments to support a broad range of activities to prevent and control crime and to improve the criminal justice system, some of which could have environmental impacts. All recipients of JAG funding must assist BJA in complying with NEPA and other related federal environmental impact analyses requirements in the use of grant funds, whether the funds are used directly by the grantee or by a subgrantee or third party. Accordingly, prior to obligating funds for any of the specified activities, the grantee must first determine if any of the specified activities will be funded by the grant.

The specified activities requiring environmental analysis are:

- a. New construction;
- b. Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain, a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- c. A renovation, lease, or any proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- d. Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or education environments; and
- e. Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

Complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by BJA. Further, for programs relating to methamphetamine laboratory operations, the preparation of a detailed Mitigation Plan will be required. For more information about Mitigation Plan requirements, please see <http://www.ojp.usdoj.gov/BJA/resource/nepa.html>. Please be sure to carefully review the grant conditions on your award document, as it may contain more specific information about environmental compliance.



Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

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

Grant

PROJECT NUMBER

2014-DJ-BX-1085

PAGE 1 OF 1

This project is supported under FY14(BJA - JAG) 42 USC 3750, et seq.

1. STAFF CONTACT (Name & telephone number)

Dara H. Schulman
(202) 514-9967

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

Raquel Chee
Grant Administrator
Navajo Nation Judicial Branch
Post Office Box 520
Window Rock, AZ 86515-0520
(928) 871-7019

3a. TITLE OF THE PROGRAM

BJA FY 14 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local

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

4. TITLE OF PROJECT

Navajo Justice System Change through Assessment and Evaluation

5. NAME & ADDRESS OF GRANTEE

Navajo Nation
P.O. Box 9000
Window Rock, AZ 86515

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2013 TO: 09/30/2017

8. BUDGET PERIOD

FROM: 10/01/2013 TO: 09/30/2017

9. AMOUNT OF AWARD

\$ 75,150

10. DATE OF AWARD

08/01/2014

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 Edward Byrne Memorial Justice Assistance Grant Program (JAG) allows states and units of local government, including tribes, to support a broad range of activities to prevent and control crime based on their own state and local needs and conditions. Grant funds can be used for state and local initiatives, technical assistance, training, personnel, equipment, supplies, contractual support, and information systems for criminal justice, including for any one or more of the following program areas: 1) law enforcement programs; 2) prosecution and court programs; 3) prevention and education programs; 4) corrections and community corrections programs; 5) drug treatment and enforcement programs; 6) planning, evaluation, and technology improvement programs; and 7) crime victim and witness programs (other than compensation).

The grantee will use the JAG funds to conduct a thorough assessment of the Navajo justice system. An evaluation of the current system will be conducted to yield recommendations for improvement and the tribe's viability to enact the enhanced provisions of TLOA and VAWA. The evaluation will be used to develop a Navajo

Nation Tribal Action Plan that will capitalize on strengths, eliminate deficiencies, and drive justice initiatives that will improve, streamline and enhance service delivery. NCA/NCF

Navajo Nation - Division of Finance
Office of the Controller

Signature Authorization Sheet (SAS or 164) Sign-Off Sheet for OOC



(Attach sign off sheet to SAS document to ensure each section within OOC signs off on SAS)

2052

OOC - Section	Signature	Date
1 Accounts Receivable:		
2 General Accounting:		
3 Contract Accounting:	Ban	6/16/14
4 Contract Administration:		

Comments:

EXECUTIVE OFFICIAL REVIEWTitle of Document: FY 2014 Justice Assistance Grant (JAG) Contact Name: CHEE, RAQUEL C.Program/Division: JUDICIAL BRANCHEmail: rchee@navajo-nsn.gov Phone Number: 928-871-7019☐ **Business Site Lease** Sufficient Insufficient

1. Division: _____	Date: _____	□	□
2. Office of the Controller: _____	Date: _____	□	□
(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: _____	□	□

☐ **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: _____	□	□
2. Office of the Attorney General: _____	Date: _____	□	□

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

1. Office of Management and Budget: _____	Date: _____	□	□
2. Office of the Controller: _____	Date: _____	□	□
3. Office of the Attorney General: _____	Date: _____	□	□

