The U.S. Department of Justice, Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) is pleased to announce that it is seeking applications for funding under the Tribal Courts Assistance Program (TCAP). TCAP provides funding and technical assistance to federally recognized tribal governments to assist tribal jurisdictions in improving their justice systems.

Tribal Courts Training and Technical Assistance Program
FY 2010 Competitive Grant Announcement

Eligibility

Applicants are limited to tribal and non-tribal for-profit (commercial) organizations, non-profit organizations, faith-based and community organizations, institutions of higher learning, and consortia with demonstrated national level and onsite experience supporting the development, implementation, and enhancement of tribal justice systems, and training tribal judges. For-profit organizations must agree to waive any profit or fee.

Applicants may submit only one application; they cannot submit an individual application and also be part of a consortium that has submitted a separate application. In this case, the individual application will not qualify for peer review. For applications submitted by a consortium, one organization must serve as the applicant agency and written authorization (e.g., Memorandum of Understanding) from each consortium member must be included with the submission.

Deadline

This application must be submitted through OJP’s Grants Management System (GMS). Registration with OJP’s Grant Management System (GMS) is required prior to application submission. (See “How to Apply,” page 5)

All applications are due by 8:00 p.m. eastern time on May 18, 2010
(See “Deadlines: Registration and Application,” page 1).

Contact Information

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

For assistance with any other requirement of this solicitation, contact: Kim Norris, Senior Policy Advisor, at 202–307–2076 or Kim.Norris@usdoj.gov.

BJA encourages stakeholder feedback on its solicitations and award processes. Send feedback on this solicitation to askbja@usdoj.gov.

Release date: March 29, 2010
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Tribal Courts Training and Technical Assistance Program
(CFDA #16.608)

Overview

Authorized by 25 U.S.C. 3681(a), the Office of Justice Programs’ (OJP) 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 operation of tribal justice systems; and provides funding for training and technical assistance (TTA) of tribal court and justice systems staff. The goal of the Tribal Courts TTA Program is to provide assistance to tribes through training, technical assistance, and policy development as the tribes strategically develop, implement, enhance, and operate their court systems. The training and technical assistance also assists the tribes in developing and implementing strategic community-wide criminal justice system planning.

Deadlines: Registration and Application

Registration is required prior to submission. The deadline to register in GMS is 8:00 p.m. eastern time on May 18, 2010 and the deadline for applying for funding under this announcement is 8:00 p.m. eastern time on May 18, 2010. Please see the “How to Apply” section, page 5, for more details.

Eligibility

Please refer to the cover page of this solicitation for eligibility under this program.

Tribal Courts TTA Program—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 court and justice system staff. TCAP funds 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 pretrial services, diversion programs, tribal probation services, alternative dispute resolution methods, and tribal criminal justice system strategic planning. Applicants are encouraged to develop and implement data collection systems to enhance their tribal justice systems.

The Tribal Courts TTA Program will focus on those tribes who receive TCAP grants; however, it should also be used to provide training and technical assistance to non-grantee tribes and tribes receiving funds through other OJP programs.

NOTE: BJA anticipates awarding up to 35 FY 2010 TCAP grant awards.

BJA expects to award one cooperative agreement for up to $1.5 million. The project start date should be on or after October 1, 2010 and ends 24 months later.
Applicants must demonstrate that the proposed training and/or technical assistance will provide an immediate benefit to tribes and must demonstrate a capacity to deliver training and technical assistance nationwide.

The selected training and technical assistance provider(s) shall provide the following deliverables and demonstrate the capacity to:

