

RESOLUTION OF THE
NAVAJO NATION COUNCIL

23RD NAVAJO NATION COUNCIL -- Second Year, 2016

AN ACTION

RELATING TO LAW AND ORDER, BUDGET AND FINANCE, NAABIK'ÍYÁTI' COMMITTEE AND NAVAJO NATION COUNCIL; AUTHORIZING AND ACCEPTING A UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS GRANT TO THE NAVAJO NATION JUDICIAL BRANCH IN THE AMOUNT OF \$58,802 TO COMPENSATE PROCESS SERVERS TO SERVE PROTECTION ORDERS FOR VICTIMS OF DOMESTIC VIOLENCE; WAIVING THE IDC RATE AGREEMENT AND AUTHORIZING AN INDIRECT COST RATE AT TEN PERCENT (10%)

BE IT ENACTED:

SECTION ONE. FINDINGS

- A. The Navajo Nation Council established the Law and Order Committee (LOC) as a Navajo Nation standing committee and as such empowered LOC with oversight over the Navajo Nation Judicial Branch. 2 N.N.C. §§ 164 (A)(9), 600 (A), 601 (C)(1) (2012) *see also* CJA-03-13.
- B. The Navajo Nation Council established the Budget and Finance Committee (B&F) as a Navajo Nation standing committee and as such gave B&F the power to authorize, approve and accept grants from federal authorities upon the recommendation of the standing committee which has oversight of the program which has applied for the grant. 2 N.N.C. §§ 300(A) and 301(B)(15) (2012) *see also* CJA-03-13.
- C. The Naabik'íyáti' Committee reviews proposed resolutions that require final action by the Navajo Nation Council. 2 N.N.C. § 164(A)(9).
- D. The Navajo Nation Judicial Branch applied for a Department of Justice, Office of Justice Programs justice assistance grant for fifty eight thousand eight hundred and two dollars (\$58,802), which Application is attached as EXHIBIT A.

- E. The Office of Justice Programs awarded the grant on September 2, 2015, which Award Documents are attached as EXHIBIT B.
- F. The Office of Justice Programs awarded the grant with a 10% cap for administrative costs including indirect cost. 42 USC 3751(e).
- G. The Budget for the Grant Award with an Indirect Cost Rate at 10% is attached as EXHIBIT C.
- H. The Navajo Nation agrees to provide the grant manager a signed current Navajo Nation Council resolution, authorizing the application and acceptance on behalf of the Navajo Nation. Grant Award, ¶49, 9 (2015) *see also* EXHIBIT B.
- I. The Navajo Nation finds accepting the Office of Justice Programs grant is in the best interests of the Navajo Nation.

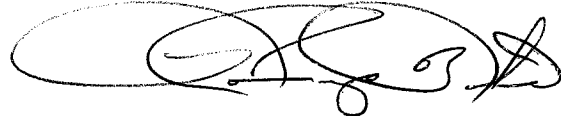
SECTION 2. AUTHORIZES AND ACCEPTS THE OFFICE OF JUSTICE PROGRAMS GRANT TO THE NAVAJO NATION JUDICIAL BRANCH FOR \$58,802 TO COMPENSATE PROCESS SERVERS TO SERVE PROTECTION ORDERS FOR VICTIMS OF DOMESTIC VIOLENCE AND AUTHORIZING AN INDIRECT COST RATE AT TEN PERCENT (10%).

The Navajo Nation authorizes and accepts the Office of Justice Programs' grant to the Navajo Nation Judicial Branch for \$58,802 to compensate process servers to serve protection orders for victims of domestic violence to ensure victim safety and justice for Navajo Nation citizens

The Navajo Nation authorizes an Indirect Cost Rate at Ten Percent (10%) and waives the Navajo Nation IDC rate agreement pursuant to 2 N.N.C. §701(10).

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 16 in favor and 0 opposed, this 27th day of May 2016.



LoRenzo Bates, Speaker
Navajo Nation Council

6-3-16

Date

Motion: Honorable Amber Kanazbah Crotty
Second: Honorable Jonathan L. Hale

NAVAJO NATION

RCS# 478

Special Session

5/27/2016

07:34:08 PM

Amd# to Amd#

Legislation No. 0140-16

PASSED

MOT Crotty

Authorizing and Accepting the

SEC Hale

U.S. DOJ, Office of Justice Prgm

Grant to the NN Judicial Branch

Yea : 16

Nay : 0

Not Voting : 7

Yea : 16

Begay, K

Chee

Jack

Tso

BeGaye, N

Crotty

Perry

Tsosie

Bennett

Filfred

Slim

Witherspoon

Brown

Hale

Smith

Yazzie

Nay : 0

Not Voting : 7

Bates

Damon

Pete

Shepherd

Begay, NM

Daniels

Phelps

EXHIBIT

A

Proposal

The Judicial Branch of the Navajo Nation

Process Serving to Ensure Victim Safety

An Application for Funding Under FY 2015 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
6/26/2015

Applicant Name: Navajo Nation Judicial Branch
2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

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Applicant Name: Navajo Nation Judicial Branch
2015 Edward Byrne Memorial Justice Assistance Grant (JAG) Program

Abstract

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

Title: Process Serving to Ensure Victim Safety

Amount requested: \$58,802

The Navajo Nation proposes to assist victims of domestic violence by ensuring that Orders of Protection are served by Process Servers who will receive compensation for their services. Data shows that the number of Domestic Violence cases in our District Courts has remained steady and ranks 5th in reported offenses on the Navajo Nation, with the rate rising in our larger population areas. Currently, there are a limited number of law enforcement officers who respond to incidents and have no time to serve Orders of Protection that have been filed, if the perpetrator has been released from incarceration. JAG Identifiers include: Victimization, Violence Against Women, Violence Domestic Violence and Violence Family Violence.

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Statement of the Problem

Navajo 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.

Large population and geographical area. With a **population over 300,000**, located in a very rural, frontier location, crime will be inherent. The sheer size of the reservation and the depth of the population have resulted in a criminal justice system on Navajo that is substantial and complex in comparison to other tribes in the U.S. The Navajo justice system is comprised of numerous resources and stakeholders, covers 110 different chapters (local governments), divided into five agencies in three states.

Budget Shortfalls. The Navajo Nation has been contending with budget shortfalls and cuts of 10% each year, unfortunately, becoming standard over the last several years. Compounding this is economic adversity that is rampant in Navajo households with **70% of its residents making less than \$15,000 annually**. (RPI Consulting, 2011) Navajo has no alternative but to do more with less. All Public Law 93-638 contracted programs are affected by budget cuts: Indian Health Service that is already funded at 40% of need, tribal social services, law enforcement and Navajo courts. **Funding is consistently going down with the crime rate on an inverse climb.**

Alcohol and substance abuse at root of most arrests. Although the Navajo Nation is a dry reservation with consumption and possession illegal, it remains the main cause of most arrests. In 2012, **89% of all arrests were alcohol and drug related**. (Navajo Nation Police, 2010-2012) With 1 law enforcement officer for every 4,000 Navajo citizens many complaints aren't

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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 square miles**. As a result, many crimes go unpunished. In 2012 alone, 87.8% of reported crimes did not result in an arrest or conviction. (Navajo Nation Police, 2010-2012) 12.2% or 30,038 criminal offenses resulted in arrests, with only 40% or 12,217, of that total, complaints were filed in the Judicial Courts. (Navajo Nation Judicial Branch, 2013) Only 5% (12,217) of the total number of offenses reported for 2012 (245,939) were adjudicated in Judicial Courts. (Navajo Nation Judicial Branch, 2013)

Lack of manpower. 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.** (U.S. Department of Justice, 1997) Each year, **the number of offenses committed is rising consistently with the rate doubling from 2011 to 2012.** (Navajo Nation Police, 2010-2012)

Lack of enhanced sentencing authority or corrections. 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. 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.** Three new detention facilities have recently been built in Crownpoint, New Mexico, Tuba City, Arizona and Kayenta, Arizona, but are understaffed. 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.