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

1. NNEPA: _____	Date: _____	□	□
2. Office of the Attorney General: _____	Date: _____	□	□

☐ **Lease Purchase Agreements**

1. Office of the Controller: _____	Date: _____	□	□
(recommendation only)			
2. Office of the Attorney General: _____	Date: _____	□	□

☒ **Grant Applications**

1. Office of Management and Budget: <u>C.Ming - see memo</u>	Date: <u>6/10/14</u>	□	□
2. Office of the Controller: <u>Darryl M - see memo</u>	Date: <u>6/11/14</u>	□	□
3. Office of the Attorney General: _____	Date: _____	□	□

☐ **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: _____	□	□
2. Office of the Attorney General: _____	Date: _____	□	□

☐ **Relinquishment of Navajo Membership**

1. Land Department: _____	Date: _____	□	□
2. Elections: _____	Date: _____	□	□
3. Office of the Attorney General: _____	Date: _____	□	□



THE NAVAJO NATION

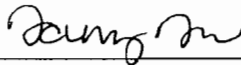
Office of the Controller * P. O. Box 3150 * Window Rock, Arizona * 86515

Ben Shelly
PRESIDENT

Rex Lee Jim
VICE PRESIDENT

MEMORANDUM

TO: 2 N.N.C §164 Administration Reviewers

FROM: 
Tammy Tso, Accounting Supervisor
Contract Accounting Section
Office of the Controller

DATE: June 11, 2014

SUBJECT: Section 164 Review for Document No. 2052; FY 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) application in the amount of \$75,150.

Contract Accounting has reviewed the referenced document and finds it insufficient due to the Indirect Costs rate of 17% as shown on the budget narrative section of page 15 section B of the grant application. The last approved Navajo Nation IDC rate is for FY13 at 16.95% and also noted in memo dated June 10, 2014 from the Contracts and Grants Office.

Currently the Nation does not have an approved rate for FY14 and cannot budget for IDC as the USDOJ OCFO Financial Guide prohibits the recovery of IDC with no approved plan (See attached copy). If a budget amount for IDC is included in the grant application and the Nation is awarded there will be a special conditions that prohibits the obligation, expenditure or drawdown of funds for reimbursements until an approved rate is in place; this is the case of other USDOJ grants awarded to the Nation which now shows unspent funds and likely be reverted back to the funding agency.

At this time, we recommend revising page 15 to show the last approved rate is for FY13 at 16.95% and currently there is no approved rate in place at this time and to comply with the USDOJ OCFO financial guidelines the Nation will not include an IDC budget amount.

Should you have any questions, please call me at (928) 871-6130.

Xc: Ben Peshlakai, Sr. Accountant

Applicant Name: Navajo Nation Judicial Branch
2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Budget Narrative

A. CONSULTANTS/CONTRACTS

Funding of \$75,150 is needed to hire an Evaluator contractor who will conduct a comprehensive evaluation of the Navajo Justice System and produce a report with recommendations for improvement.

B. INDIRECT COSTS

The Federally approved indirect cost rate for the Navajo Nation is 17%. This rate will not be applied to a Consultant Contract, resulting in an Indirect Cost of \$0.

C. TOTAL PROGRAM COSTS

The total direct costs are \$75,150. Indirect costs are \$0. We are requesting federal assistance of \$75,150 which consists of \$75,150 in base costs and \$0 in indirect costs.

Postaward Requirements

INDIRECT COSTS

Introduction

Indirect costs are costs of an organization that are not readily assignable to a particular project, but are necessary to the operation of the organization and the performance of the project. Examples of costs usually treated as indirect include those incurred for facility operation and maintenance, depreciation, and administrative salaries.

Federal Indirect Cost Rate—Negotiated Agreements

If a Federal awarding agency has approved your indirect cost rate or allocation plan in the past, then another awarding agency may accept the same indirect cost rate or allocation plan, provided the rate or plan is based on allocation methods substantially in accord with those set forth in the applicable cost circulars.

Where the approved provisional indirect cost rate is lower than the actual indirect cost rate incurred, you may not charge expenses included in overhead pools (e.g., accounting services, legal services, building occupancy and maintenance) as direct costs.