- Work closely with TCAP award recipients to assist them in developing, implementing, and enhancing their tribal justice systems.
- Identify and disseminate tribal justice lessons learned and best practices to assist other tribes in planning and implementing effective tribal justice systems.
- Work closely with TCAP award recipients, and non-TCAP award recipients when possible, to assist them in developing, implementing, and enhancing their criminal justice system strategic planning process.
- Plan and conduct up to 16 training events, over 2 years, covering core subject areas involving entry-, medium-, and advanced-level court related courses.
- Plan and conduct training programs for tribal court judges, lay advocates, and law-trained prosecutors and defense attorneys that practice before tribal courts, and work with BJA to determine two trainings based on the Office of Justice Programs’ priorities.
- Conduct a needs assessment regarding the nature and extent of Witness Intimidation in Indian Country and provide BJA a report on the findings, including recommendations for solutions.
- Confirm the number of currently existing tribal courts, classifying each according to jurisdiction, and create an assessment tool and plan to raise the level of success and longevity of the court.
- Work with other tribal technical assistance providers to inform tribal and state courts about federal Indian law.
- Sustain a cadre of providers to assist with a wide range of training and technical assistance to TCAP grantees to develop, implement, and enhance their tribal justice system. Technical assistance formats may include telephone, distance learning, web-based, written, and/or onsite assistance, as appropriate.
- Develop and disseminate TCAP-related publications. No less than two new publications, determined in conjunction with BJA, must be produced and disseminated during the grant period.
- Provide speakers and conduct trainings at selected conferences and organizational meetings and deliver up to four training/briefing sessions on an ad hoc BJA-assigned basis.
- Conduct distance learning training, as appropriate to complement classroom training.
- Provide scholarships to support tribes with inadequate resources to attend BJA-sponsored events and TCAP trainings.
- Support OJP’s Tribal Justice and Safety web site (www.tribaljusticeandsafety.gov/about.htm) and BJA’s TCAP web page (www.ojp.usdoj.gov/BJA/grant/tribal.html) by establishing and maintaining a section dedicated to assisting tribes plan and implement tribal justice systems effectively.

**Budget Information**

**Limitation on Use of Award Funds for Employee Compensation; Waiver:** With respect to any award of more than $250,000 made under this solicitation, federal funds may not be used to
pay total cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the Federal Government’s Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (The 2010 salary table for SES employees is available at www.opm.gov/oca/10tables/indexSES.asp.) Note: A recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Any such additional compensation will not be considered matching funds where match requirements apply.)

The limitation on compensation rates allowable under an award may be waived on an individual basis at the discretion of the Assistant Attorney General (AAG) for the Office of Justice Programs. An applicant that wishes to request a waiver must include a detailed justification in the budget narrative of its application. Unless the applicant submits a waiver request and justification with the application, the applicant should anticipate that OJP will request that the applicant adjust and resubmit their budget.

The justification should include: the particular qualifications and expertise of the individual, the uniqueness of the service being provided, the individual’s specific knowledge of the program or project being undertaken with award funds, and a statement explaining that the individual’s salary is commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work that is to be done.

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 measures the results of their work. In addition, applicants must discuss in their application their methods for collecting data for performance measures. Please refer to “What An Application Must Include” (below), for additional information on applicant responsibilities for collecting and reporting data. Grantees are required to provide the data requested in the “Data Grantee Provides” column so that OJP can calculate values for the “Performance Measures” column. Performance measures for this solicitation are as follows:
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<th>Objective</th>
<th>Performance Measure(s)</th>
<th>Data Grantee Provides</th>
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| **Objective 1:** Increase the knowledge of criminal and tribal justice practitioners through:  
  • In-person training.  
  • Web-based learning.  
  • Distance learning using CD/DVDs.  
  • Developing or revising training curricula. | Percentage of in-person trainees who successfully completed the program.  
Percentage of in-person trainees who completed the training who rated the training as satisfactory or better.  
Percentage of in-person trainees who completed the training whose post-test indicated an improved score over their pre-test. | For the current reporting period:  
Number of individuals who:  
• Attended each training.  
• Completed each training.  
• Completed an evaluation at the conclusion of the training.  
• Rated the training as satisfactory or better.  
• Completed a pre- and post-test.  
• Had an improved post-test score over their pre-test. |
| | Percentage of web-based trainees who successfully completed the program.  
Percentage of web-based trainees who completed the training who rated the training as satisfactory or better.  
Percentage of web-based trainees who completed the training whose post-test indicated an improved score over their pre-test. | Number of individuals who:  
• Started the training.  
• Completed the training.  
• Completed an evaluation at the conclusion of the training.  
• Rated the training as satisfactory or better.  
• Completed a pre- and post-test.  
• Had an improved post-test score over their pre-test. |

| Objective 2: Increase a tribal criminal justice agency's ability to solve problems and/or modify policies or practices. | Percentage of requesting agencies who rated services as satisfactory or better in terms of timeliness and quality following completion of an onsite visit.  
Percentage of requesting agencies that were planning | For the current reporting period:  
Number of onsite visits completed.  
Number of reports submitted to requesting agencies after onsite visits.  
Number of requesting agencies who completed an evaluation of services.  
Number of requesting agencies who completed an evaluation of services and rated the services as satisfactory or better. |
| --- | --- | --- |