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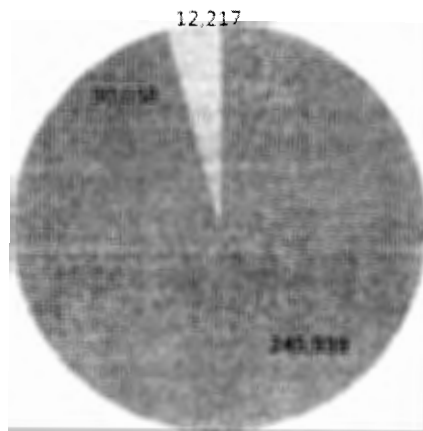
Annual number of offenses is rising. Navajo enrolled members who are convicted of major crimes, go off the reservation and serve their sentences at State and Federal prisons and return home. Those convicted of lesser crimes, serve their sentences in a Navajo Nation Department of Corrections facility. **The number of offenses committed rises consistently with the rate doubling from 2011 to 2012.** (Navajo Nation Police, 2010-2012)

Lack of services. **The services that are needed to serve this reentry population is scattered and in some instances, nonexistent.** As a result, our elderly, women and children continue to be plagued by unchecked violence with only 5% of reported forcible rape offenses and 15% of domestic violence complaints resulting in arrests in 2012. (Navajo Nation Police, 2010-2012)

Limited judicial 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 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 has been implemented this summer to enhance the Healing to Wellness Court. **There are 10 judicial districts located throughout the Reservation, but they lack the manpower to service protection orders.**

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Crime on Navajo - 2012



Reported Offenses

Arrests

Complaints Filed in District Courts

Project Design and Implementation

Grant funding would allow the tribe to find and compensate Process Servers to serve Protection Orders on behalf of victims of crime and violence. The Navajo Nation proposes to serve over 700 Protection Orders during the duration of the grant. Protection Orders will served for all 10 Judicial Districts.

Project Goals, Objectives and Timeline

Months	Project Goals	Related Objectives	Activities	Expected Completion Date	Person Responsible
3	Ensure that there are Process Servers for use by the Judicial Districts.	Assemble a list of Process Servers that can be utilized.	Advertise for Process Servers	Month 2	Special Projects Director
3			Train Qualified Process Servers	Month 3	
4 - end	Begin serving Protection Orders	Train Court Administrators on service.		Month 4	Special Projects Director

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36 - 48	Maintain statistics about services that are provided.	Gather quantitative and qualitative data to analyze for information dissemination, discussion and future planning	Collect quantitative data from Justware case management system.	Month 36-48	Special Projects Director
36-48			Develop surveys that can be distributed to those who received services.	Month 36	
37-48	Obtain a comprehensive understanding of the services provided by the Process Servers.	Analyze all the data, surveys, needs and comments received to gain a complete understanding of Process Server victim services.	Analyze all the data received	Month 38	Special Projects Director
37-48			Make recommendations based on the data and information that is received.	Month 39	
37-48			Develop a written report and presentation of the results.	Month 40	
39-48			Present the report back to the Justice Community stakeholders and the public.	Month 42	

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

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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. The judicial district Court Administrators will ensure that the Process Servers provide services and are compensated for their services. 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.

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Budget

C. Travel		
Item	Computation	Cost
Reservation travel for Process Servers to serve Protection Orders at locations throughout the Navajo Nation	If travel exceeds 30 miles r/t. Federal CONUS rates for POV Mileage Reimbursement will apply	\$11,456.00
The 10 judicial districts are far flung across 27,245 sq. miles of isolated high desert. The Process Servers will need to travel to remote homes and communities to provide services.		
		SUBTOTAL: \$11,456.00
G. Consultants/Contracts		
Item	Computation	Cost
Process Servers	\$60.00 x 700 Protection Order	\$42,000.00
Process Servers will be compensated at \$60.00 per protection order that is successfully served.		
		SUBTOTAL: \$42,000.00
H. Indirect Costs		
Description	Computation	Cost
Indirect Costs will not be Applied to an evaluator contract.	\$58,802 X 10% IDC rate	\$5,346
		SUBTOTAL: \$5,346
		TOTAL: \$58,802
Budget Summary		
Budget Category	Amount	
C. Travel	\$11,456	
G. Consultants/Contracts	\$42,000	
Total Direct Costs	\$53,456	
H. Indirect Costs	\$5,346	
TOTAL PROJECT COSTS	\$58,802	
Federal Request	\$58,802	
Non-Federal Amount	\$0	

Applicant Name: Navajo Nation Judicial Branch
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Budget Narrative

C. TRAVEL

The 10 judicial districts are far flung across 27,245 sq. miles of isolated high desert. The Process Servers will need to travel to remote homes and communities to provide services.

G. CONSULTANTS CONTRACTS

Funding of \$53,456 is needed to employ Process Servers who will serve Protection Orders for victims. \$60.00 is the average rate of Process Servers because of the rural and frontier nature of our Reservation and the risk involved in the service they provide.

H. INDIRECT COSTS

The Federally approved indirect cost rate for the Navajo Nation is 17%, but is aware of the 10% limit for this grant. An Indirect Cost of \$5,346.

TOTAL PROGRAM COSTS

The total direct costs are \$53,456. Indirect costs are \$5,346. We are requesting federal assistance of \$58,802 which consists of \$53,456 in base costs and \$5,346 in indirect costs.

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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_

U.S. Department of Justice
Office of Justice Programs
Bureau of Justice Assistance

OMB No. 1121-0329
Approval Expires 07/31/2016



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 2015 Local Solicitation

Eligibility

Applicants are limited to units of local government appearing on the FY 2015 JAG Allocations List. To view this list, go to www.bja.gov/jag/fy15-jag-allocations-list. 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.

For additional eligibility information, see section [Eligibility](#) in the [Request for Proposals](#).

Deadline

Applicants must register in the Grants Management System (GMS) prior to submitting an application for this funding opportunity. Registration is required for all applicants, even those previously registered in GMS. Select the "Apply Online" button associated with the solicitation title. All registrations and applications are due by 8:00 p.m. eastern time on June 26, 2015.

For additional information, see [How to Apply](#) in Section 3 of the [Request for Proposals](#).

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 GMSupport@bjagov. The GMS Support Hotline hours of operation are Monday-Friday from 8:00 a.m. to 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. Additional information on reporting technical issues is found under "Experiencing Unforeseen GMS Technical Issues" in the [How to Apply](#) section.

For assistance with any other requirement of this solicitation, contact the National Criminal Justice Reference Service (NCJRS) Response Center, toll-free at 1-800-851-3420, via TTY at 201-240-8310 (hearing impaired only), email ncjrs@ncjrs.org, fax to 201-240-5800, or web chat at ncjrs.org/ncjrschat. The NCJRS Response Center hours of operation are 10:00 a.m. to 8:00 p.m. eastern time, Monday through Friday, and 10:00 a.m. to 8:00 p.m. eastern time on the solicitation close date. You may also contact your state's BJA contact.

Release date: May 12, 2015

BJA-2015-4157

Approved

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Edward Byrne Memorial Justice Assistance Grant (JAG) Program: FY 2015 Local Solicitation (CFDA #16.738)

A. Program Description

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, prevention and education programs, corrections and community corrections, drug treatment and enforcement, crime victim and witness initiatives, and planning, evaluation, and technology improvement programs.

Program-Specific Information

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 CJIS Security Program (CJIS SP)
- Developing or sustaining state compatible, incident based reporting systems

Goals, Objectives, and Deliverables

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 semi-annual programmatic reports, and providing ongoing oversight and assistance to any subrecipients of the funds.

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.
- 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 [Evidence-Based](http://www.ojp.gov/evidence-based) 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.

A useful matrix of evidence-based policing programs and strategies is available through the [Center for Evidence-Based Crime Policy](http://www.ojp.gov/evidence-based) at George Mason University. In the reentry field, a summary of research-based reentry strategies is available on the National Reentry Resource Center's [Evidence-Based](http://www.ojp.gov/evidence-based) page. BJA offers a number of program models designed to effectively implement evidence-based strategies including Smart Policing, Smart Supervision, Smart Pretrial, Smart Defense and Smart Prosecution. BJA encourages states 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.

JAG Priority Areas

BJA recognizes that there are 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. The following priorities represent key areas where BJA will focus nationally and invite each state and local JAG recipient to join us in addressing these challenges as a part of our JAG partnership.

Reducing Gun Violence

Gun violence has touched nearly every state, county, city, town, and tribal government in America. In an effort to address this continuing need BJA encourages 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 Federal Bureau of Investigation's (FBI) [National Firearms Check System](http://www.fbi.gov/ncj/248828), and provide active shooter response training to law enforcement officers and first responders.

While our nation has made great strides in reducing violent crime over the last decade, some municipalities and regions continue to experience unacceptable levels of violent crime at rates far in excess of the national average. In 2014, as part of BJA's longstanding commitment to support effective strategies to reduce violent crime, BJA launched the [Violent Crime Reduction](http://www.ojp.gov/evidence-based). By the end of FY 2015, 10 VRN sites, working with a broad network of federal, state, and local partners will be implementing data-driven evidence-based strategies to reduce deeply entrenched violent crime in those communities. SAAs and localities with VRN sites are strongly

encouraged to join the VRN and help address funding gaps in violence reduction efforts in those communities. For information on VRN, see www.ojp.gov/evidence-based.

