



The [U.S. Department of Justice, Office of Justice Programs' Bureau of Justice Assistance](#) is pleased to announce that it is seeking applications for funding under the Tribal Courts Assistance Program. This program furthers the Department's mission by assisting tribal jurisdictions in improving their justice systems.

Tribal Courts Assistance Program (TCAP) FY 2009 Competitive Grant Announcement

Eligibility

Applicants are limited to federally recognized tribal governments, including Alaska Native villages and corporations (see footnote on page 2), and authorized intertribal consortia. Recipients of prior Bureau of Justice Assistance Tribal Court planning grants may only apply for Category II funding. Supplemental funding is not available for recipients of FY 2007 or FY 2008 TCAP grants.
(See "Eligibility," page 2)

Deadline

Registration with [Grants.gov](#) is required prior to application submission.
All applications are due by 8:00 p.m. e.t. on February 12, 2009
(See "Deadline: Applications," page 1)

Contact Information

For assistance with the requirements of this solicitation, contact Eunice Pierre, BJA Policy Advisor, at 202-514-1473 or Eunice.Pierre@usdoj.gov.

This application must be submitted through [Grants.gov](#). For technical assistance with submitting the application, call the Grants.gov Customer Support Hotline at 1-800-518-4726 or send an e-mail to support@grants.gov. The Grants.gov Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. e.t.

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Tribal Courts Assistance Program

CDFA #16.608

Overview of Tribal Courts Assistance Program

Authorized by 25 U.S.C. 3681(a), the Bureau of Justice Assistance's (BJA) Tribal Courts Assistance Program (TCAP) helps develop new tribal courts; improves the operations of existing tribal courts; provides assistance with the development, enhancement, and continuing operation of tribal justice systems; and provides funding for training and technical assistance of tribal court staff. The program's goals are to (1) provide planning grants to develop a comprehensive strategy and implementation plan to establish a court; (2) provide grants for an existing tribal court system to enhance tribal court services; and (3) provide planning grants for tribal justice system strategies.

Deadline: Registration

Registering with Grants.gov is a one-time process; however, processing delays may occur and **it can take up to several weeks for first-time registrants to receive confirmations/user passwords.** The Office of Justice Programs (OJP) highly recommends that applicants start the registration process as early as possible to prevent delays in submitting an application package to our agency by the application deadline specified. The registration process for organizations involves these steps: (1) obtain a Data Universal Numbering System (DUNS) number; (2) register your organization with the Central Contractor Registration (CCR) database; (3) register with Grants.gov's Credential Provider and obtain a username and password; (4) register with Grants.gov to establish yourself as an Authorized Organization Representative (AOR); and (5) the E-Business Point of Contact (POC) assigns the "Authorized Applicant Role" to you. For more information about the registration process, go to www.grants.gov. **Note: Your CCR Registration must be renewed once a year. Failure to renew the CCR registration may prohibit submission of a grant application through Grants.gov.**

Deadline: Applications

The due date for applying for funding under this announcement is 8:00 p.m. e.t. on February 12, 2009.

Within 24-48 hours after submitting your electronic application, you should receive an e-mail validation message from Grants.gov. The validation message will tell you if the application has been received and validated or if it has been rejected, and why.

Important: You are urged to submit your application at least 72 hours prior to the due date of the application to allow time to receive the validation message and to correct any problems that may have caused the rejection notification.

If you experience unforeseen Grants.gov technical issues beyond your control, you must contact OJP staff **within 24 hours after the due date** and request approval to submit your application. At that time, OJP staff will require you to e-mail the complete grant application, your DUNS number, and provide a Grants.gov Help Desk tracking number(s). After OJP reviews all

of the information submitted as well as contacts Grants.gov to validate the technical issues reported by the grantee, OJP will contact you to either approve or deny the request.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time; (2) failure to follow Grants.gov instructions on how to register and apply as posted on its web site; (3) failure to follow all of the instructions in the OJP solicitation; and (4) technical issues experienced with the applicant's computer or information technology (IT) environment.

Eligibility

Pursuant to 28 U.S.C. § 524 note, applicants are limited to federally recognized tribal governments, including eligible Alaska Native villages and corporations,¹ and authorized intertribal consortia (see 25 U.S.C. § 450b[e]). For a current list of federally recognized tribes see Vol. 72, No. 55, of the *Federal Register*, [pp. 13648-13652](#).