Number of organizations that completed the survey who expressed satisfaction that the CD/DVD met their training needs.  
Percentage of curricula that were pilot tested.  
Percentage of curricula that were revised after pilot testing.  
Number of training curricula developed.  
Number of training curricula pilot tested.  
Number of training curricula revised after being pilot tested.  
Number of organizations receiving CD/DVDs.  
Number of organizations who received CD/DVDs who were surveyed.  
Number of organizations who responded to the survey.  
Number of organizations who responded to the survey and rated the CD/DVD as satisfactory or that the CD/DVD met their training needs. |  
|  

OMB No. 1121-0329  
Approval expires 02/28/13
Objective 3: Increase information provided to BJA and the criminal and tribal justice communities.

<table>
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<th>Percentage of training participants who rated the training as satisfactory or better.</th>
<th>For the current reporting period:</th>
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<td>• Number of training attendees who completed an evaluation.</td>
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<tr>
<td>• Number of training attendees who rated the training satisfactory or better.</td>
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How to Apply

Applications will be submitted through OJP’s Grants Management System (GMS). GMS is a web-based, data-driven computer application that provides cradle to grave support for the application, award, and management of grants at OJP. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Complete instructions on how to register and submit an application in GMS can be found at www.ojp.usdoj.gov/gmscbt/. If you experience technical difficulties at any point during this process, please e-mail GMSHelpDesk@usdoj.gov or call 1–888–549–9901 (option 3), Monday–Friday from 6:00 a.m. to 12 midnight eastern time, except federal holidays. The
Office of Justice Programs highly recommends starting the registration process as early as possible to prevent delays in the application submission by the specified deadline.

All applicants are required to complete the following steps:

1. **Acquire a DUNS Number.** A DUNS number is required to submit an application in GMS. The Office of Management and Budget requires that all businesses and nonprofit applicants for Federal funds include a DUNS (Data Universal Numbering System) number in their application for a new award or renewal of an existing award. 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, one-time activity. Obtain a DUNS number by calling 1–866–705–5711 or by applying online at [www.dunandbradstreet.com](http://www.dunandbradstreet.com). Individuals are exempt from this requirement.

2. **Acquire or Renew Registration with the Central Contractor Registration (CCR) Database.** CCR registration is required to receive funding. 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 CCR registration procedures can be accessed at [www.ccr.gov](http://www.ccr.gov).

3. **Acquire a GMS Username and Password.** If you are a new user, please create a GMS profile by selecting the first time user link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to [www.ojp.usdoj.gov/gmscbt/](http://www.ojp.usdoj.gov/gmscbt/).

4. **Search for the Funding Opportunity on GMS.** After you log in to GMS or complete your GMS profile for your username and password, go to the Funding Opportunities link on the left hand side of the page. Please select the Bureau of Justice Assistance and the Tribal Courts Training and Technical Assistance Program solicitation.

5. **Select the Apply Online Button Associated with the Solicitation Title.** The search results from step 4 will display the solicitation title along with the Registration and Application Deadlines for this funding opportunity. Please select the Apply Online button in the Action Column to create an application in the system.

6. **Submit an Application Consistent with this Solicitation by Following the Directions in GMS.** Once submitted, GMS will display a confirmation screen stating your submission was successful. **Important:** You are urged to submit your application at least 72 hours prior to the due date of the application.

Experiencing Unforeseen GMS Technical Issues

If you experience unforeseen GMS technical issues beyond your control which prevent you from submitting your application by the deadline, you must contact BJA staff (see cover page) within 24 hours after the deadline and request approval to submit your application. At that time, BJA staff will require you to e-mail the complete grant application, your DUNS number, and provide a GMS Help Desk tracking number(s). After the program office reviews all of the information submitted, and contacts the GMS Helpdesk to validate the technical issues you reported, OJP will contact you to either approve or deny your request to submit a late application. If the technical issues you reported cannot be validated, your application will be rejected as untimely.