Body-Worn Cameras, Storage, and Policies

Over the past several years, law enforcement agencies across the country have begun equipping their officers with body worn cameras (BWCs). The important benefits of BWCs, and the challenges in implementing BWC programs, are highlighted in several recent publications: see the Office of Justice Programs' Diagnostic Center report [Body-Worn Cameras: A Diagnostic Center Report](http://www.ojp.gov/evidence-based), and the COPS Office and Police Executive Research Forum paper, [Body-Worn Cameras: A Diagnostic Center Report](http://www.ojp.gov/evidence-based).

JAG funding is an important potential source of funding for law enforcement agencies implementing new BWC programs or enhancing existing programs. JAG funds may be used to purchase BWCs and for costs associated with the BWC program, such as storage and policy development. Similarly, SAAs are encouraged to use either their Variable Pass-Through (VPT) or their "less than \$10,000" funding that is added into the state award to set aside funds to assist small departments in implementing BWC programs.

Agencies using JAG funds to purchase BWC equipment or to implement or enhance BWC programs should, as a best practice, have policies and procedures in place related to equipment usage, data storage, privacy, victims' access, disclosure, training, etc. Officers, prosecutors, defenders, victims and privacy advocates, and community groups should be consulted early in the BWC policy development process to guide and inform policy and procurement decisions. BJA plans to release a BWC Toolkit and web site in spring 2015 that will share model BWC policies, resources, and best practices to assist departments in implementing BWC programs.

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 of non-violent offenders 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 pretrial release decisions is critical. For a variety of resources, or to request BJA supported technical assistance from the Pretrial Justice Institute, see www.pji.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, 17 states and 17 local governments are working to control spiraling incarceration costs through JRI and reinvesting 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 [Urban Institute's](http://www.urbaninstitute.org) [Justice Reinvestment Initiative](http://www.urbaninstitute.org).)

Indigent Defense

Another key priority area is support for indigent defense. BJA continues to encourage states and SAAs to use JAG funds to support the vital needs of the indigent defense community, as

indigent defense reform continues to be a concern that needs to be addressed across the nation. In 2002, the American Bar Association (ABA) published *Essential Principles of a Public Defender System*, which represent fundamental building blocks for implementing quality legal representation for indigent defendants.

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. BJA encourages states to utilize JAG funding in support of programs and policy changes 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 http://www.bja.gov/federal/indigent_defense/indigent_defense_public_defender_system.pdf). BJA provides technical assistance to states with increasing access to health care benefits. Information can be found at www.bja.gov/IDP/IDP.

B. Federal Award Information

BJA estimates that it will make up to 1,100 Local and 56 State/Territory awards totaling an estimated \$255.7 million.

Awards of at least \$25,000 are 4 years in length, and award periods will be from October 1, 2014 through September 30, 2018. Extensions beyond this period may be made on a case-by-case basis at the discretion of BJA, and must be requested via GMS no less than 30 days prior to the grant end date.

Awards of less than \$25,000 are 2 years in length, and award periods will be from October 1, 2014 through September 30, 2016. Extensions of up to 2 years can be requested for these awards via GMS no less than 30 days prior to the grant end date, and will be automatically granted upon request.

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

Eligible allocations under JAG are posted annually on BJA's JAG web page, www.bja.gov/JAG/index.asp.

Type of Award¹

BJA expects that it will make any award from this solicitation in the form of a grant.

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

¹ See generally 34 U.S.C. §§ 6301-6305 (defines and describes various forms of federal assistance relationships, including grants and cooperative agreements (A type of grant)).

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 50 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 those 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.

Financial Management and System of Internal Controls

If selected for funding, the award recipient must:

- (a) Establish and maintain effective internal control over the federal award that provides reasonable assurance that the non-federal entity is managing the federal award in compliance with federal statutes, regulations, and the terms and conditions of the federal award. These internal controls should be in compliance with guidance in "Standards for Internal Control in the Federal Government" issued by the Comptroller General of the United States and the "Internal Control Integrated Framework" issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO);
- (b) Comply with federal statutes, regulations, and the terms and conditions of the federal awards;
- (c) Evaluate and monitor the non-federal entity's compliance with statute, regulations and the terms and conditions of federal awards;
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings;
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the federal awarding agency or pass-through entity designates as sensitive or the non-federal entity considers sensitive consistent with applicable federal, state, and local laws regarding privacy and obligations of confidentiality.

In order to better understand administrative requirements and cost principles, award applicants are encouraged to enroll, at no charge, in the Department of Justice Grants Financial Management Online Training available <http://www.djfm.gov>.

Budget Information

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.

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.djfm.gov/BJAFAQs.

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 separately and may not be used to fund the same line items. Additionally, federal funds cannot be used as match for other federal awards.

Trust Fund – Units of Local government 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.

Prohibited and Controlled Uses – JAG funds may only be expended within the JAG purpose areas. Within these purpose areas JAG funds may not be used directly or indirectly for security enhancements or equipment to nongovernmental entities not engaged in criminal justice or public safety. In addition, JAG funds may not be used directly or indirectly to purchase items listed at www.djfm.gov/BJAFAQs.

This JAG controlled purchase list represents a combination of BJA controlled items and those controlled under the Executive Order on "Federal Support for Local Law Enforcement Equipment Acquisition" that was signed on January 16, 2015. Pursuant to Executive Order 13688 (Federal Support for Local Law Enforcement Equipment Acquisition), a federal inter-agency working group has been charged with, among other things, developing a consistent Government-wide list of controlled equipment allowable for acquisition by LEAs, as well as a list of those items that can only be transferred with special authorization and use limitations. The working group's recommendations, which are due to be delivered to the President in mid-May, may alter the BJA controlled items list. Grantees are reminded that they must follow the most current version of the controlled items list in order to purchase the equipment.

No items on this list can be purchased without first submitting a detailed justification that supports the need for this equipment. Applicants must show both extraordinary and exigent circumstances that require the purchase of such equipment. Upon approval from the BJA Director, this equipment may be purchased with JAG funds. Grantees are **strongly encouraged** to submit this justification at the time of application. In particular, any justification that cannot show the exigent nature of the purchase and why it could not be submitted at time of application will not be approved.

Please note that the Controlled Equipment List also includes items that are strictly prohibited under JAG.

Additional information on JAG controlled and prohibited items, along with the process for requesting a waiver to obtain BJA certification for any controlled item, can be found within the JAG FAQs <http://www.djfm.gov/BJAFAQs>.

Cost Sharing or Match Requirement

This solicitation does not require a match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

Pre-Agreement Cost Approvals

OJP does not typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. If approved, pre-agreement costs could be paid from grant funds consistent with a grantee's approved budget, and under applicable cost standards. However, all such costs prior to award and prior to approval of the costs are incurred at the sole risk of an applicant. Generally, no applicant should incur project costs before submitting an application requesting federal funding for those costs. Should there be extenuating circumstances that appear to be appropriate for OJP's consideration as pre-agreement costs, the applicant should contact the point of contact listed on the title page of this announcement for details on the requirements for submitting a written request for approval. See the section on Costs Requiring Prior Approval in the [BJAFAQs](http://www.djfm.gov/BJAFAQs) for more information.

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.djfm.gov/BJAFAQs. 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 under "Solicitation Requirements" in the [Funding Opportunity Announcement](#).

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 Fact Sheet](#).
- 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.ncjrs.gov/pandoc/servlets/getdocument.cfm?id=246511](#).

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. FAQs related to the mandatory wear policy and certifications can be found at [www.bja.ojp.gov/FAQs/FAQ2.pdf](#). This policy must be in place for at least all uniformed officers before any FY 2015 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 Authorized Representative and must be attached to the application. If the grantee proposes to charge 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 [\(855\)826-3767](#) or toll free at 1-877-758-3767.

A copy of the certification related to the mandatory wear can be found at [www.bja.ojp.gov/FAQs/FAQ2.pdf](#).

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 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 DNA Backlog Reduction Program, available at [www.fbi.gov/ident/burp](#) or [www.fbi.gov/ident/burp/faq](#).

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.

Interoperable Communications

Grantees (including subgrantees) that are using FY 2015 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 [FCC's 2012 E-911 and Emergency Communications Waiver Order](#) (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 [FBI Emergency](#);
- All communications equipment purchased with grant award funding (plus the quantity purchased of each item) is identified during quarterly performance metrics reporting.

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 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.ojp.gov/gjisi](#). Grantees 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.

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 Showcase \(JAG, CJA, and PJA\)](#). This 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.

BJA strongly encourages the recipient to submit annual (or more frequent) JAG success stories 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 [BJA Success Story](#) web page.

C. Eligibility Information

For eligibility information, please see the Title Page.

Cost Sharing or Match Requirement

For additional information on cost sharing or match requirement, see Section [B. Federal Awards](#) [\(Continued\)](#).

