

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



BJA FY 2021 Invited to Apply- Special Assistant United States Attorney Program to Support the Response to Precipitous Increase in McGirt v. Oklahoma-related cases

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Application JustGrants Deadline:	March 25, 2021 11:59 PM

Overview

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), Bureau of Justice Assistance ([BJA](#)) is seeking applications for funding for hiring tribal prosecutors to be cross designated as Special Assistant US Attorney's to address the precipitous increase in Mc Girt v. Oklahoma related cases. This program furthers the Department's mission by supporting state, local, and tribal law enforcement agencies' efforts to support violent crime prosecutions, address other challenges facing tribal justice agencies and the communities they serve, and to assist victims of crime.

This solicitation incorporates the [OJP Grant Application Resource Guide](#) by reference. The OJP Grant Application Resource Guide provides guidance to applicants on how to prepare and submit applications for funding to OJP. **If this solicitation expressly modifies any provision in the OJP Grant Application Resource Guide, the applicant is to follow the guidelines in this solicitation as to that provision.**

Solicitation Categories

This solicitation does not include Solicitation Categories.

Eligible Applicants:

Other

Other

- Cherokee Nation

The tribal applications must be from the tribal agency who will oversee the staff proposed in the grant, or the tribal applicants must demonstrate the active involvement of these agencies in the application materials.

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Contact Information

For technical assistance with submitting the **SF-424 and SF- LLL** in Grants.gov, contact the Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at [Grants.gov customer support webpage](#), or email at support@grants.gov. The Grants.gov Support Hotline operates 24 hours a day, 7 days a week, except on federal holidays.

For technical assistance with submitting the **full application** in DOJ's Justice Grants System (JustGrants), contact the JustGrants Service Desk at JustGrants.Support@usdoj.gov, JustGrants.Support@usdoj.gov, 833-872-5175. The JustGrants Service Desk operates 5 a.m. – 9.p.m. EST Monday - Friday and 9 a.m. to 5 p.m. Saturday, Sunday, and

Federal holidays.

An applicant that experiences unforeseen Grants.gov or JustGrants technical issues beyond its control that prevent it from submitting its application by the deadline must email the BJA contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline.

For assistance with any other requirements of this solicitation, contact Trish Thackston, by telephone at 202-598-9468, or by email at m.patricia.thackston@ojp.usdoj.gov.

Submission Information

In FY 2021, applications will be submitted to DOJ in a **NEW** two-step process.

Step 1: Applicants will submit an **SF-424 and an SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>. To register in Grants.gov, applicants will need to obtain a Data Universal Numbering System (DUNS) and System for Award Management (SAM) registration or renewal.

Step 2: Applicants will submit the **full application** including attachments in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov).

To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline.

OJP encourages applicants to review, the "How to Apply" section in the [OJP Grant Application Resource Guide](#).

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Program Description

Overview

This program will contribute to the reduction of violent and other crime and build capacity to respond to precipitous increases in the number of cases under tribal and federal jurisdiction as a result of the McGirt v. Oklahoma Supreme Court decision by funding full-time, cross-designated tribal prosecutors working with the local United States Attorney's Offices (USAOs).

Statutory Authority: Statutory Authority: Consolidated Appropriations Act, 2020, (Public Law No. 116-93); 34 U.S.C. § 10157(b).

Specific Information

This funding supports the hiring of tribal prosecutors to be cross designated as a special Assistant United States Attorneys (SAUSAs). Department of Justice leadership selected the invited tribe based on identified need arising out of the McGirt v. Oklahoma case.

Goals, Objectives, Deliverables, and Timeline

With this funding, the Cherokee Nation will hire at least four tribal prosecutors. The tribe will work with their USAO in the Northern District of Oklahoma (NDOK) to cross designate the prosecutors as tribal SAUSAs working with the USAO NDOK. These prosecutors will try cases in both tribal and federal court, as appropriate. The venue for each case will be determined by the tribe in coordination with the USAO.