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 GMS 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.

Notifications regarding known technical problems with GMS are posted on the OJP funding web page, [www.ojp.usdoj.gov/funding/solicitations.htm](http://www.ojp.usdoj.gov/funding/solicitations.htm).

What an Application Must Include

This section describes what an application is expected to include and sets out a number of elements. Applicants should anticipate that failure to submit an application that contains all of the specified elements may negatively affect the review of the application and, should a decision nevertheless be made to make an award, may result in the inclusion of special conditions that preclude access to or use of award funds pending satisfaction of the conditions.

Moreover, applicants should anticipate that applications that are not responsive to the scope of the solicitation, or do not include a program narrative, budget, and budget narrative will not proceed to peer review and will not receive further consideration.

OJP strongly recommends use of appropriately descriptive file names (e.g., “Program Narrative,” “Budget and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Resumes”) for all required attachments. OJP recommends that, if applicable, resumes be included in a single file.

Standard Form 424

Please see [www07.grants.gov/assets/SF424Instructions.pdf](http://www07.grants.gov/assets/SF424Instructions.pdf) for instructions on how to complete your SF 424. When selecting “type of applicant,” if the applicant is a for-profit entity, please select “For-Profit Organization” or “Small Business” (as applicable) in the Type of Applicant 1 data field. For-profit applicants also may select additional applicable categories (e.g., "Private Institution of Higher Education").

Abstract (Attachment 1)

Applicants must provide an abstract identifying the applicant’s name, title of the project, and dollar amount requested. The abstract must include the goals of the project, a description of the strategies to be used, and a numerical listing of key/major deliverables. The abstract can be single-spaced, using a standard 12-point font (Times New Roman is preferred) with not less than 1-inch margins, and must not exceed 1 page.
Program Narrative (Attachment 2)
The program narrative must respond to the solicitation and Selection Criteria 1, 2 (separate attachment for the timeline), 3 (separate attachment for resumes), and 5 (separate attachment for MOUs) listed below in the order given. The program narrative must be double-spaced, using a standard 12-point font (Times New Roman is preferred) with not less than 1-inch margins, and must not exceed 20 pages. Please number pages “1 of 20,” “2 of 20,” etc. Applicants should anticipate that if the program narrative fails to comply with these length-related restrictions, such that it provides a significant competitive advantage, the failure to comply may be considered in peer review and in final award decisions.

Budget and Budget Narrative (Attachment 3)
Applicants must submit the budget worksheets and budget narrative in one file in response to Selection Criteria 4. A fillable budget detail worksheet form is available on OJP’s web site at www.ojp.usdoj.gov/funding/forms/budget_detail.pdf. Applicants should allocate funds to cover travel/costs to attend at least one BJA-sponsored training per year.

Please see the OJP Financial Guide for questions pertaining to budget including allowable and unallowable costs at www.ojp.gov/financialguide/index.htm.

Project Timeline (Attachment 4)
Attach a project timeline with each task, expected completion date, and responsible person or organization.

Resumes (Attachment 5)
Attach resumes for key positions.

Memorandums or Understanding (Attachment 6, if applicable)
Attach memorandums of understanding that outline the partners’ responsibilities.

Selection Criteria

1. Statement of the Problem (15 percent of 100)
Demonstrate a thorough understanding of the complex issues confronting tribal court/justice systems in American Indian and Alaska Native communities. Describe the challenges faced in providing effective, targeted training and technical assistance to tribes, and include an effective plan to transfer knowledge and best practices about tribal courts and tribal justice systems.

2. Program Design and Implementation (30 percent of 100)
Describe how the project will address the TCAP-specific information listed on page 2. Provide the project’s design and proposed implementation that will result in the TCAP-specific deliverables. Tie project activities/deliverables to goals and objectives in the program design. Discuss the national significance of the project to improve the functioning of tribal criminal justice systems. Include a timeline, milestones, and responsible person or organization (as Attachment 4).