Limit on Number of Application Submissions

If an applicant submits multiple versions of the same application, BJA will review *only* the most recent system-validated version submitted. For more information on system-validated versions, see [Page 10 \(Page 10\)](#).

D. Application and Submission Information

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.

Applicants may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Please review the "Note on File Names and File Types" under [Section 1.2 \(Page 10\)](#) to be sure applications are submitted in permitted formats.

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 [BJA Grant Writing and Management Academy](#) and [OJP's Grants 101](#).

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., "Program Narrative," "Budget Detail Worksheet and Budget Narrative," "Timelines," "Memoranda of Understanding," "Resumes") for all attachments. Also, OJP recommends that applicants include resumes in a single file.

Failure to submit the 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.

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.

Intergovernmental Review: This funding opportunity is subject to [Executive Order 12372](#). Applicants may find the names and addresses of their state's Single Point of Contact (SPOC) at the following web site: [www.whitehouse.gov/eo12372](#). Applicants whose state appears on the SPOC list must contact their state's SPOC to find out about, and comply with, the state's process under Executive Order 12372. In completing the SF-424, applicants whose state appears on the SPOC list are to make the appropriate selection in response to question 18 once the applicant has complied with their state's E.O. 12372 process. (Applicants whose state does not appear on the SPOC list are to make the appropriate selection in response to question 19 to indicate that the Program is subject to E.O. 12372 but has not been selected by the State for review.)

2. Project Abstract

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be—

- Written for a general public audience and submitted as a separate attachment with "Project Abstract" as part of its file name.
- Include applicant name, title of the project, a brief description of the problem to be addressed and the targeted area/population, project goals and objectives, and a description of the project strategy, any significant partnerships and anticipated outcomes.
- Identify up to 5 project identifiers that would be associated with proposed project activities. The list of identifiers can be found at [www.ojp.gov/ncj/10101/identifiers.html](#).

As a separate attachment, the project abstract will not count against the page limit for the program narrative.

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.

A plan for collecting the data required for this solicitation's performance measures should also be included. To assist the Department with 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 that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. **Quarterly accountability metrics reports must be submitted through BJA's PMT, available at www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all. The accountability measures can be found at: www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all.**

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.

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 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 Funding Review Center Web page (<http://www.ojp.gov/funding/reviewcenter/decision-tree-research-and-the-protection-of-human-subjects>). Applicants whose proposals may involve a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that Web page.

4. Budget Detail Worksheet and Budget Narrative

a. Budget Detail Worksheet

A sample Budget Detail Worksheet can be found at www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all. Applicants that submit their budget in a different format should include the budget categories listed in the sample budget worksheet.

For questions pertaining to budget and examples of allowable and unallowable costs, see the Financial Guide at www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all.

b. Budget Narrative

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project

activities). 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 demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be broken down by year.

c. 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 [Financial Guide](http://www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all).

d. Pre-Agreement Costs

For information on pre-agreement costs, see "Pre-Agreement Cost Approvals" under Section 4 of the [Financial Guide](http://www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all).

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only if the applicant has a current federally approved indirect cost rate. (This requirement does not apply to units of local government.) Attach a copy of the federally approved indirect cost rate agreement to the application. Applicants that do not have an approved rate may request one through their 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 cost categories. For the definition of Cognizant Federal Agency, see the "Glossary of Terms" in the [Financial Guide](http://www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all). For assistance with identifying your cognizant agency, please contact the Customer Service Center at 1-800-458-0786 or at customer.service@doj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at www.bjapmt.com/people/get.php?ACQMeasureCategory=base,all.

6. 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, the application should include appropriate legal documentation, as described above, from all tribes that would receive services or 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 a minimum, submit an unsigned draft version of such legal documentation as part of its application (except for cases in which, with respect to a tribal consortium applicant, consortium bylaws allow action without the support of all consortium member tribes). If selected for funding, BJA will make use of and access to funds contingent on receipt of the fully-executed legal documentation.

7. Applicant Disclosure of High Risk Status

Any applicants currently designated as high risk by another federal grant-making agency must disclose that status. 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 highrisk@ojp.dhs.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
- 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.

8. Additional Attachments

a. Review Narrative

Applicants **must** submit information documenting that the date the JAG application was made available for review by the governing body of the state, 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 State/Territory) made its Fiscal Year 2015 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 State/Territory) made its Fiscal Year 2015 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.

b. 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.ojp.gov/funding/jag/414.pdf.

c. 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

Federally/State Funded Agency	Department/Named Project Name	Named point of contact for Federal/State Funding Agency
DOJ/COPS	COPS Grant Program	Jane Doe 2027000-0000 jane.doe@doj.gov
HHS Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ Mentoring for Youth Mentoring Program	John Doe 2028000-0000 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.”).

d. 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, both in this proposal and as it may relate to the applicant's other current or prior related projects. This documentation may be included as an attachment to the application which addresses BOTH i. and ii. below.

i. For purposes of this solicitation, applicants must document research and evaluation independence and integrity by including, at a minimum, one of the following two items:

a. A specific assurance that the applicant has reviewed its proposal to identify any research integrity issues (including all principal investigators and sub-recipients) and it has concluded 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 any of its staff, consultants, and/or sub-recipients responsible for the research and evaluation or on the part of the applicant organization.

OR

b. A specific listing of actual or perceived conflicts of interest that the applicant has identified in relation to this proposal. These conflicts could be either personal (related to specific staff, consultants, and/or sub-recipients) or organizational (related to the applicant or any subgrantee organization). Examples of potential investigator (or other personal) conflict situations may include, but are not limited to, 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 or current 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 specific project or a location implementing the project (whether funded by OJP or other sources), 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 of an evaluation or research product is a problem and must be disclosed.

ii. In addition, for purposes of this solicitation applicants must address the issue of possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:

a. If an 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. Applicants **MUST** also include an explanation of the specific processes and procedures that the applicant will 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 sub-recipients for this particular project, should that be necessary during the grant period. 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.

OR

b. If the applicant has identified specific personal or organizational conflicts of interest in its proposal during this review, the applicant must propose a specific and robust mitigation plan to address conflicts noted above. At a minimum, the plan must include specific processes and procedures that the applicant will put in place to eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or sub-recipients for this particular project, should that be necessary during the grant period. 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. There is no guarantee that the plan, if any, will be accepted as proposed.

Considerations in assessing research and evaluation independence and integrity will include, but are 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.

9. Financial Management and System of Internal Controls Questionnaire

In accordance with 48 CFR 101-11.6, Federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a Federal award. To facilitate part of this risk evaluation, **all** applicants (other than an individual) are to download, complete, and submit this form:

10. Disclosure of Lobbying Activities

Any applicant that expends any funds for lobbying activities is to provide the detailed information requested on the form, Disclosure of Lobbying Activities (48 CFR 101-11.6).

How to Apply

Applicants must submit applications through the <https://www.grants.gov>, 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 <https://www.grants.gov>. Applicants that experience technical difficulties during this process should e-mail grants@ojp.dhs.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," ".cfg," ".dat," ".db," ".dbf," ".dll," ".ini," ".log," ".ora," ".sys," and ".zip."

OJP may not make a federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time the federal awarding agency is ready to make a federal award, the federal awarding agency may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

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.dun.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.sams.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.gms.gov.
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 Client" 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 BJA and the FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program.
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. **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 the same application, BJA will review only the most recent system-validated version submitted. See Note on "File Names and File Types" under www.gms.gov.

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 contact the GMS Help Desk or the BJA Help Desk to report the technical issue and receive a tracking number. Then the applicant must e-mail the BJA contact identified in the Contact Information section of this solicitation **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 numbers. **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.govtenders.gov/procurement/edwardbyrnejag.html.

E. Application Review Information

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 also review applications to ensure statutory requirements have been met.

OJP reviews applications for potential awards to evaluate the risks posed by applicants before they receive an award. This review may include but is not limited to the following:

1. Financial stability and fiscal integrity
2. Quality of management systems and ability to meet the management standards prescribed in the Financial Guide
3. History of performance
4. Reports and findings from audits
5. The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities

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

F. Federal Award Administration Information

Federal Award Notices

OJP award notification will be sent from GMS. Recipients will be required to login, accept any outstanding assurances and certifications on the award, designate a financial point of contact, and review, sign, and accept the award. The award acceptance process involves physical signature of the award document by the authorized representative and the scanning of the fully executed award document to OJP.

Administrative, National Policy, and other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the agency-approved project proposal and budget, the recipient must comply with award terms and conditions, and other legal requirements, including but not limited to OMB, DOJ or other federal regulations which will be included in the award, incorporated into the award by reference, or are otherwise applicable to the award. OJP strongly encourages prospective applicants to review the information pertaining to these requirements **prior** to submitting an application. To assist applicants and recipients in accessing and reviewing this information, OJP has placed pertinent information on its <http://www.ojp.gov/grants> page of the OJP Regulatory System (Apply) webpages.