Goals:

To increase the ability of the Cherokee Nation and the USAO in the Northern District of Oklahoma to respond to the precipitous increase in cases related to the McGirt v. Oklahoma decision. These funds will increase capacity to investigate and try pending and new cases and enhance the use of federal courts to resolve these cases.

Objectives:

- To hire tribal prosecutors that will be cross designated as tribal SAUSAs.
- To increase the number of cases assessed and prosecuted at the tribal level.
- To increase the number of cases assessed and prosecuted at the federal level with the tribe.
- To enhance collaboration in managing violent crime prosecutors between the grantee and the USAO NDOK.
- To enhance the capacity of the grantee to respond to this precipitous increase in these crime cases associated with the McGirt v. Oklahoma decision.

Deliverables:

Final report that documents that the grantee hired the tribal prosecution staff, developed and implemented MOU with the USAO NDOK related to coordination of prosecution and cross designation of staff, and investigated and prosecuted cases resulting from the McGirt v. Oklahoma decision.

Completion and execution of a Memorandum of Agreement with the USAO for the Northern District of Oklahoma.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policymaking and program development in criminal justice, juvenile justice, and crime victim services. For additional information and resources on evidence-based programs or practices, see the [OJP Grant Application Resource Guide](#).

Information Regarding Potential Evaluation of Programs and Activities

OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. For additional information, see the [OJP Grant Application Resource Guide](#) section entitled "Information Regarding Potential Evaluation of Programs and Activities."

Federal Award Information

General Guidance for Federal Award

Total number of awards BJA expects to make: 1
Maximum dollar amount for each award: \$2,000,000
Total amount to be awarded under solicitation: \$2,000,000
Period of performance start date: April 1, 2020

Period of performance duration: up to 48 months

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities) must, as described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.303, comply with standards for financial and program management. The "Part 200 Uniform Requirements" means the DOJ regulation at 2 C.F.R. Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200. See [OJP Grant Application Resource Guide](#) for additional information.

Budget Information

Applicant may request funding to hire tribal prosecutors that will be cross designated as a SAUSAs and associated costs of coordinating and prosecuting these cases.

Other strategies that enhance the grantee's capacity to respond to and manage the precipitous increase in criminal cases associated with the [McGirt v Oklahoma](#) decision.

Cost Sharing or Matching Requirement

This solicitation does not require a match.

Pre-agreement Costs (also known as Pre-award Costs)

See the [OJP Grant Application Resource Guide](#) for information on Pre-agreement Costs (also known as Pre-award Costs).

Limitation on Use of Award Funds for Employee Compensation: Waiver

See the OJP Grant Application Resource Guide for information on Limitation on Use of Award Funds for Employee Compensation; Waiver.

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

See the [OJP Grant Application Resource Guide](#) for information on Prior Approval, Planning and Reporting of Conference/Meeting/Training Costs.

Costs Associated with Language Assistance (if applicable)

See the [OJP Grant Application Resource Guide](#) for information on Limitation on Use of Costs Associated with Language Assistance.

Eligibility Information

For eligibility information, see the title page.

Application and Submission Information

See the Application Elements and Formatting Instructions section of the [OJP Grant Application Resource Guide](#) for information on what happens to an application that does not contain all the specified elements or that is nonresponsive to the scope of the solicitation

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

Information to Complete the Application for Federal Assistance (SF-424) The SF-424 will be submitted in Grants.gov. The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. See the

Intergovernmental Review: This solicitation ("funding opportunity") is not subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the "Program is not covered by E.O. 12372.")

Standard Applicant Information (JustGrants 424 and General Agency Information)

The Standard Applicant Information section of the JustGrants application is pre-populated with the SF-424 data submitted in Grants.gov. Applicants will need to review the Standard Applicant Information in JustGrants and make edits as needed. Within this section, applicants will need to add: zip codes for areas affected by the project; confirm their Authorized Representative; and verify the organizations legal name and address.