Under this solicitation, a tribal government or intertribal consortium may submit only one application—a tribal government may not be part of two applications—and only one tribal government may serve as the applicant agency for an intertribal consortium.

OJP requires that all applications must be accompanied by a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable government body. If the grant will benefit more than one tribal entity, a current authorizing resolution or other enactment of the tribal council or comparable government body from each tribal entity must be included. In addition, if the grant application is being submitted on behalf of a tribal entity, a letter or similar document authorizing the inclusion of the tribal entity named in the application must be included.

Recipients of prior BJA Tribal Court planning grants may only apply for Category II funding. Supplemental funding is not available for recipients of FY 2007 or FY 2008 TCAP grants.

TCAP-Specific Information

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

TCAP funds may be used to develop and enhance the operation of tribal justice systems and provide funding for training and technical assistance of tribal justice staff. TCAP may be used to plan, implement, and enhance various tribal courts, such as peacemaking courts, healing to wellness courts, sentencing circles, and other alternative justice courts. TCAP may also be used to support diversion programs, tribal probation services, and alternative dispute resolution methods. Applicants are encouraged to develop and implement data collection systems to enhance their tribal justice systems.

¹ Pursuant to Pub. L. 108-199, 118 Stat. 60, 62, funds awarded through this program to the tribes listed below may not be used for courts or law enforcement officers for a tribe or village: (1) in which fewer than 25 Native members live in the village year round; or (2) that are located within the boundaries of the Fairbanks North Star Borough, the Matanuska Susitna Borough, the Municipality of Anchorage, the Kenai Peninsula Borough, the City and Borough of Juneau, the Sitka Borough, or the Ketchikan Borough.

For information on tribal courts and training, visit the National Tribal Justice Resource Center's web site at www.tribalresourcecenter.org.

Award Categories

Tribes may submit a TCAP application in one of three categories below.

CATEGORY I: PLANNING AND IMPLEMENTING A SINGLE-TRIBE OR AN INTERTRIBAL COURT SYSTEM. Grant maximum: \$200,000.

Applicants from eligible tribal governments or consortia of tribal governments of any size to plan, develop, and implement a new tribal court system. Funds may be used to facilitate the development and initial implementation of a single-tribe court system or an intertribal court system to meet the needs of more than one tribe in the same geographic region.

CATEGORY II: ENHANCING THE OPERATION OF TRIBAL COURTS. Grant maximum: \$150,000 or \$175,000.

Applicants from eligible tribal communities of any size to enhance the operation of existing tribal courts, such as establishing a core structure for a tribal court, improving case management, training court personnel, developing civil and criminal codes, acquiring equipment and software, enhancing prosecution and indigent defense, supporting probation diversion and alternative sentencing, designing services and multidisciplinary protocols for juvenile victims of physical and sexual abuse, and structuring intertribal or tribal appellate systems. Category II funding will be awarded under two tiers: 1) tribes and tribal consortia serving populations of less than 5,000 (up to \$150,000); and 2) tribes and tribal consortia serving populations of 5,000 or more (up to \$175,000). Applicants under both tiers must include information about their current operating budget and dockets to support the requested funding.

CATEGORY III: PLANNING AND IMPLEMENTING TRIBAL JUSTICE STRATEGIES. Grant maximum: \$175,000.

Applicants from federally recognized tribal governments with tribal court jurisdiction and/or state court jurisdiction to plan and implement tribal justice strategies to address crime and safety issues in their community in collaboration with other tribal justice components including law enforcement and corrections. BJA will award up to three grants under this category. Grantees will be required to design and implement a 2-year comprehensive plan. After year 1, tribes can identify local funding to continue implementation and/or can apply under other federal funding programs to provide continued implementation support. This plan must be completed and submitted to BJA upon completion of the first year of the project period. Grantees will be allowed to utilize up to \$75,000 of the grant funds during the first year of the award to complete the strategic plan. The remaining \$100,000 will be released to the grantee to begin implementing the goals of the strategic plan once the plan has been approved by BJA. Grantees will also be required to participate in intensive training and technical assistance programs from BJA which will be provided throughout the grant period to support the grantee's efforts. As part of the planning process, successful applicants must:

- Establish a Strategic Planning Advisory Board to plan, implement, and monitor the proposed strategy. This Advisory Board must oversee the plan and monitor the progress of implementation.
- Increase coordination with relevant non-tribal agencies and organizations and among all levels of tribal government and council. If state court jurisdiction applies, applicant must coordinate with state agencies.