Exclusion of some subawards or subcontracts from overhead recovery:

- Organizations with an approved indirect cost rate who are using total direct costs as the base usually exclude subawards in excess of \$25,000 under awards and capital expenditures from any overhead recovery.
- The negotiated agreement will stipulate that major subcontracts are excluded from the base for overhead recovery.

No Approved Plan

If you do not have an approved Federal indirect cost rate, you will be unable to recover funds budgeted for indirect costs until a rate is approved.

- A special condition will be added to the award prohibiting the obligation, expenditure, or drawdown of funds reimbursement for indirect costs until an indirect cost rate has been approved by your cognizant Federal agency, and a Grant Adjustment Notice has been issued retiring the special condition.
- **There is an exception:** If you are a unit of government within a local jurisdiction to which the Office of Management and Budget (OMB) has not assigned a cognizant Federal agency, then you are not required to submit your indirect cost proposal, unless the awarding agency requires a copy of the proposal.

Establishment of Indirect Cost Rates

In order to be reimbursed for indirect costs, you must first establish an appropriate indirect cost rate.

- To do this, you must prepare an indirect cost rate proposal and submit it to your cognizant Federal agency.
- Instructions on how to prepare an indirect cost rate proposal are available in the Indirect Costs resource document at the Office of Justice Programs (OJP): Funding Resources web page.

FINANCIAL MANAGEMENT TIPS

There is an exception: If you are a local unit of government, you are not required to submit an indirect rate cost agreement. However, you are required to retain your cost allocation plan on file for review.

Postaward Requirements

INDIRECT COSTS

ACTION ITEM

If an indirect cost proposal is not submitted within 90 days after the award date, indirect costs cannot be recovered for the period prior to submission of the proposal.

- To support the indirect cost proposal, as an award recipient you are responsible for ensuring that independent audits of your organization are conducted in accordance with existing Federal auditing and reporting standards set forth in [OMB Circular A-133](#). A copy of the audit report must be submitted to your cognizant Federal agency to support the indirect cost proposal.
- As part of requesting an indirect cost rate, you must submit with your indirect cost allocation plan a signed certification stating that the plan only includes allowable costs.
- Additional guidance for completing an indirect cost proposal as an award recipient, as well as examples of how certain information should be provided, is available through the U.S. Department of Health and Human Services (HHS) Program Support Center [website](#).

After negotiations, your cognizant Federal agency will establish either a provisional, final, or fixed-with-carry-forward indirect cost rate, depending on the cost principles that apply to your type of organization.

Indirect Cost Distribution Bases

Irrespective of the allocation method used by the organization, only the following three “direct cost” bases for a percentage share of indirect costs will be allowed by OJP and are available to you as a distribution base:

- **Modified Total Direct Cost, or MTDC.** This base includes all direct costs incurred by the organization with the exception of distorting items such as equipment, capital expenditures, pass-through funds, and each major subcontract or subaward over \$25,000.
- **Direct Salaries and Wages.** This base includes only the costs of direct salaries and wages incurred by the organization.
- **Direct Salaries and Wages plus Fringe Benefits.** This base includes the costs of direct salary and wages and the direct fringe benefits incurred by the organization.

Transferring funds into or out of the indirect cost category is not allowable without prior approval from the awarding agency. A budget modification is required.

Cost Allocation Plans—Central Support Services

- State agencies and local units of government may not charge to an award the cost of central support services supplied by the State or local units of government, except pursuant to a cost allocation plan approved by [HHS](#).
- The rate to be applied may be on a [fixed rate with carry forward provision](#).

Lobbying Costs and the Indirect Cost Pool

When an organization seeks reimbursement for indirect costs, total [lobbying](#) costs must be separately identified in the indirect cost rate proposal and thereafter treated as other unallowable activity costs in accordance with the above procedures and [Appendix A of Title 2 CFR Part 230](#).

Requirements for recipient organizations:

- Unallowable costs associated with the indirect cost pool (e.g., lobbying) must be added to the base.
- Organizations must submit, as part of their annual indirect cost rate proposal, a certification that they are in compliance with all the requirements and standards.