Proposal Abstract

A proposal abstract (no more than 400 words) summarizing the proposed project including primary activities, products and deliverables, the service area, and who will benefit from the proposed project, will be completed in the JustGrants Web-based form.

Proposal Narrative

The proposal narrative should be submitted as an attachment in JustGrants. The attached document should be double-spaced, using a standard 12-point Times New Roman font; have no less than 1-inch margins; and should not exceed 15 pages. Pages should be numbered and submitted as an attachment. If the proposal narrative fails to comply with these length restrictions, BJA may negatively consider such noncompliance in final award decisions.

The following sections must be included as part of the proposal narrative:

a. Description of the Issue

- Describe the current challenges your tribe faces related to an increase in criminal cases over which you have jurisdiction resulting from the McGirt v. Oklahoma decision. Provide data related to estimated number of relevant crimes and pending cases that these funds seek to address. Explain why this project and requested funds for these proposed activities are necessary to address these challenges.

b. Project Design and Implementation

- Describe the strategy to address the needs identified in the Description of the Issue. List the proposed program activities and describe how they relate to the stated objectives. Provide a detailed description of the planned activities, including strategies to coordinate new cases, assess them for action, investigations and prosecution. Discuss planned coordination with the USAO NDOK to negotiate the MOU, coordinate hiring and management of staff in federal cases with the USAO, coordination of assessment of cases and decisions on prosecution. What percent of cases do you anticipate the staff will pursue in federal versus tribal court? Provide a timetable indicating roughly when activities or program milestones are to be accomplished.

c. Capabilities and Competencies

- Describe the tribe's capabilities and competencies to accomplish the goals and objectives of the project. Describe the applicant's management structure and outline its ability to conduct the individual activities through the organization/staff's experience, as well as partners. The management and organizational structure described should match the staff needs necessary to accomplish the tasks outlined in the solicitation, including who oversees the prosecution of criminal cases for the application, and who will supervise the staff hired and work with the USAO NDOK to coordinate hiring and supervision of staff with the USAO. Are there other key partners? What are their roles? Detailed information contained in the project timeline, position descriptions, and letters of interest will inform the basis for assigning points relative to this criterion.

d. Plan for Collecting the Data Required for this Solicitation's Performance Measures

- Describe the process for measuring project performance. Identify who will collect the data; who is responsible for performance measurements; and how the information will be used to guide and evaluate the impact of the project. How will you collect data on cases referred and assessed; cases accepted for prosecution and results; training and development of staff; and collaboration with partners.

Note: applicants are **not** required to submit performance data with the application. Rather, performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award. The performance data directly relate to the goals, objectives, and deliverables identified under "Goals, Objectives, and Deliverables."

Applicants can also visit OJP's performance measurement page at www.ojp.gov/performance for an overview of

performance measurement activities at OJP.

Award recipients will be required to submit performance measure data in the BJA Performance Measurement Tool (PMT), and separately submit a semi-annual, annual performance report in JustGrants. Further guidance on the post-award submission process will be provided, if selected for award.

Note on Project Evaluations

An applicant that proposes to use award funds through this solicitation to conduct project evaluations must follow the guidance under “Note on Project Evaluations” in the [OJP Grant Application Resource Guide](#).

Goals, Objectives, Deliverables, and Timeline

Applicants will submit the Special Assistant United States Attorney Program to Reduce Violent Crime to Support the Response to Precipitous Increase in McGirt v. Oklahoma- related cases program goals, objectives, deliverables, and timelines in the JustGrants Web-based form. See the [OJP Grant Application Resource Guide](#) for additional information.

Budget and Associated Documentation

Budget Worksheet and Budget Narrative (Web-based Form)

Applicants will complete the JustGrants web-based budget form. See the [OJP Grant Application Resource Guide](#) for additional information.