Please note in particular the following two forms, which applicants must accept in GMS prior to the receipt of any award funds, as each details legal requirements with which applicants must provide specific assurances and certifications of compliance. Applicants may view these forms in the Apply section of the <http://www.ojp.gov/grants> and are strongly encouraged to review and consider them carefully prior to making an application for OJP grant funds.

- <http://www.ojp.gov/grants/apply/forms/2015-2016%20OMB%20Assurances%20and%20Certifications%20Form.pdf>
- <http://www.ojp.gov/grants/apply/forms/2015-2016%20FFATA%20Sub-Award%20Reporting%20System%20Assurances%20and%20Certifications%20Form.pdf>

Upon grant approval, OJP electronically transmits (via GMS) the award document to the prospective award recipient. In addition to other award information, the award document contains award terms and conditions that specify national policy requirements, with which recipients of federal funding must comply, uniform administrative requirements, cost principles,

² <http://www.ojp.gov/grants/apply/forms/2015-2016%20OMB%20Assurances%20and%20Certifications%20Form.pdf>

³ See generally 2 C.F.R. 200.200 (provides a general description of national policy requirements typically applicable to recipients of federal awards, including the Federal Funding Accountability and Transparency Act of 2006 (FFATA)).

and audit requirements, and program-specific terms and conditions required based on applicable program (statutory) authority or requirements set forth in OJP solicitations and program announcements, and other requirements which may be attached to appropriated funding. For example, certain efforts may call for special requirements, terms, or conditions relating to intellectual property, data/information-sharing or access, or information security, or audit requirements, expenditures and milestones, or publications and/or press releases. OJP also may place additional terms and conditions on an award based on its risk assessment of the applicant, or for other reasons it determines necessary to fulfill the goals and objectives of the program.

Prospective applicants may access and review the text of mandatory conditions OJP includes in all OJP awards, as well as the text of certain other conditions, such as administrative conditions via OJP's <http://www.ojp.gov/grants/apply> page of the OJP Regulatory System (Apply).

General Information about Post-Federal Award Reporting Requirements

Recipients must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, an annual audit report in accordance with 2 CFR Part 200, if applicable, and Federal Funding Accountability and Transparency Act (FFATA) reports through the FFATA Sub-award Reporting System (FSRS) as necessary. Future awards and fund drawdowns may be withheld if reports are delinquent.

Special Reporting requirements may be required by OJP depending on the statutory, legislative or administrative requirements of the recipient or the program.

G. Federal Awarding Agency Contact(s)

For additional Federal Awarding Agency Contact(s), see Title Page.

For additional contact information for GMS, see the Title page.

H. Other Information

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 process. Provide feedback to ojp-feedback@ojp.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 ojp-solicitation-feedback@ojp.gov. 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 2015 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)
- _____ Select correct funding opportunity in GMS (see page 21)
- _____ Register by selecting the "Apply Online" button associated with the funding opportunity title (see page 21)
- _____ If experiencing technical difficulties in GMS, contact the NCJRS Response Center (see page 22)

*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 nor 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 [Applicant Requirements](#) webpage in the OJP Funding Resource Center

Scope Requirement:

- _____ The federal amount requested is within the allowable limit(s) of the FY 2015 JAG Allocations List as listed on BJA's [JAG website](#)

Eligibility Requirement:

- _____ State/Territory listed as the legal name on the application corresponds with the eligible State/Territory listed on BJA's [JAG website](#)

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 14)
- _____ Project Abstract (see page 14)
- _____ Program Narrative (see page 14)
- _____ Budget Detail Worksheet (see page 15)
- _____ Budget Narrative (see page 15)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting

available at

www.ojp.gov/ncjrs/edbyrne/ProgramRequirements/edbyrne15appc.pdf
(see page 10)

- _____ Disclosure of Lobbying Activities (SF-LLL) (if applicable) (see page 20)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 16)
- _____ Tribal Authorizing Resolution (if applicable) (see page 16)
- _____ Applicant Disclosure of High Risk Status (see page 16)
- _____ Additional Attachments
 - _____ Review Narrative (see page 17)
 - _____ Applicant Disclosure of Pending Applications (see page 18)
 - _____ Research and Evaluation Independence and Integrity (see page 19)
 - _____ Financial Management and System of Internal Controls Questionnaire (if applicable) (see page 20)



Department of Justice
Office of Justice Programs

Bureau of Justice Assistance

Office of Justice Programs

Washington, D.C. 20531

September 2, 2015

Mr. Russell Begaye
Navajo Nation
PO Box 9000
Window Rock, AZ 86515

Dear Mr. Begaye:

On behalf of Attorney General Loretta Lynch, it is my pleasure to inform you that the Office of Justice Programs has approved your application for funding under the FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation in the amount of \$58,802 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

EXHIBIT

tabbles

B

Award



OFFICE FOR CIVIL RIGHTS

Office of Justice Programs

Department of Justice

810 7th Street, NW
Washington, DC 20531

Tel: (202) 307-0690
TTY: (202) 307-2027
E-mail: askOCR@usdoj.gov
Website: www.ojp.usdoj.gov/ocr

September 2, 2015

Mr. Russell Begaye
Navajo Nation
PO Box 9000
Window Rock, AZ 86515

Dear Mr. Begaye:

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/vawafiaqs.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(c); 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), 42.205(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@o.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

SAA's 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, SAA's 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 9

1. RECIPIENT NAME AND ADDRESS (Including Zip Code)

Navajo Nation
PO Box 9000
Window Rock, AZ 86515

4. AWARD NUMBER 2015-DJ-RX-0797

5. PROJECT PERIOD FROM 10-01-2014 TO 09-30-2018

BUDGET PERIOD FROM 10-01-2014 TO 09-30-2018

6. AWARD DATE 09-02-2015

7. ACTION

2a. GRANTEE IRS VENDOR NO

860092335

8. SUPPLEMENT NUMBER

00

Initial

2b. GRANTEE DUNS NO.

009001702

9. PREVIOUS AWARD AMOUNT

\$ 0

3. PROJECT TITLE

Process Serving to Ensure Victim Safety

10. AMOUNT OF THIS AWARD

\$ 58,802

11. TOTAL AWARD

\$ 58,802

12. SPECIAL CONDITIONS

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

13. STATUTORY AUTHORITY FOR GRANT

This project is supported under FY15(BIA - JAG) 42 USC 3750, et seq

14. CATALOG OF DOMESTIC FEDERAL ASSISTANCE (CFDA Number)

16.738 - Edward Byrne Memorial Justice Assistance Grant Program

15. METHOD OF PAYMENT

GPRS

AGENCY APPROVAL

GRANTEE ACCEPTANCE

16. TYPED NAME AND TITLE OF APPROVING OFFICIAL

Denise O'Donnell
Director

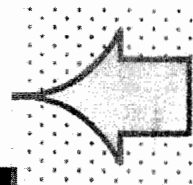
18. TYPED NAME AND TITLE OF AUTHORIZED GRANTEE OFFICIAL

Russell Begaye
President

17. SIGNATURE OF APPROVING OFFICIAL

19. SIGNATURE OF AUTHORIZED RECIPIENT OFFICIAL

19a. DATE



AGENCY USE ONLY

20. ACCOUNTING CLASSIFICATION CODES

FISCAL YEAR	FUND CODE	BLD ACT	DIV. OFC.	REG.	SUB.	POMS	AMOUNT
X	B	DJ	80	00	00		58802

21. PDJUGT0833

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 CONTINUATION
SHEET
Grant

PAGE 2 OF 9

PROJECT NUMBER 2015-DJ-BX-0797

AWARD DATE 09/02/2015

SPECIAL CONDITIONS

1. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by the Department of Justice (DOJ) in 2 C.F.R. Part 2800 (the "Part 200 Uniform Requirements") apply to this 2015 award from the Office of Justice Programs (OJP). For this 2015 award, the Part 200 Uniform Requirements, which were first adopted by DOJ on December 26, 2014, supersede, among other things, the provisions of 28 C.F.R. Parts 66 and 70, as well as those of 2 C.F.R. Parts 215, 220, 225, and 230.

If this 2015 award supplements funds previously awarded by OJP under the same award number, the Part 200 Uniform Requirements apply with respect to all award funds (whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this 2015 award.

Potential availability of grace period for procurement standards: Under the Part 200 Uniform Requirements, a time-limited grace period may be available under certain circumstances to allow for transition from policies and procedures that complied with previous standards for procurements under federal awards to policies and procedures that comply with the new standards (that is, to those at 2 C.F.R. 200.317 through 200.326).