Postaward Requirements

INDIRECT COSTS

- Organizations must maintain adequate records to demonstrate that they have identified costs as allowable or unallowable in line with Appendix B of Title 2 CFR Part 230.

Exemption from some record-keeping requirements:

- Recipient organizations will not be required to create time logs, calendars, or similar records for purposes of complying with this section during any particular calendar month when:
 - ▶ The employee engages in lobbying;
 - ▶ Twenty-five percent or less of the employee's compensated hours of employment during that calendar month constitutes lobbying; and
 - ▶ Within the preceding 5-year period, the organization has not materially misstated allowable or unallowable costs of any nature, including legislative lobbying costs.
- When the first two conditions listed above are met, organizations are not required to establish records to support the allowability of claimed costs in addition to records already required or maintained.
- Also when the first two conditions are met, the absence of time logs, calendars, or similar records will not serve as a basis for disallowing costs by contesting estimates of lobbying time spent by employees during a calendar month.
- Unallowable costs associated with the indirect cost pool (e.g., lobbying) must be added to the base.

Approval of Indirect Cost Rates for Subrecipients

As the direct recipient of Federal funding, you are responsible for approving indirect cost rates for your subrecipients. The Federal awarding agency will not approve indirect cost rates beyond the direct recipient level.

FINANCIAL MANAGEMENT TIP

Subrecipients who are also direct recipients of Federal awards may already have a Federally approved indirect cost rate.

THE NAVAJO NATION

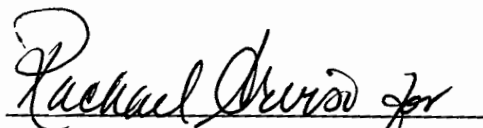


BEN SHELLY PRESIDENT
REX LEE JIM VICE PRESIDENT

May 1, 2015

To: E.O. 07-2013 Document Reviewers

From:


Cordell Shortey, Contracting Officer
Contracts & Grants Section - OMB

Subject: Document No. 2397 – FY'2014 Justice Assistance Grant

The attached subject document has been surnamed as sufficient with the following comment:

1. Indirect Cost (IDC) rate will need to be processed for Legislative approval based upon the 10% IDC funding agency regulation rate in accordance with the Grant Announcement on Page seven (7) under Administrative Funds "A unit of local government may use up to 10 percent of the award, including interest, for cost associated with administering JAG funds."

Therefore, before Contracts and Grants Section enters budget in FMIS, please attach approval from Navajo Nation Legislative Services for the agreement with the revised IDC percentage.

If you have any questions, please call Germaine Jones at (928) 871-6037. Thank You.

Attachment

cc : files

Judicial Branch of the Navajo Nation

Administrative Office of the Courts

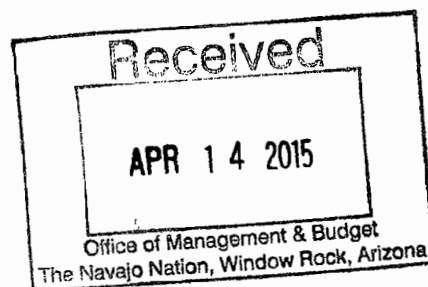
P.O. Box 520 ♦ Window Rock, Arizona 86515
Telephone 928-871-6762 ♦ Fax 928-871-6761




HERB YAZZIE
Chief Justice of the Navajo Nation

M. TERESA HOPKINS
Director of Special Projects

April 13, 2015



To: Cordell Shortey, Contracting Officer
Contracts and Grants Section - OMB

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

Subject: Document 2397 – 2014 JAG Award

The attached document packet is the Navajo Nation's 2014 JAG Award #2014-DJ-BX-1085 that is returning to you for action. Before legislative action is initiated for acceptance of this award, our offices need to be in consensus about the Indirect Cost that will be charged.

According to Page 7 of the Grant Announcement, only 10% can be used for administering the award. We are agreeable to 10% or \$6,832 of the entire award being used to administer this grant.

The remainder of the funding will be used for evaluation of the Justice system.

We are submitting a revised Navajo Nation budget that reflects this change. USDOJ can't make changes to the budget until the Nation has formally accepted this award.