Indirect Cost Rate Agreement (if applicable)

Applicants will submit their indirect cost rate agreement by uploading the agreement as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Financial Management Questionnaire (including applicant disclosure of high-risk status)

Applicants will download the questionnaire in JustGrants and submit by uploading the completed questionnaire as an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Disclosure of Process Related to Executive Compensation

If applicable, applicants will submit a description of the process used to determine compensation by uploading the document and an attachment in JustGrants. See the [OJP Grant Application Resource Guide](#) for additional information.

Memoranda of Understanding (MOUs) and Other Supportive Documents

Applicants are required to submit a draft MOU between the partner U.S. Attorney’s Office and the applicant tribe setting forth selection process, supervision, caseload, training, compensation, reporting and office / staffing needs. This MOU must be effective during the entire duration of the grant award period. If not executed, attach a letter interest from the USAO that summarizes their commitment.

Additional Application Components

The applicant will attach the requested documentation in JustGrants.

Curriculum Vitae or Resumes

Attach position descriptions for the key positions and résumés for current staff, in addition to job posting descriptions for anticipated new hires. If the applicant is hiring, please detail in the timeline when it anticipates the hiring process to be complete and when any new hire’s efforts will commence.

Timeline Form

Attach a project timeline with each project objective, activity, expected completion date, and responsible person or organization.

Disclosures and Assurances

Applications will complete the following disclosures and assurances.

Disclosure of Lobbying Activities

Applicants will complete and submit the SF-LLL in Grants.gov. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certified Standard Assurances

See DOJ Certified Standard Assurance on the [OJP Grant Application Resource Guide](#).

Applicant Disclosure of Duplication in Cost Items

Applicants will complete the JustGrants web-based Applicant Disclosure of Duplication in Cost Items form. See the [OJP Grant Application Resource Guide](#) for additional information.

DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

Applicants will review and accept the DOJ Certified Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements. See [OJP Grant Application Resource Guide](#).

Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable)

If applicable, applicants will submit as an attachment in JustGrants See the [OJP Grant Application Resource Guide](#) for additional information. A DOJ High Risk Grantee is a recipient that has received a DOJ High Risk designation based on a documented history of unsatisfactory performance, financial instability, management system or other internal control deficiencies, or noncompliance with award terms and conditions on prior awards, or that is otherwise not responsible.

How to Apply

Applicants will submit an **SF-424** and an **SF-LLL** in Grants.gov at <https://www.grants.gov/web/grants/register.html>.

Applicants will submit the **full application** including attachments in JustGrants at [JustGrants.usdoj.gov](https://www.justgrants.usdoj.gov).

For additional information, see the “How to Apply” section in the [OJP Grant Application Resource Guide](#).

Submission Dates and Time

The **SF-424** and the **SF-LLL** will be submitted in Grants.gov by March 11, 2021 at 11:59 PM EST. OJP urges applicants to submit applications at least 72 hours prior to the application due date to allow time for the applicant to receive validation messages or rejection notifications from Grants.gov and to correct in a timely fashion any problems that may have caused a rejection notification.

The **full application** will be submitted in JustGrants by March 25, 2021 at 11:59 PM EST. To be considered timely, the full application must be submitted in JustGrants by the JustGrants application deadline. Application Review Information

Application Review Information

Review Process

OJP reviews each application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. For invited applications, OJP reviews for consistency with the invitation letter and invited applicant guidance. See the [OJP Grant Application Resource Guide](#) for information on the application review process.

In addition, if OJP anticipates that an award will exceed \$250,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System, FAPIIS).

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

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

Federal Award Administration Information

Federal Award Notices

See the [OJP Grant Application Resource Guide](#) for information on award notifications and instructions.

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance).

For additional information on these legal requirements, see the “Administrative, National Policy, and Other Legal Requirements” section in the [OJP Grant Application Resource Guide](#).

Information Technology (IT) Security Clauses

An application in response to this solicitation may require inclusion of information related to information technology security. See the [OJP Grant Application Resource Guide](#) for information on information technology security.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables described in Program Description, any recipient of an award under this solicitation will be required to submit certain reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

See the [OJP Grant Application Resource Guide](#) for additional information on specific post-award reporting requirements, including performance measures data.

