



The U.S. Department of Justice, Office of Justice Programs (OJP), [Bureau of Justice Statistics](#) (BJS) is pleased to announce that it is seeking applications for funding under the Recovery Act – Tribal Crime Data Collection, Analysis and Estimation Project.

On February 17, 2009, President Obama signed into law the landmark American Recovery and Reinvestment Act of 2009 (the “Recovery Act”). As one of its many elements, the Recovery Act provides the U.S. Department of Justice (DOJ) with funding for grants to assist state, local, and tribal law enforcement (including support for hiring), to combat violence against women, to fight internet crimes against children, to improve the functioning of the criminal justice system, to assist victims of crime, and to support youth mentoring. DOJ is committed to working with our national, state, local, and tribal partnerships to ensure this funding invests in the American workforce.

Specifically, under this solicitation, BJS will make an award to improve the utility of tribal crime and justice data for use in the Edward Byrne Memorial Justice Assistance Grant (JAG) Program formula grant calculations, and as part of an effort to collect more reliable information on American Indians in the criminal justice system and crimes committed in Indian country.

Recovery Act – Tribal Crime Data Collection, Analysis and Estimation Project

Eligibility

(See “Eligibility,” page 5)

Deadline

Registration with GMS is required prior to application submission.

Applicants must obtain a DUNS number from Dun and Bradstreet prior to application submission. Applicants, including those applying through GMS, must register with the Central Contractor Registration (CCR) database.

(See “Deadline: Registration,” page 5)

All applications are due by 5:00 p.m. eastern time on April 30, 2009.

(See “Deadline: Application,” page 5)



Important Note to Prospective Applicants

This solicitation is issued pursuant to the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), which was signed into law by President Obama on February 17, 2009. As of the date this solicitation is issued, government-wide guidance is still forthcoming on various aspects of the Act.

Applicants are strongly advised to check the appropriate website and the www.ojp.usdoj.gov/recovery/solicitationrequirements.htm periodically (including before submitting an application) for updates to this solicitation and its associated requirements. Additional information may become available that could affect project proposal narratives, timelines, budget requests, certifications, and other matters related to applications.

Award recipients will be required to follow any applicable provisions of government-wide guidance that may be issued pursuant to the Recovery Act.

Contact Information

For assistance with the programmatic requirements of this solicitation, contact Steven W. Perry, Statistician, at (202)307-0777 or Steven.W.Perry@usdoj.gov.

This application must be submitted through OJP's Grants Management System (GMS). For technical assistance relating to the online application system, call the Grants Management System Support Hotline at 1-888-549-9901, option 3.

Note: The GMS Support Hotline hours of operation are Monday-Friday from 7:00 a.m. to 9:00 p.m. eastern time.



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FY 2009 Recovery Act: Tribal Crime Data Collection, Analysis, and Estimation Project CFDA 16.803

Overview

This grant program is authorized by the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (the "Recovery Act").

The stated purposes of the Recovery Act are to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits; and to stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive State and local tax increases.

The Recovery Act places great emphasis on accountability and transparency in the use of taxpayer dollars. Among other things, it creates a new Recovery Accountability and Transparency Board and a new website – Recovery.gov – to provide information to the public, including access to detailed information on grants and contracts made with Recovery Act funds.

The goal of the Recovery Act – Tribal Crime Data (RA-TCD) Collection, Analysis and Estimation Project is to enhance the utility of tribal crime and justice data for use (1) in the Edward Byrne Memorial Justice Assistance Grant (JAG) Program formula calculations, and (2) as part of an effort to collect more reliable information on American Indians in the criminal justice system and crimes committed in Indian country.

The JAG Program funds are available to state, local and tribal governments to support a variety of justice-related activities:

- Prosecution and court programs.
- Prevention and education programs.
- Corrections and community corrections programs.
- Drug treatment programs.
- Planning, evaluation, and technology improvement programs.
- Personnel, overtime and equipment.

To be eligible, a jurisdiction must provide to the UCR a count of the number of violent crimes reported each year for a minimum of three years in the last ten. Jurisdictions that have not reported any data in the last ten years, or have not reported data for at least three years in the last ten, do not receive an award.