For more information on the Part 200 Uniform Requirements, including information regarding the potentially-available grace period described above, see the Office of Justice Programs (OJP) website at <http://ojp.gov/funding/Part200UniformRequirements.htm>.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

2. The recipient agrees to comply with the Department of Justice Grants Financial Guide as posted on the OJP website (currently, the "2015 DOJ Grants Financial Guide").
3. 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 the Standard Assurances executed by the recipient, and may result in suspension of funding until such time as the recipient is in compliance, or termination of the award.
4. The recipient understands and agrees that OJP may withhold award funds, or may impose other related requirements, if the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.
5. 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.
6. The recipient and any subrecipients must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has -- (1) submitted a claim for award funds that violates 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 award funds. 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



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7. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient --

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized to make subawards or contracts under this award --

a. it represents that --

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

8. 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.

9. 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.



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10. 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).
11. 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.
12. 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 rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "2015 DOJ Grants Financial Guide").
13. 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>.
14. 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.
15. 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.
16. 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.
17. A recipient that is eligible under the Part 200 Uniform Requirements to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC).
18. The recipient must collect, maintain, and provide to OJP, data that measure the performance and effectiveness of activities under this award, in the manner, and within the timeframes, specified in the program solicitation, or as otherwise specified by OJP. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act, and other applicable laws.



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19. 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).
20. 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).
21. The recipient understands and agrees that it has a responsibility to monitor its subrecipients' compliance with applicable federal civil rights laws. The recipient agrees to submit written Methods of Administration (MOA) for ensuring subrecipients' compliance to the OJP's Office for Civil Rights at CivilRightsMOA@usdoj.gov within 90 days of receiving the grant award, and to make supporting documentation available for review upon request by OJP or any other authorized persons. The required elements of the MOA are set forth at http://www.ojp.usdoj.gov/funding/other_requirements.htm, under the heading, "Civil Rights Compliance Specific to State Administering Agencies."
22. 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.
23. 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.
24. 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.



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25. 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/oe/equal_fbo.htm
26. 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.
27. 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.
28. 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.
29. 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).
30. The recipient agrees to participate in BJA-sponsored training events, technical assistance events, or conferences held by BJA or its designees, upon BJA's request.
31. All procurement (contract) transactions under this award must be conducted in a manner that is consistent with applicable Federal and State law, and with Federal procurement standards specified in regulations governing Federal awards to non-Federal entities. Procurement (contract) transactions should be competitively awarded unless circumstances preclude competition. Noncompetitive (e.g., sole source) procurements by the award recipient in excess of the Simplified Acquisition Threshold (currently \$150,000) set out in the Federal Acquisition Regulation must receive prior approval from the awarding agency, and must otherwise comply with rules governing such procurements found in the current edition of the OJP Financial Guide.



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32. Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the Office of Justice Programs (OJP) program office prior to obligation or expenditure of such funds.
33. Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.
34. 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.bjaperformancetools.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.
35. 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.
36. 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.
37. 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.
38. 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>.
39. 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.
40. 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.



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SPECIAL CONDITIONS

41. 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.

42. 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>.
43. Recipient understands and agrees that award funds may not be used for items that are listed on the Prohibited Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time. The Prohibited Expenditure list may be accessed here: <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>.
44. Recipient understands and agrees that award funds may not be used for items that are listed on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, without explicit written prior approval from BJA. The Controlled Expenditure List, and instructions on how to request approval for purchase or acquisitions may be accessed here: <https://www.bja.gov/funding/JAGControlledPurchaseList.pdf>.



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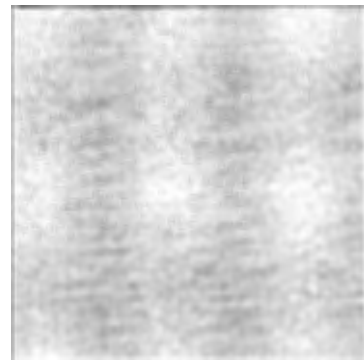
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SPECIAL CONDITIONS

45. Recipient understands and agrees that the purchase or acquisition of any item on the Controlled Expenditure List at the time of purchase or acquisition, including as the list may be amended from time to time, with award funds by an agency will trigger a requirement that the agency collect and retain (for at least 3 years) certain information about the use of 1) any federally-acquired Controlled Equipment in the agency's inventory, and 2) any other controlled equipment in the same category as the federally-acquired controlled equipment in the agency's inventory, regardless of source; and make that information available to BJA upon request. Details about what information must be collected and retained may be accessed here: https://www.whitehouse.gov/sites/default/files/docs/le_equipment_wg_final_report_final.pdf
46. Recipient understands and agrees that, notwithstanding 2 CFR § 200.313, no equipment listed on the Controlled Expenditure List that is purchased under this award may be transferred or sold to a third party, except as described below.
- a. Agencies may transfer or sell any controlled equipment, except riot helmets and riot shields, to a Law Enforcement Agency (LEA) after obtaining prior written approval from BJA. As a condition of that approval, the acquiring LEA will be required to submit information and certifications to BJA as if it was requesting approval to use award funds for the initial purchase of items on the Controlled Expenditure List.
 - b. Agencies may not transfer or sell any riot helmets or riot shields purchased under this award.
 - c. Agencies may not transfer or sell any Controlled Equipment purchased under this award to non-LEAs, with the exception of fixed wing aircraft, rotary wing aircraft, and command and control vehicles. Before any such transfer or sale is finalized, the agency must obtain prior written approval from BJA. All law enforcement-related and other sensitive or potentially dangerous components, and all law enforcement insignias and identifying markings must be removed prior to transfer or sale.
- Recipient further understands and agrees to notify BJA prior to the disposal of any items on the Controlled Expenditure List purchased under this award, and to abide by any applicable laws and regulations in such disposal.
47. Recipient understands and agrees that failure to comply with conditions related to Prohibited or Controlled Expenditures may result in a prohibition from further Controlled Expenditure approval under this or other federal awards.
48. Recipient may not expend or drawdown funds until the Bureau of Justice Assistance (BJA) has received documentation demonstrating that the state or local governing body review and public comment requirements have been met and a Grant Adjustment Notice (GAN) has been approved releasing this special condition.
49. 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.



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

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This project is supported under FY15-BJA - IACG 42 USC 3750, et seq.

1. STAFF CONTACT (Name & telephone number)

Dara H. Schulman
(202) 514-0967

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

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

3a. TITLE OF THE PROGRAM

BJA FY 15 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - Local Solicitation

3b. POMS CODE (SEE INSTRUCTIONS
ON REVERSE)

4. TITLE OF PROJECT

Process Serving to Ensure Victim Safety

5. NAME & ADDRESS OF GRANTEE

Navajo Nation
PO Box 9000
Window Rock, AZ 86515

6. NAME & ADDRESS OF SUBGRANTEE

7. PROGRAM PERIOD

FROM: 10/01/2014 TO: 09/30/2018

8. BUDGET PERIOD

FROM: 10/01/2014 TO: 09/30/2018

9. AMOUNT OF AWARD

\$ 58,803

10. DATE OF AWARD

09/02/2015

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 these funds to assist victims of domestic violence by ensuring that Orders of Protection are served by process servers who will receive compensation for their services. NCA/NCF

FY 2015

**THE NAVAJO NATION
PROGRAM BUDGET SUMMARY**

Received

DEC 14 2015

Page 01 of 04

PART I. Business Unit No.: <u>NEW</u>		Program Title: <u>Process Serving to Ensure Victim Safety</u>		Division/Branch: <u>Judicial Branch</u>	
Prepared By: <u>Roberta Sam</u>		Phone No.: <u>928-871-7025</u>		Email Address: <u>robertasam@navaio-nsn.gov</u>	

PART II. FUNDING SOURCE(S)	Fiscal Year Term	Amount	% of Total	PART III. BUDGET SUMMARY	(A)	(B)	(C)	
					Fund Type Code	NNC Approved Original Budget	Proposed Budget	Difference (Column B - A)
USDOJ/BJA	10/1/14-9/30/18	58,802.00	100%					
				2001 Personnel Expenses				0
				3000 Travel Expenses	6		11,456	11,456
				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	6		42,000	42,000
				7000 Special Transactions				0
				8000 Public Assistance				0
				9000 Capital Outlay				0
				9500 Matching Funds				0
				9500 Indirect Cost	6		5,346	5,346
				TOTAL		\$0.00	58,802	58,456
								58,902 <i>12/14/15</i>
				PART IV. POSITIONS AND VEHICLES		(D)	(E)	
				Total # of Positions Budgeted:		0	0	
				Total # of Permanently Assigned Vehicles:		0	0	
TOTAL:		\$58,802.00	100%					

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

Yvonne Gorman 12/10/15

SUBMITTED BY: Yvonne Gorman, Financial Services Manager Date

Allen Sloan 12/14/2015

APPROVED BY: Allen Sloan, Acting Chief Justice / Date

NNOMB-BF

FY 2015

THE NAVAJO NATION PROGRAM PERFORMANCE CRITERIA

Received

DEC 14 2015

Page 02 of 04

PART I. PROGRAM INFORMATION:Business Unit No.: NEWProgram Name/Title: Process Serving to Ensure Victim Safety**PART II. PLAN OF OPERATION REFERENCE/LEGISLATED PROGRAM PURPOSE:**

The Navajo Nation proposes to assist victims of domestic violence by ensuring that Orders of Protection are served by Process Servers who will receive compensation for their services. Data shows that the number of Domestic Violence cases in our district courts has remained steady and ranks 5th in reported offenses on the Navajo Nation, with the rate rising in our larger population areas.