- Identify and plan system improvements to increase the tribe's (or tribes') capacity to collect and share criminal justice system data.
- Develop a strategy to streamline and improve the efficiency and/or effectiveness of the tribal justice system or process. While doing so, document the process showing coordination between tribal (and/or state, if applicable) law enforcement, court, and corrections.

Length of Awards

The minimum project period for TCAP awards is 24 months, with the project start date on or after September 1, 2009.

Performance Measures

To assist in fulfilling 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. In addition, applicants must discuss their data collection methods in the application. Performance measures for this solicitation are as follows:

Program Objectives	Performance Measures	Data Grantee Provides
Develop or enhance court capacity.	<p>Average percent increase over the prior year in the number of cases handled by courts receiving enhancement or continuing operations grant awards.</p> <p>Total number of cases handled.</p> <p>Number of full-time equivalent (FTE) judicial positions created or funded under the grant award.</p> <p>Number of other FTE positions created or funded under the grant award.</p>	<p>Number of cases filed in the court in the year prior to implementation.</p> <p>Number of cases filed in the court during the reporting period.</p> <p>Number of judicial positions created as a result of the grant during the reporting period.</p> <p>Number of nonjudicial court positions created as a result of the grant during the reporting period.</p>

Increase or enhance integration of tribal justice information systems.	Percent increase in justice information system capability.	During the reporting period: a) Number of data collection or justice information system tools currently in the process of development as a result of grant funding. b) Number of data collection or justice information system tools completed.
	Percent increase in justice information system integration capability	During the reporting period: a) Number of data collection or justice information system integration tools currently in the process of development as a result of grant funding. b) Number of data collection or justice information system integration tools completed.

How To Apply

DOJ is participating in the e-Government initiative, one of 25 initiatives included in the President's Management Agenda. Part of this initiative—Grants.gov—is a “one-stop storefront” that provides a unified process for all customers of federal grants to find funding opportunities and apply for funding.

Grants.gov Instructions: Complete instructions can be found at www.grants.gov. If you experience difficulties at any point during this process, please call the Grants.gov Customer Support Hotline at **1-800-518-4726**, Monday-Friday from 7:00 a.m. to 9:00 p.m. e.t.

Funding Opportunities with Multiple Purpose Areas: Some OJP solicitations posted to Grants.gov contain multiple purpose areas, denoted by the individual Competition ID. If you are applying to a solicitation with multiple Competition IDs, you must select the appropriate Competition ID for the intended purpose area of your application. The application will be peer reviewed according to the requirements of the purpose area under which it is submitted.

Note: OJP's Grants Management System (GMS) does not support Microsoft Vista or Microsoft 2007. Therefore, OJP will not review any application whose attachments are in Microsoft Vista or Microsoft 2007 format. GMS downloads applications from Grants.gov and is the system in which OJP reviews applications and manages awarded grants. Applications submitted via GMS must be in the following word processing formats: Microsoft Word (*.doc), WordPerfect (*.wpd), PDF files (*.pdf), or Text Documents (*.txt) and may include Excel files (*.xls). GMS is not yet compatible with Vista and cannot yet process Microsoft Word 2007 documents saved in the new default format with the extensions of “.docx.” Please ensure the documents you are submitting in Grants.gov are saved using “Word 97-2003 Document (*.doc)” format. In addition, 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.”

CFDA Number: The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.608, titled “Tribal Court Assistance Program,” and the funding opportunity number is BJA-2009-1952.

A DUNS number is required: The Office of Management and Budget requires that all businesses and nonprofit applicants for federal funds include a DUNS (Data Universal Numeric System) number in their application for a new award or renewal of an award. Applications without a DUNS number are incomplete. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and keeping track of 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, simple, one-time activity. Obtain one by calling 1–866–705–5711 or by applying online at www.dnb.com/us/. Individuals are exempt from this requirement.

Central Contractor Registration (CCR) is required: In addition to the DUNS number requirement, OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the Central Contractor Registration (CCR) database. The CCR database is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. Organizations that have previously submitted applications via Grants.gov are already registered with CCR, as it is a requirement for Grants.gov registration. Please note, however, that applicants must update or renew their CCR registration at least once per year to maintain an active status. Information about registration procedures can be accessed at www.ccr.gov.