Once eligibility is determined, a jurisdiction's share of the local award is based on the average number of violent crimes committed for the three most recent years in which the jurisdiction reported data. If the initial amount of that award is less than \$10,000, the award is given to the state, rather than to the local jurisdiction. Jurisdictions that were allocated an initial award that is greater than or equal to \$10,000 receive the funds for their own use.

Currently, tribal crime data are rarely reported directly to the UCR. Most tribes report crime data to the Department of Interior's Bureau of Indian Affairs (BIA), which then transmits these data to the FBI for inclusion in the UCR as a single line – a total for all reporting tribes. Hence, individual tribal data rarely appear in the UCR and, therefore, individual tribes are largely ineligible for awards under the Byrne JAG Formula Grant Program.

The recipient of the RA-TCD Project funds will collect tribal crime and justice data to assess the extent to which these data meet FBI standards for inclusion in Byrne JAG calculations. For the tribal data that do not meet FBI standards, the recipient will develop and implement a strategic plan to enhance the quality of these data. The strategic plan should include, at a minimum, technical assistance to tribal entities and conduct data collection from tribes that do not currently submit data meeting FBI standards. The data collection will further support the utility of crime and justice data in describing American Indians in the criminal justice system and crimes committed in Indian country.

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

Deadline: Registration

Registering with OJP's Grants Management System (GMS)

Applications must be submitted through OJP's online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process immediately to meet the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. The registration process for organizations includes: (1) Obtaining a Data Universal Numbering System (DUNS) number; (2) Registering your organization with the Central Contractor Registration (CCR) database; and (3) Registering with GMS prior to applying.

The deadline to register is 5:00 p.m. eastern time on Thursday, April 30, 2009.

A DUNS number is required. All applicants under this solicitation must include a DUNS (Data Universal Numbering System) number in their application. 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 <http://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.

Deadline: Application

The due date for applying for funding under this announcement is 5:00 p.m. eastern time on Thursday, April 30, 2009.

Eligibility

Both profit-making and nonprofit organizations may apply for funds. However, consistent with OJP fiscal requirements, for-profit organizations are not allowed to make a profit as a result of this award or to charge a management fee for the performance of this award. Tribal entities are also eligible to apply for funds.

Additional Requirements related to the Recovery Act (including certification requirements):

Reporting on the Use of Funds. In order to be eligible to receive funds under this solicitation, applicants must certify that they will satisfy the reporting requirements of section 1512(c) of the Recovery Act, which requires detailed reporting (including reporting on subawards) not later than **ten calendar days after the end of each calendar quarter**. Detailed information on section 1512(c) appears below, under "Accountability and Transparency under the Recovery Act." A template for the certification is included in the appendix. Applicants may expect that a standard form and/or standard reporting mechanism will be made available at a future date.

Certification regarding Infrastructure Investments. Pursuant to section 1511 of the Recovery Act, a State or local government (including a federally recognized Indian tribal government) may

not receive funds for an infrastructure investment (for example, construction or major renovation of a correctional facility) unless the Governor, mayor, or other chief executive, as appropriate, certifies that the infrastructure investment has received the full vetting required by law and that



the chief executive accepts responsibility that the infrastructure is an appropriate use of taxpayer dollars. The certification must include a description of the infrastructure investment, the estimated total cost, and the amount of Recovery Act funds to be used, and must be posted on a website that is linked to Recovery.gov. Refer to the OJP Recovery Act Additional Requirements webpage at <http://www.ojp.gov/recovery/solicitationrequirements.htm> for the text of section 1511.

Consistent with section 1511, **all** applicants under this solicitation must complete a “General Certification as to Requirements for Receipt of Funds for Infrastructure Investments,” a template for which is included in the appendix. Recipients that are awarded funds for one or more infrastructure investment projects must also submit and post a certification that satisfies section 1511 as to each such specific project prior to obligating, expending, or drawing down funds for such a project. Applicants or recipients that intend to prepare a section 1511 certification should consult the OJP Recovery Act Additional Requirements webpage at <http://www.ojp.gov/recovery/solicitationrequirements.htm>. If a standard form becomes available, OJP will include a notice in the appropriate section of the webpage.