Federal Awarding Agency Contact(s)

For OJP contact(s), see page #2.

For contact information for Grants.gov and JustGrants, see page #2

Other Information

Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)

See the [OJP Grant Application Resource Guide](#) for information on Freedom of Information and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).

Provide Feedback to OJP

See the [OJP Grant Application Resource Guide](#) for information on how to provide feedback to OJP.

Application Checklist

Special Assistant United States Attorney Program to Reduce Violent Crime to Support the Response to Precipitous Increase in McGirt v. Oklahoma- related cases program

This application checklist has been created as an aid in developing an application.

What an Applicant Must Do:

Prior to Registering in Grants.gov:

- Acquire a DUNS Number (see [OJP Grant Application Resource Guide](#))
- Acquire or renew registration with SAM (see [OJP Grant Application Resource Guide](#))

To Register with Grants.gov:

- Acquire AOR and Grants.gov username/password (see [OJP Grant Application Resource Guide](#))
- Acquire AOR confirmation from the E-Biz POC (see [OJP Grant Application Resource Guide](#))

To Find Funding Opportunity:

- Search for the Funding Opportunity on Grants.gov

- Access Funding Opportunity and Application Package (see [OJP Grant Application Resource Guide](#))
- Sign up for Grants.gov email [notifications](#) (optional) (see [OJP Grant Application Resource Guide](#))
- Read [Important Notice: Applying for Grants in Grants.gov](#)
- Read OJP policy and guidance on conference approval, planning, and reporting

Available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm
(see [OJP Grant Application Resource Guide](#))

Overview of Post-Award Legal Requirements:

Review the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2021 Awards](#)” in the [OJP Funding Resource Center](#).

Scope Requirement:

- The federal amount requested is within the allowable limit(s) of \$2,000,000

Eligibility Requirement: Cherokee Nation

- Submit **SF-424** and **SF-LLL** in Grants.gov

After SF-424 and SF-LLL submission in Grants.gov, in Grants.gov in Grants.gov, Receive Grants.gov Email Notifications That:

- Submission has been received in Grants.gov
- Submission has either been successfully validated or rejected with errors (see [OJP Grant Application Resource Guide](#))

If No Grants.gov Receipt and Validation, or Error Notifications are Received:

- Contact Grants.gov Customer Support Hotline at 800-518-4726, 606-545-5035, at [Grants.gov customer support webpage](#), or email at support@grants.gov regarding technical difficulties (see [OJP Grant Application Resource Guide](#))

Content of Application Submission:

- Information to Complete the Application for Federal Assistance (SF-424) in Grants.gov
- Standard Applicant Information (SF-424 info from Grants.gov)
- Proposal Abstract
- Proposal Narrative

Budget and Associated Documentation:

- Budget Worksheet and Budget Narrative (web-based form)
- Indirect Cost Rate Agreement (if applicable) (see [OJP Grant Application Resource Guide](#))
- Financial Management and System of Internal Controls Questionnaire (see [OJP Grant Application Resource Guide](#))
- Disclosure of Process related to Executive Compensation

Additional Application Components:

- Memorandum of Understanding/Letter of Support
- Position Descriptions
- Time Task Plan

Disclosures and Assurances:

- [Disclosure of Lobbying Activities \(SF-LLL\)](#) (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure of Duplication in Cost Items (see [OJP Grant Application Resource Guide](#))
- DOJ Certified Standard Assurance (see [OJP Grant Application Resource Guide](#))
- DOJ Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements (see [OJP Grant Application Resource Guide](#))
- Applicant Disclosure and Justification – DOJ High Risk Grantees (if applicable) (see [OJP Grant Application Resource Guide](#))

Submit Application in JustGrants:

- Application has been successfully submitted in JustGrants

If No JustGrants Application Submission, Validation, or Error Notifications are Received:

- Contact JustGrants.Support@usdoj.gov or 833-872-5175 regarding technical difficulties