What an Application Must Include

Standard Form 424

Program Narrative (Attachment 1)

The program narrative must respond to the solicitation and the Selection Criteria (1–3, 5) in the order given. On page 1 of the program narrative, indicate which category (Category I: Planning and Implementing a Single-Tribe or an Intertribal Court System; Category II: Enhancing the Operation of Tribal Courts; or Category III: Planning and Implementing Tribal Justice Strategies) you are applying for. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with 1-inch margins, and must not exceed 10 pages. Please number pages “1 of 10,” “2 of 10,” etc. Submissions that do not adhere to the format will be deemed ineligible.

Budget and Budget Narrative (Attachment 2)

Applicants must provide a budget that is allowable and reasonable. Applicants must submit a budget worksheet and budget narrative in one file. A fillable budget detail worksheet form is available on OJP’s web site at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. Of special note:

- **Travel:** Tribes must allocate at least 10 percent of the maximum award amount to cover travel and costs for attending OJP and BJA trainings, such as the Tribal Justice and Safety, Consultation, Training & Technical Assistance Sessions.

- **Personnel:** TCAP funds can be used to support tribal justice staff such as clerks, administrators, lawyers, judicial personnel, probation officers, etc. If a position under TCAP is supported with BJA funds, total costs associated with salary and fringe benefits may not exceed 50 percent of the federal grant amount.
- **Information Technology:** Equipment and software purchased with BJA funds must be capable of supporting information sharing among justice systems and compliant with appropriate national IT standards (see www.it.ojp.gov/jsr/intro/intro03.html for details).

Project Timeline and Position Descriptions (Attachment 3)

Attach a *Project Timeline* with each project goal, related objective, activity, expected completion date, and responsible person or organization, and *Position Descriptions* for key positions.

Selection Criteria: Categories I and III

1. Statement of the Problem (15 percent out of 100)

Identify the population that the court or the tribal government will serve; the geographic area covered; and socioeconomic data. Applicants unable to obtain this data must offer a detailed justification for the lack of the data, and provide alternative information to support the identified problem. Identify the problems the proposal addresses and the commitment of the tribe(s) to resolve the problems. Identify civil, juvenile, and criminal caseloads the project will address. Include, as applicable, information about violent crimes, property crimes, domestic violence, child welfare, juvenile offenses, alcohol and substance abuse, and other priority crimes. Applicants for intertribal grants must list all federally recognized tribal partners and provide a resolution or equivalent enactment from the tribes certifying their participation in the project. Provide a community assessment of the problem(s) outlined, if available.

2. Program Design and Implementation (30 percent out of 100)

Describe Year 1 (planning/development) and Year 2 (implementation) goals and objectives and how they will be accomplished. Detail the proposed court's purpose, structure, and operation, as well as the commitment of the tribal partners and strategy the tribe(s) will take to ensure coordination of services with elected tribal leaders, law enforcement, corrections, treatment providers, and the community. All applicants must establish an advisory team for the project. The advisory team should include a well-rounded representation of the tribal criminal justice system including, but not limited to: elected tribal leaders, judge(s)/court personnel, law enforcement, corrections/community corrections, jail, clerk of court or other such representative, state official (for Category III, if applicable), treatment services, and the community. Explain how team members will support the implementation plan, and ensure that appropriate personnel attend and participate in TCAP-sponsored trainings. Briefly discuss system improvements to increase the tribe's (or tribes') capacity to collect and share court-related system data.

3. Capabilities/Competencies (25 percent out of 100)

Establish a comprehensive timeline for Years 1 and 2 that describes each project goal, objective, and activity. Identify expected beginning and completion dates and discuss how data from performance measures will be collected and managed for timely and complete reporting to BJA. Identify the individuals who will be responsible for collecting data. Briefly describe how each task will help develop the tribe's justice system.

4. Budget (10 percent out of 100)

Provide a proposed budget that is allowable, cost-effective, and reasonable (Attachment 2).

5. Impact/Outcomes, Evaluation, Sustainment, and Performance Measure Data Collection Plan (20 percent out of 100)

Explain how the tribe(s) will know if the program works. Describe how data will be collected to support the program and how it will be assessed to measure the impact of proposed efforts. Explain what will be measured, who is responsible for performance measures, and how the information will be used. Outline a strategy for sustaining the project when the federal grant ends.