The Judicial Branch requests your expeditious review and approval of our proposal to include a 10% administrative cap to this award. .

I am available at 871-7019 to answer any questions. Thank you.

SECTION 164 REVIEW FORMTitle of Document: FY 2014 Justice Assistance Grant (JAG) Contact Name: CHEE, RAQUEL C.Program/Division: JUDICIAL BRANCH ^{9/4}Email: rchee@navajo ^{1/22/15} Phone Number: 928-871-7019Division Director Approval for 1: 15-166-1
A. Shepard

Check document category; only
except Business Regulatory Department
sufficient or insufficient. If deemed

Each reviewer has a maximum 7 working days,

and determine whether the document(s) are
insufficient or insufficient. If deemed

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

☐ **Statement of Policy or Positive Law:** Sufficient Insufficient

1. OAG: _____ Date: _____ ☐ ☐

☐ **IGA, Budget Resolutions, Budget Reallocations or amendments: (OMB and Controller sign ONLY if document expends or receives funds)**

1. OMB: _____ Date: _____ ☐ ☐
2. OOC: _____ Date: _____ ☐ ☐
3. OAG: _____ Date: _____ ☐ ☐

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

☒ **Grant/Funding Agreement or amendment:**

1. Division: MAAS Date: 8/4/14 ☒ ☐
2. OMB: Seememo Date: _____ ☐ ☒
3. OOC: Seememo Date: 12/19/14 ☐ ☒
4. OAG: Seememo Date: 12/29/14 ☒ ☐

☐ **Subcontract/Contract expending or receiving funds or amendment:**

1. Division: _____ Date: _____ ☐ ☐
2. BRD: _____ Date: _____ ☐ ☐
3. OMB: _____ Date: _____ ☐ ☐
4. OOC: _____ Date: _____ ☐ ☐
5. OAG: _____ Date: _____ ☐ ☐

☐ **Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:**

1. Division: _____ Date: _____ ☐ ☐
2. OAG: _____ Date: _____ ☐ ☐

☐ **M.O.A. or Letter of Assurance expending or receiving funds or amendment:**

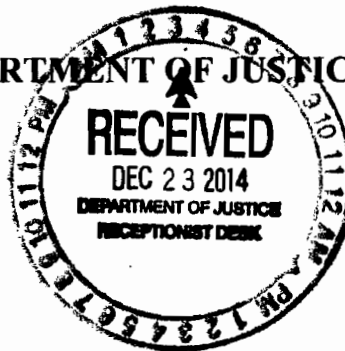
1. Division: _____ Date: _____ ☐ ☐
2. OMB: _____ Date: _____ ☐ ☐
3. OOC: _____ Date: _____ ☐ ☐
4. OAG: _____ Date: _____ ☐ ☐



☐ RESUBMITTAL

NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ
12/23/14 3:21 PM
DATE / TIME
<input checked="" type="checkbox"/> 7 Day Deadline
DOC #: 002397
SAS #:
UNIT: HSGU

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

CLIENT TO COMPLETE			
DATE OF REQUEST: 12-23-14		ENTITY/DIVISION: Judicial Bd.	
CONTACT NAME: Raquel Chee		DEPARTMENT: Special Projects	
PHONE NUMBER: 871-6762/7019		E-MAIL:	
TITLE OF DOCUMENT: Doc #2397 FY14 Justice Assistance Grant			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 12/23/14 3:41		REVIEWING ATTORNEY/ADVOCATE: KM	
DATE/TIME OUT OF UNIT: 12/24 @ 1000		LS	
DOJ ATTORNEY / ADVOCATE COMMENTS			
Legally sufficient.			
REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
		Kandis Martin	12/29/14 8:37 AM
DOJ Secretary Called: Pawline		for Document Pick Up on 12/29 at 1000 By: Smith	
PICKED UP BY: (PRINT)		DATE / TIME:	



Office of Management and Budget

Admin Support - 164 Document Tracking Sheet

SAS Number: 002397 Received Date: 9/16/2014 Due Date: 9/25/2014
Division: Judicial Branch Program: 170 ADMIN. OFC. OF COURTS
Resolution: _____ Logged In By: Rosita Kee

ASSIGNED REVIEWER:

Contracts and Grants

Budget

Management and Policies

Gwen Williams

Document Description:

FY 2014 JUSTICE ASSISTANCE GRANT (JAG).