PART III. PROGRAM PERFORMANCE CRITERIA:

1. Program Performance Area:

Program Development

Goal Statement:

Define parameters of Process Service that will be compensated.

1st QTR		2nd QTR		3rd QTR		4th QTR	
Goal	Actual	Goal	Actual	Goal	Actual	Goal	Actual

				1		1	
--	--	--	--	---	--	---	--

2. Program Performance Area:

Program Development

Goal Statement:

Recruit and develop a list of Process Services at each District Court

				11		11	
--	--	--	--	----	--	----	--

3. Program Performance Area:

Service Delivery

Goal Statement:

Provide Process Service of Protection Orders.

				25		25	
--	--	--	--	----	--	----	--

4. Program Performance Area:

Service Delivery

Goal Statement:

Ensure all Process Service is paid.

				25		25	
--	--	--	--	----	--	----	--

5. Program Performance Area:

Program Evaluation

Goal Statement:

Collect statistics of number of protection orders served.

				11		11	
--	--	--	--	----	--	----	--

PART IV. I HEREBY ACKNOWLEDGE THAT THE ABOVE INFORMATION HAS BEEN THOROUGHLY REVIEWED.Yvonne Gorman

Yvonne Gorman, Financial Services Manager

12/14/15

Date

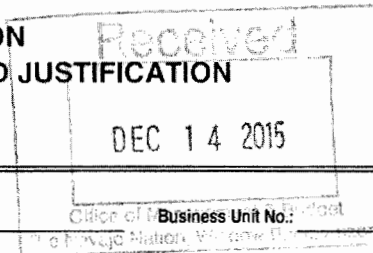
Allen Sloan

Allen Sloan, Acting Chief Justice

12/14/2015

Date

THE NAVAJO NATION
DETAILED LINE ITEM BUDGET AND JUSTIFICATION



PART I. PROGRAM INFORMATION:			
Program Name/Title: <u>Process Serving to Ensure Victim Safety</u>		NEW	
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
	3500 MEETING EXPENSES		11,456
	Process Servers to serve Protection Orders at locations throughout the Navajo Nation. Reservation wide. Process Servers will need to travel to remote homes and communities to provide services for ten (10) judicial districts. Funds will be utilized to pay for mileage of Process Servers if travel exceeds 30 miles roundtrip. POV Mileage at the Federal CONUS rates will apply.		
3810	MEETINGS	11,456	
	3813 - Mileage 19,924 miles x .575 = \$11,456		
	6500 CONTRACTUAL SERVICES		42,000
	Other services are services that will be provided by the Process Servers available at each Judicial District. These Process Servers will be serving Protection Orders on behalf of victims of domestic violence.		
6910	OTHER CONTRACTUAL SERVICES	42,000	
	6921 - Other Services 700 Protection Order x \$60.00 = \$42,000		
	9500 MATCHING & INDIRECT COST		5,346
	Indirect Cost of 10% is mandated by Congress for the Justice Assistance Grant. \$58,802 x 10% IDC Rate= \$5,346		
9710	IDC	5,346	
	9720 - IDC \$58,802 / 1.10 = \$5,346		
TOTAL		58,802	58,802

THE NAVAJO NATION
EXTERNAL CONTRACT AND GRANT FUNDING INFORMATION

PART I. PROGRAM INFORMATION:		Funding Period: 10/01/14 - 09/30/18	
Program Name/Title: <u>Process Serving to Ensure Victim Safety</u>		K #: _____	
Contract/Grant No.: <u>2015-DJ-BX-0797</u>		Prepared by: <u>Roberta Sam</u>	
PART II. PURPOSE OF FUNDING AND MATCH FUNDS REQUIREMENT			
<div style="border: 1px solid black; padding: 5px; display: inline-block;"> DEC 14 2015 </div>			
PART III. BUDGET INFORMATION:			
(A)	(B)	(C)	(D)
Major Object Code and Description	Current Award Fiscal Year	Anticipated Funding Fiscal Year 2015	Difference Columns (C) - (B)
2001 Personnel Expenses			-
3000 Travel Expenses		11,456	11,456
3500 Meeting Expenses			-
4000 Supplies			-
5000 Lease and Rental			-
5500 Communication and Utilities			-
6000 Repairs and Maintenance			-
6500 Contractual Services		42,000	42,000
7000 Special Transaction			-
8000 Assistance			-
9000 Capital Outlay			-
9510 Matching - Cash			-
9610 Matching - In - Kind			-
9710 Indirect Cost (Overhead) Allocation		5,346	5,346
TOTALS:	-	58,802	58,802
PART IV. FTEs/MATCH FUNDS:			
No. of Positions/ FTEs:			-
MATCHING FUND REQUIRED:			
Required GF Cash Match:			-
CONCURRED BY:			
Required GF In - Kind Match:			-
Contracting Officer's Signature / Date: _____			
Required GF % Match:			-
PART V. ACKNOWLEDGEMENT:			
Submitted by (print): <u>Yvonne Gorman, Financial Services Manager</u>		Approved by (print): <u>Allen Sloan, Acting Chief Justice</u>	
Signature/Date: <u>[Signature] 12/10/15</u>		Signature/Date: <u>[Signature] 12/14/15</u>	

Document No. 005063Date Issued: 11/23/2015**SECTION 164 REVIEW FORM**Title of Document: FY 15 Edward Byrne JAG AwardContact Name: CHEE, RAQUEL C.Program/Division: JUDICIAL BRANCHEmail: rchee@navajo-nsn.govPhone Number: 928-871-7019

Division Director Approval for 164A: _____

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

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

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

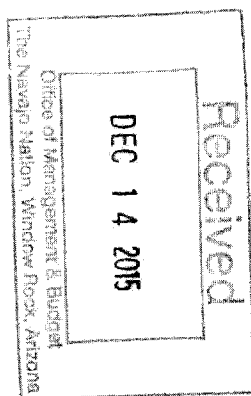
Section 164(B) Final approval rests with the President of the Navajo Nation

<input checked="" type="checkbox"/>	Grant/Funding Agreement or amendment:			
	1. Division: <u>Immigration</u>	Date: <u>12-4-15</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	2. OMB: <u>see memo</u>	Date: <u>12/21/15</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	3. OOC: <u>see memo</u>	Date: <u>1/26/16</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	4. OAG: <u>see memo</u>	Date: <u>3/21/16</u>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Subcontract/Contract expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. BRD: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	5. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Letter of Assurance/M.O.A./M.O.U./Other agreement not expending funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	M.O.A. or Letter of Assurance expending or receiving funds or amendment:			
	1. Division: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	2. OMB: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	3. OOC: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>
	4. OAG: _____	Date: _____	<input type="checkbox"/>	<input type="checkbox"/>

RECEIVED

2016 JAN 21 PM 2 12

OFFICE SERVICES
OFFICE OF THE CONTROLLER





NAVAJO NATION DEPARTMENT OF JUSTICE

DOCUMENT REVIEW REQUEST FORM



DOJ	
3/21/16 @ 10:11a	
DATE / TIME	
7 Day Deadline	
DOC #	005063
SAS #	
UNIT	HSCA

☐ RESUBMITTAL

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

CLIENT TO COMPLETE			
DATE OF REQUEST:	3/21/16	ENTITY/DIVISION:	JUD BR
CONTACT NAME:	Raquel Cuel	DEPARTMENT:	ADC
PHONE NUMBER:	X7019	E-MAIL:	raquelcuel@nsn-ga
TITLE OF DOCUMENT: PY IS JABANK			
DOJ SECRETARY TO COMPLETE			
DATE/TIME IN UNIT: 3/21 @ 1:17		REVIEWING ATTORNEY/ADVOCATE: KAI	
DATE/TIME OUT OF UNIT: 3/22 @ 1102		LS	
DOJ ATTORNEY/ADVOCATE COMMENTS			
Legally sufficient			
REVIEWED BY: (PRINT)	DATE / TIME	SURNAMED BY: (PRINT)	DATE / TIME
		Kandis Martinez	3/21/16 4:34pm
DOJ Secretary Called: Raquel		for Document Pick Up on 3/22 @ 1102 by Suroto	
PICKED UP BY: (PRINT)		DATE / TIME:	

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

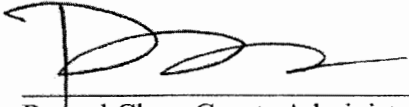
ALLEN SLOAN
Acting Chief Justice of the Navajo Nation



SHARON BEGAY-MCCABE
Acting Director of Special Projects

March 16, 2016

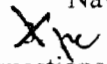
To: E.O. 07-2013 Document Reviewers

From: 
Raquel Chee, Grants Administrator
Navajo Nation Judicial Branch

Subject: Document No. 5063 – FY2015 Edward Byrne JAG Award

This letter is in response to the letter from Tammy Tso dated January 26, 2016.