Selection Criteria: Category II

1. Statement of the Problem (15 percent out of 100)

Clearly identify the problems that the enhancement(s) will address, and the tribe's commitment to resolve these problems. Identify and discuss the historic caseload and offenses the project will address. Describe the operation and costs of the current tribal court, including staffing patterns and services. Include information about violent crimes, property crimes, domestic violence, child welfare, juvenile offenses, alcohol and substance abuse, and other priority crimes. Indicate the tier (1 or 2) under which the application should be considered (see page 3).

2. Program Design and Implementation (30 percent out of 100)

Describe Year 1 and Year 2 goals and objectives and how they will be accomplished through the proposed enhancement. The proposed enhancements must be clearly defined and their purpose described. Detail the court's purpose, structure, and operation, as well as the strategy the tribe will take to ensure coordination of services with law enforcement, corrections, treatment providers, and the community. The applicant must establish an advisory team for the project. The advisory team should include a well-rounded representation of the tribal criminal justice system including, but not limited to: elected tribal leaders, judge(s)/court personnel, law enforcement, corrections/community corrections, jail, clerk of court or other such representative, treatment services, and the community. Describe the project advisory team and who will serve as BJA's point of contact. Explain how team members will support the implementation plan, and ensure that appropriate personnel attend and participate in TCAP-sponsored trainings. Briefly discuss system improvements to increase the tribe's (or tribes') capacity to collect and share court-related system data.

3. Capabilities/Competencies (25 percent out of 100)

Establish a comprehensive timeline that describes each project goal, objective, and activity. Identify expected beginning and completion dates; and discuss how data from performance measures will be collected and managed for timely and complete reporting to BJA. Identify the individuals who will be responsible for collecting data. Briefly describe how each task will help develop the tribe's justice system.

4. Budget (10 percent out of 100)

Provide a proposed budget that is allowable, cost-effective, and reasonable (Attachment 2).

5. Impact/Outcomes, Evaluation, Sustainment, and Performance Measure Data Collection Plan (20 percent out of 100)

Explain how the tribe will know if the program works. Describe how data will be collected to support the program and how it will be assessed to measure the impact of proposed efforts.

Explain what will be measured, who is responsible for performance measures, and how the information will be used. Outline a strategy for sustaining the project when the federal grant ends.

Review Process

OJP is committed to ensuring a standardized process for awarding grants. The Bureau of Justice Assistance (BJA) reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with program or legislative requirements as stated in the solicitation.

Peer reviewers will be reviewing the applications submitted under this solicitation as well. BJA may use either internal peer reviewers, external peer reviewers, or a combination of both to review the applications under this solicitation. An external peer reviewer is an expert in the field of the subject matter of a given solicitation who is NOT a current U.S. Department of Justice employee. An internal reviewer is an expert in the field of the subject matter of a given solicitation who is a current U.S. Department of Justice employee. Applications will be screened initially to determine whether the applicant meets all eligibility requirements. Only applications submitted by eligible applicants that meet all other requirements (such as timeliness, proper format, and responsiveness to the scope of the solicitation) will be evaluated, scored, and rated by a peer review panel. Peer reviewers' ratings and any resulting recommendations are advisory only. In addition to peer review ratings, considerations may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

After the peer review is finalized, the Office of the Chief Financial Officer (OCFO), in consultation with BJA, conducts a financial review of all potential discretionary awards and cooperative agreements to evaluate the fiscal integrity and financial capability of applicants; examines proposed costs to determine if the budget and budget narrative accurately explain project costs; and determines whether costs are reasonable, necessary, and allowable under applicable federal cost principles and agency regulations. OCFO also reviews the award document and verifies the OJP Vendor Number.

Absent explicit statutory authorization or written delegation of authority to the contrary, all final grant award decisions will be made by the Assistant Attorney General, who may also give consideration to factors including, but not limited to, underserved populations, strategic priorities, past performance, and available funding when making awards.

Additional Requirements

Successful applicants selected for award must agree to comply with additional applicable requirements prior to receiving grant funding. We strongly encourage you to review the list below pertaining to these additional requirements prior to submitting your application. Additional information for each can be found at www.ojp.usdoj.gov/funding/other_requirements.htm.

- Civil Rights Compliance
- Funding to Faith-Based Organizations
- Confidentiality and Human Subjects Protection

- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) Compliance
- DOJ Information Technology Standards
- Single Point of Contact Review
- Non-Supplanting of State and Local Funds
- Criminal Penalty for False Statements
- Compliance with Office of Justice Programs *Financial Guide*
- Suspension or Termination of Funding
- Non-Profit Organizations
- For-Profit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006