3. Capabilities/Competencies (30 percent of 100)
Provide specific examples of the applicant’s expertise in:
• Providing training and technical assistance that is comprehensive and user-friendly to develop and enhance tribal justice systems.
• Developing, implementing, and enhancing criminal justice system strategic planning processes specific to tribal communities.
• Working with American Indian and Alaska Native communities.
• Developing culturally competent curricula based on adult learning theory.
• Developing uniform protocols for the assessment and delivery of technical assistance, as well as tracking, evaluation, and follow-up.
• Developing and disseminating publications, teleconferencing, peer-to-peer consultations, onsite assistance, and ongoing offsite assistance by phone and e-mail.
• Working to build and enhance collaborative approaches to address a broad range of tribal justice and tribal safety issues at the national level.
• Communicating and conducting outreach to non-grantee tribes and tribal organizations to participate in and benefit from TTA sessions.
• Working with other OJP and DOJ bureau and office functions relating to Native communities to integrate services and enhance collaboration opportunities.
• Working with other federal agencies (Indian Health Service, Bureau of Indian Affairs, Substance Abuse and Mental Health Services Administration) and tribal court programs to coordinate services.
• Working with tribal intergovernmental consultation and negotiation protocols to engage state and local governments in cooperative agreement efforts and collaborations.

Describe the management structure, staffing, and in-house or contracted capacity to complete each of the proposed tasks/projects, including resumes (as Attachment 5). Describe the roles and responsibilities and qualifications of co-applicants and partners, providing MOUs (as Attachment 6) and resumes (as Attachment 5).

4. **Budget (10 percent of 100)**
   Provide a budget and budget narrative that are complete, allowable, and cost effective (as Attachment 4). Applicants must budget funding to travel to up to three Department of Justice-sponsored grant meetings. Applicants should estimate the costs of travel and accommodations for two staff to attend three meetings in Washington D.C.

5. **Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures (15 percent of 100)**
   Describe the process/system for measuring project performance, including meeting timelines and deliverables, as well as obtaining input and feedback from customers and stakeholders. Identify who will collect the data and how the information will be used to inform the project’s progress.

**Review Process**

OJP is committed to ensuring a fair and open process for awarding grants. The Bureau of Justice Assistance reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the.

Peer reviewers will be reviewing the applications submitted under this solicitation that meet basic minimum requirements. BJA may use either internal peer reviewers, external peer reviewers or a combination 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 a current U.S. Department of Justice employee who is well-versed or has expertise in the subject matter of this solicitation. Eligible applications 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 for award recommendations and decisions may include, but are not limited to, underserved populations, strategic priorities, past performance, and available funding.

The Office of the Chief Financial Officer (OCFO), in consultation with BJA, conducts a financial review of applications for 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.

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 (AAG), who may also give consideration to factors including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards.

**Additional Requirements**

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. We strongly encourage you to review the information 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](http://www.ojp.usdoj.gov/funding/other_requirements.htm).

- Civil Rights Compliance
- Faith-Based and Other Community Organizations
- Confidentiality and Human Subjects Protection (if applicable)
- Anti-Lobbying Act
- Financial and Government Audit Requirements
- National Environmental Policy Act (NEPA) (if applicable)
- DOJ Information Technology Standards (if applicable)
- Single Point of Contact Review
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Compliance with [Office of Justice Programs Financial Guide](http://www.ojp.usdoj.gov/funding/other_requirements.htm)
- Suspension or Termination of Funding

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• 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
• Awards in excess of $5,000,000 – federal taxes certification requirement
Application Checklist
FY 2010 Tribal Courts Training and Technical Assistance Program

The application checklist has been created to aid you in developing your application.

Eligibility
_____ Provides national level training and technical assistance
_____ The federal request is within the allowable limits of $1.5 million

The Application Components:
_____ Abstract
_____ Program Narrative that includes the following:
       _____ Statement of the Problem
       _____ Project Design and Implementation
       _____ Capabilities/Competencies
       _____ Impact/Outcomes and Evaluation/Plan for Collecting Data for Performance Measures
_____ Budget Narrative and Budget Detail Worksheet
_____ Project Timeline
_____ Resumes
_____ Memorandums of Understanding

Abstract Format:
_____ 12-point standard font
_____ Not less than 1” margins
_____ One page or less

Program Narrative Format:
_____ Double-spaced
_____ 12-point standard font
_____ Not less than 1” margins
_____ Narrative is 20 pages or less

Other:
_____ Standard 424 Form
_____ DUNS Number
_____ Central Contractor Registration (CCR)