Contract Number, If any:

Document Comments:

No Navajo Nation Budget Attached. NN Budget forms 1-6 needs to be submitted for internal NN use & reflect the amount of award.
Insufficient IDR, states 10%, grant does not state 10% IDC Requirement. 16.95% is current approved NN IDC Rate. No calculations provided for how Judicial Picked Up By: came to current rate. Refer to memo dated 6/10/14 by CGS/OMB
Date: _____

DEPARTMENT REVIEWS.

8/4/2014

A. PROGRAM

DIVISION

C. OMB/CGS

D. OOC

E. DOJ

F. LEGIS COUN

G. OSCOM

OPVP

CGS Rec'd

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



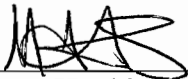
HERB YAZZIE
Chief Justice of the Navajo Nation

M. TERESA HOPKINS
Director of Special Projects

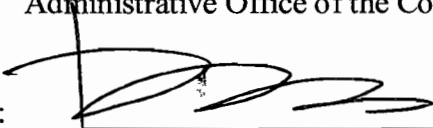
November 13, 2014

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: Document No. 002397 - JAG 2014 Grant Award #2014-DJ-BX-1085

This letter is in response to a letter from Cordell Shortey dated October 31, 2014 regarding the above Grant. There were several concerns that are addressed as follows:

1. The budget is attached in Navajo Nation format.
2. Page 7 of the attached Grant Announcement specifies: "*Administrative Funds: A unit of local government may use up to 10 percent of the award, including interest, for costs associated with administering JAG funds.*" The Navajo Nation may have a negotiated IDC rate, but the JAG award also has its limit. If the Navajo Nation does not accept the capped IDC rate of 10%, we will be denied the award.
3. The Evaluator that is going to be hired under the grant will not be a Full Time Employee, but will be a contracted Consultant. As a requirement of the Navajo Nation, we will be utilizing a Professional Services Contract to hire the Consultant.

The Judicial Branch requests your expeditious review, approval and acceptance of our Award Document.

Thank you.

THE NAVAJO NATION PROGRAM BUDGET SUMMARY

APR 14 2015

PART I. Business Unit No.: Program Title: Effecting Navajo Justice System Change through Assessment and Evaluation Division/Branch:		Office of Management & Budget The Navajo Nation, Window Rock, Arizona Judicial Branch	
Prepared By: Roberta Sam Phone No: (928) 871-7025 Email: robertasam@navajo-nsn.gov			

PART II. FUNDING SOURCE(S)		Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY			Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
2014 Edward Byrne Memorial Justice		10/1/13 - 9/30/17	75,150.00	100%							0
				0%							0
					2001 Personnel Expenses						0
					3000 Travel Expenses						0
					3500 Meeting Expenses						0
					4000 Supplies						0
					5000 Lease and Rental						0
					5500 Communications and Utilities						0
					6000 Repairs and Maintenance						0
					6500 Contractual Services			68,318			68,318
					7000 Special Transactions						0
					8000 Public Assistance						0
					9000 Capital Outlay						0
					9500 Matching Funds						0
					9500 Indirect Cost			6,832			6,832
					TOTAL			\$0.00		75,150.00	75,150

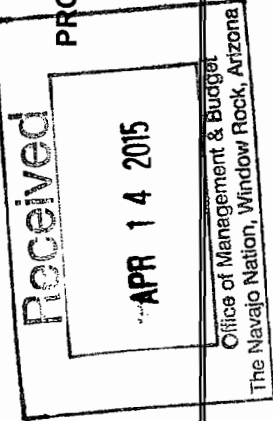
PART IV. POSITIONS AND VEHICLES Total # of Positions Budgeted: Total # of Permanently Assigned Vehicles:		(D)	(E)