Faith-Based And Other Community Organizations: Consistent with Executive Order 13279, dated December 12, 2002, and 28 C.F.R. Part 38, faith-based and other community organizations that statutorily qualify as eligible applicants under DOJ programs are invited and encouraged to apply for assistance awards to fund eligible grant activities. Faith-based and other community organizations will be considered for awards on the same basis as other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with all other grantees in the administration of such awards. No eligible applicant or grantee will be discriminated for or against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Faith-based organizations receiving DOJ assistance awards retain their independence and do not lose or have to modify their religious identity (e.g., remove religious symbols) to receive assistance awards. DOJ grant funds, however, may not be used to fund any inherently religious activity, such as prayer or worship. Inherently religious activity is permissible, although it cannot occur during an activity funded with DOJ grant funds; rather, such religious activity must be separate in time or place from the DOJ-funded program. Further, participation in such activity by individuals receiving services must be voluntary. Programs funded by DOJ are not permitted to discriminate in the provision of services on the basis of a beneficiary’s religion.

If your organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled, under the Religious Freedom Restoration Act, 42 U.S.C. § 2000bb, to receive federal funds and yet maintain that hiring practice, even if the law creating the funding program contains a general ban on religious discrimination in employment. For the circumstances under which this may occur, and the certifications that may be required, please see the section titled, “Funding to Faith-Based Organizations” on the “OJP Recovery Act Additional Requirements” webpage at <http://www.ojp.gov/recovery/solicitationrequirements.htm> .

Applicants are also encouraged to review the “Civil Rights Compliance” section on the “OJP Recovery Act Additional Requirements” webpage, which can be found at the web address shown above.



American Indian Tribes and Alaska Native Tribes and/or Tribal Organizations: If a grant application is being submitted on behalf of a tribe or tribal organization, a current authorizing resolution of the governing body of the tribal entity or other enactment of the tribal council or comparable government entity authorizing the inclusion of the tribe or tribal organization named in the application must be included with the application.

Project Specific Information

All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. Applicants also should anticipate the award under the Recovery Act will be a one-time award and accordingly should propose project activities and deliverables that can be accomplished without additional DOJ funding.

In 2004, the Census Bureau estimated the number of American Indians and Alaska Natives (AIAN) to be about 4 million, or 1.4 percent of the U.S. resident population.¹ American Indians in the United States belong to approximately 562 federally recognized tribes that have a distinct history, culture, and often a separate language.² About 341 federally recognized American Indian tribes are located in the lower 48 States. In 2000, about 34 percent of the American Indian and Alaska Native population lived in American Indian areas (AIAs).³

Federal, state, local and tribal governments need complete and reliable tribal crime and justice data to develop and design effective crime prevention programs in Indian country. Over the past several years, a number of studies have used different methodologies to assess victimization among American Indians and the experience of American Indians in the criminal justice system. These studies reveal the breadth of the pending tribal justice and safety issues facing American Indians, yet also highlight the paucity of data on crime and the administration of justice in Indian country and the need for improved collections and analyses.

More specifically, the previous reports have identified the following limitations in tribal justice data:

1. The regular collection, reporting, and analysis of crime and justice data among the various federal, state, and tribal justice agencies responsible for public safety in Indian

¹ <http://www.census.gov/prod/2007pubs/acs-07.pdf> The term "American Indian and Alaska Native" is used to refer to the American Indian and Alaska Native-alone population. In the report graphics, the acronym "AIAN" is used to refer to the American Indian and Alaska Native population. The American Indian and Alaska Native population includes people who reported American Indian and Alaska Native or wrote in their principal or enrolled tribe or tribes on the ACS question on race.

² Federal Register, Vol. 68, No. 234, December 5, 2003.

³ "American Indian areas include American Indian reservations and/or off-reservation trust lands (federal), Oklahoma tribal statistical areas (OTSAs), tribal designated statistical areas (TDSAs), American Indian reservations (state), and state designated American Indian statistical areas (SDAISAs). (Census 2000 Special Reports. *We the People: American Indians and Alaska Natives in the United States*. (2006, page 14). <http://www.census.gov/prod/2006pubs/censr-28.pdf>).



country—reservations, tribal communities, and trust land—is limited, not coordinated, or does not exist.