1. Special Condition 48. The Review Comment documentation is attached. A Grant Adjustment notice to retire this special condition cannot be created until the award is fully accepted.
2. Special Condition 49. The Navajo Nation Council will issue a resolution at the end of the Navajo Nation E.O. 07-2013 Review Process.


Any questions can be directed to me at 871-7019.

Thank you.

REVIEW NARRATIVE

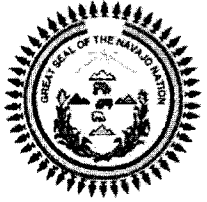
Edward Byrne Justice Assistance Grant (JAG) 2015

A press release of the Navajo Nation Judicial Branch's application for JAG funding in the amount of \$58,802 was widely distributed on July 13, 2015 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 July 13, 2015 for a 30-day comment period ending August 13, 2015.

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 flourish extending to the right.

Raquel Chee
Grant Administrator
Administrative Office of the Courts
Navajo Nation Judicial Branch

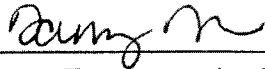


THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE-PRESIDENT

MEMORANDUM

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

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

DATE: January 26, 2016

SUBJECT: Section 164 Review for Document No. 5063; Department of Justice Office of Justice Programs Bureau of Justice Assistance Grant No. 2015-DJ-BX-0797 in the amount of \$58,802.00; beginning October 1, 2014 and expiring September 30, 2018.

Contract Accounting has reviewed the referenced document and finds it insufficient due to special condition no. 48 and no. 49 placed on grant award from the Bureau of Justice Programs. In both special conditions the Nation may not obligate, expend and drawdown funds until the Bureau of Justice Assistance has received documentation and a Grant Adjustment Notice (GAN) has been approved releasing this special condition. We were unable to find documentation within the 164 packet on how the program will address these special conditions.

We recommend placing a posting edit code (PEC "N") not allowing financial transactions to be posted to the established business units until a Grant Adjustment Notice is approved.

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

xc: Benjamin 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


ALLEN SLOAN
Acting Chief Justice of the Navajo Nation



SHARON BEGAY-MCCABE
Acting Director of Special Projects

January 21, 2016

To: E.O. 07-2013 Document Reviewers

From: 
Raquel Chee, Grants Administrator
Navajo Nation Judicial Branch

Subject: Document No. 5063 – FY2015 Edward Byrne JAG Award

This letter is in response to a couple of the points raised by Mr. Cordell Shortey in his correspondence dated December 31, 2015.

1. The timing of the proposal submission was immediate because the of Bureau of Justice Assistance/USDOJ was insistent we submit a proposal and not lose the funding, so I submitted a proposal for the amount that was allocated for the Navajo Nation, without proper review by the Nation. .
2. This grant award with its Administrative Costs limitation of 10% will eventually be presented to the Navajo Nation Budget & Finance Committee for a waiver of 7.18% for FY 2015.

Any questions can be directed to me at 871-7019.

Thank you.



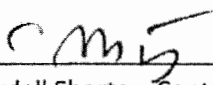
THE NAVAJO NATION

RUSSELL BEGAYE PRESIDENT
JONATHAN NEZ VICE PRESIDENT

December 31, 2015

To: E.O. 07-2013 Document Reviewers

From:


Cordell Shortey, Contracting Officer
Contracts & Grants Section - OMB

Subject: Document No. 005063 – FY 2015 Edward Byrne Justice Assistance Grant

The attached subject document has been reviewed as sufficient and come with the following comment. The review was performed for compliance with FY 2016 NN BIM Appendix L.IV.C. and other section reference below.

1. The Program did not follow Budget Instruction Manual Appendix L.V.A- Required Review/Approval of Budget, *"All application for external grant funds including electronic on-line submission, acceptance of grant award and/or modification to Grant Agreement shall be subject to Document Review required by Navajo Nation law prior to submission to grant agency or final processing. On the application that requires on-line submission, a hard copy of what has been filled out must be attached to the Document Review packet."*

We determined the application was submitted by Judicial Branch, Raquel Chee, without prior review by the Nation.

2. 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 nine (9) under Budget Information, *"A unit of local government may use up to 10 % percent of the award, including interest, for cost associated with administering JAG funds."*
3. The notice of award was provided to Navajo Nation letter of September 2, 2015 by US DOJ. The documentation in process at this point is 3 months later and very untimely.

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.

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

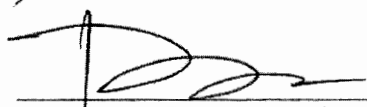
ALLEN SLOAN
Acting Chief Justice of the Navajo Nation

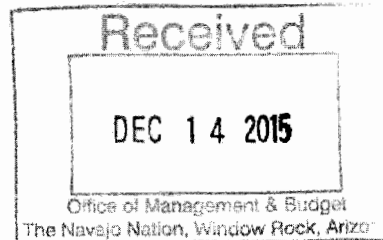


SHARON BEGAY-MCCABE
Acting Director of Special Projects

December 7, 2015

To: [?]
SAS REVIEWERS

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



Subject: Document 5063 – 2015 JAG Award

The attached document is the Navajo Nation's 2015 Edward Byrne Memorial Justice Assistance Grant (JAG) that will be used to fund the services of process servers to serve court orders for victims of domestic violence.

As is mandated by Congress for all JAG Awards, there is a maximum of 10% that can be charged for Administrative Costs or IDC.

The Judicial Branch requests your expeditious review and approval of our 2015 Justice Assistance Grant Proposal.

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

JUDICIAL BRANCH OF THE NAVAJO NATION

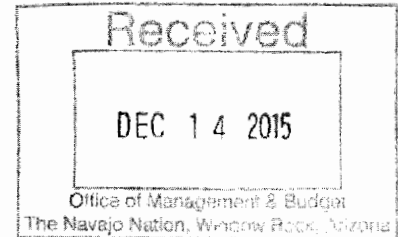
HERB YAZZIE
Chief Justice of the Navajo Nation

ELEANOR SHIRLEY
Associate Justice



Supreme Court

P.O. Box 520 ♦ Window Rock, Arizona 86515
Telephone 928-871-7669 ♦ Fax 928-871-6866



CHIEF JUSTICE OF THE NAVAJO NATION

ADMINISTRATIVE ORDER 37-2013

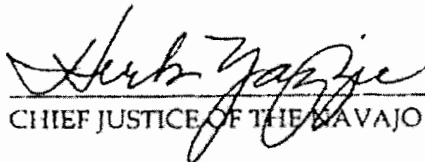
IN THE MATTER OF REVIEW AND SIGNATURE PROCESS APPLICABLE TO JUDICIAL BRANCH CONTRACTS AND AGREEMENTS

On April 18th, 2013, President Ben Shelly issued Executive Order No. 07-2013, effective July 1, 2013, calling for a streamlined review and signature process for contracts and agreements pursuant to 2 N.N.C. § 164 and other unclassified documents which do not require approval by resolution of the Navajo Nation Council or Committee. The Department of Justice has advised that Executive Order No. 07-2013 pertains only to Executive Branch agencies and programs; however, the streamlined review process may be extended to the Judicial Branch by order of the Chief Justice, who administers the Judicial Branch pursuant to 7 N.N.C. §371. Pursuant to 2 N.N.C. § 222(B), the Chief Justice executes all contracts or agreements pertaining to the Judicial Branch.

Therefore, it is hereby ORDERED that the Judicial Branch hereby adopts the process created by Executive Order No. 07-2013, effective July 1, 2013, for all Judicial Branch documents needing signature and review.

Branch Equivalent of "Division Director." Under Section 164(B), the "Division Director" is one of the individuals required for signature review. The Judicial Branch has no such "Division Director." Therefore, the Director of Special Projects or designee shall be the branch equivalent of "Division Director" for purposes of Section 164(B) review.

Dated this 13th day of August, 2013.


CHIEF JUSTICE OF THE NAVAJO NATION