PART V. I HEREBY ACKNOWLEDGE THAT THE INFORMATION CONTAINED IN THIS BUDGET PACKAGE IS COMPLETE AND ACCURATE. SUBMITTED: Raquel Chee, Grant Administrator Date: 4/13/15		APPROVED BY: Herb Yazley, Chief Justice Date: 4/14/15	
---	--	--	--

tabbles

EXHIBIT

C



PART I. PROGRAM INFORMATION:		Program Name/Title: <u>Effecting Navajo Justice System Change through Assessment and Evaluation</u>															
Business Unit No: _____																	
PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:		NONE															
PART III. PROGRAM PERFORMANCE CRITERIA:																	
1. Program Performance Area:		1st QTR				2nd QTR				3rd QTR				4th QTR			
Planning		Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual		
Goal Statement:																	
Navajo Judicial Branch will develop a Request for Proposal to solicit a Consultant.																	
2. Program Performance Area:						1											
Planning																	
Goal Statement:																	
Navajo Judicial Branch will finalize a contract with a Consultant.																	
3. Program Performance Area:						1											
Service Delivery																	
Goal Statement:																	
Navajo Judicial Branch will strategize with the Consultant on an Evaluation Plan.																	
4. Program Performance Area:										1							
Evaluation																	
Goal Statement:																	
Consultant will evaluate and submit a report to the Navajo Judicial Branch.																	
5. Program Performance Area:														1			
Goal Statement:																	
PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.																	
Raquel Chee, Grant Administrator		4-13-15				Date				Herb Yazze, Chief Justice				Date			

THE NAVAJO NATION - DETAILED LINE ITEM BUDGET AND JUSTIFICATION

Received

APR 14 2015

PART I. PROGRAM INFORMATION:

Program Name/Title:

Effecting Navajo Justice System Change through Assessment and Evaluation

Office of Management & Budget

Business Unit: Navajo Nation, Window Rock, Arizona

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	
6500	CONTRACTUAL SERVICES				68,318
		Funding of \$75,150 is needed to hire an Evaluator contractor who will conduct a comprehensive evaluation of the Navajo Justice System and produce a report with recommendation for improvement.			
6520	CONSULTING		68,318		
		6530 Fees			
		6540 Expenses			
9500	MATCHING AND INDIRECT COST				6,832
		\$75,150 for Navajo Nation Indirect Cost at 10% on a base that does not include equipment cost of \$5,000 or more.			
3110	INDIRECT COST		6,832		
		9720 Indirect Cost			
		IDC: \$75,150/1.10 = \$68,318.18. \$75,150 - 68,318 = \$6,832			
TOTAL			75,150.00		75,150.00

**THE NAVAJO NATION -
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION**

FY 2014

Page 4 of 4

PART I. PROGRAM INFORMATION: Program Name/Title: <u>Effecting Navajo Justice System</u> Contract/Grant No.: <u>2014-DJ-BX-1085</u>		<div style="border: 1px solid black; padding: 5px; display: inline-block;"> Received APR 14 2015 Prepared by: <u>Robert Sam</u> K #: _____ </div>	
PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT			
PART III. BUDGET INFORMATION:			
(A) Major Object Code and Description	(B) Current Award Fiscal Year 2013	(C) Anticipated Funding Fiscal Year 2014	(D) Difference Columns (C) - (B)
2001 Personnel Expenses			-
3000 Travel Expenses			-
3500 Meeting Expenses			-
4000 Supplies			-
5000 Lease and Rental			-
5500 Communication and Utilities			-
6000 Repairs and Maintenance			-
6500 Contractual Services		68,318.00	68,318.00
7000 Special Transaction			-
8000 Assistance			-
9000 Capital Outlay			-
9500 Matching - Cash			-
9500 Matching - In - Kind			-
9700 Indirect Cost (Overhead) Allocation		6,832.00	6,832.00
TOTALS:		75,150.00	75,150.00
PART IV. FTEs/MATCH FUNDS: No. of Positions/ FTEs: _____ Required GF Cash Match: _____ Required GF In - Kind Match: _____			
PART V. ACKNOWLEDGEMENT: Contracting Officer's Signature / Date: _____ Submitted by (print): <u>Raquel Chee, Grant Administrator</u> Signature/Date: <u>[Signature] 4/13/15</u> Approved by (print): <u>Herb Yazzie, Chief Justice</u> Signature/Date: <u>[Signature] 4/14/15</u>			