2. No principal organization collects, analyzes, and disseminates data on crime and the administration of justice in Indian country.
3. Federal, state and local crime data generally do not distinguish between offenses committed in Indian country from those committed elsewhere.
4. There are limited tribal crime data and tribal affiliation information for American Indians adjudicated through federal and state criminal justice systems having jurisdiction in Indian country.

In particular, the lack of tribal crime data in the FBI's Uniform Crime Reporting (UCR) program means that tribes are unable to receive direct grant awards under the Byrne JAG formulas grant program. Approximately 35 tribes currently submit data to the FBI, however only 6 tribes were awarded Byrne JAG program funding in FY 2009. The recipient of the Tribal Crime Data Collection, Analysis, and Estimation Project will implement several tasks to respond specifically to this issue and to support more reliable information on American Indians in the criminal justice system and crimes committed in Indian country.

This award will allocate no more than \$1 million to complete the tasks described below over a 24-month period. BJS expects that a smaller portion of the total award (no more than \$250,000) will support Tasks 1-5 in the first year of the project, and that the majority of the award will support Task 6 in the second year.

Scope of Work

The goal of this project is to enhance the utility of tribal crime and justice data. The program agent will achieve this goal by completing tasks in support of the following activities:

1. Facilitate meaningful coordination among selected American Indian and Alaska Native tribal representatives; the Bureau of Justice Statistics (BJS); the DOJ's Office of Tribal Justice (OTJ); the Office of Justice Programs Council on Native American Affairs; the Bureau of Indian Affairs (BIA); the Federal Bureau of Investigation (FBI); the Executive Office for US Attorneys (EOUSA); and local government as necessary.
2. Complete a comprehensive inventory and data quality assessment of tribal crime and justice data currently submitted to the FBI.
3. Develop a strategic plan to enhance the accuracy, completeness and availability of tribal crime and justice data.
4. Implement components of the strategic plan (1) to increase the number of tribes eligible for Byrne JAG program funding and (2) as part of an effort to provide more reliable information on the experience of American Indians in the criminal justice system and crimes committed in Indian country.



Applicants are strongly encouraged to consider the extant literature on Indian country criminal jurisdiction related to law enforcement, courts, and corrections; and the impact of Public Law 280. In particular, the National Institute of Justice has released a number of reports related to crime and justice in Indian country, and BJS has published statistical reports focusing on American Indians and crime, tribal justice agencies, and jails in Indian country (available on the BJS website at <www.ojp.usdoj.gov/bjs>).

Specifically, the recipient of funds will complete the following tasks:

1. Coordinate planning meetings and informational exchanges between federal, tribal, and local entities. At a minimum, the recipient will host two formal meetings during the first year which shall include the program agent, the BJS Program Manager, and federal, state, and tribal partners. The first meeting will be held in Washington, DC. The second meeting may be held at a location to be determined by the recipient and the BJS Project Manager. The purpose of these meetings is to determine what tribal crime data are currently submitted to the FBI and other agencies, gain access to those data, and finalize the priorities and scope of the data inventory.
2. Following the first planning meeting, further develop and finalize a detailed timetable for each task in the proposed project (a draft timetable should be included in the response to this solicitation). All deliverables are due within the specified period of performance. After the BJS Project Manager has agreed to the timetable, all work must be completed as scheduled. The timetable will include monthly status meetings or conference calls with the BJS program manager. **Deliverable: Timetable covering a 24-month period.**
3. Complete a detailed inventory of all tribal crime and justice data submitted to the FBI. At a minimum, the inventory should include the following items:
 - Data elements/items collected.
 - Mode of data collection.
 - Governance/legal authority involved.
 - Basis for reporting/collection (e.g. daily, weekly, monthly, etc.).
 - Collection form(s), formats, etc.
 - Unit(s) of count.
 - Nature of the data (e.g. structured, unstructured, etc.).
 - Any coding schema utilized.
 - Extent of automation involved in the data collection process.
 - How the data are utilized by the cognizant federal agency.
 - Data compilation rules and/or instructions.
 - Availability of historical compilations (e.g. Do data exist for 2005, 2006, 2007, 2008?).
 - How data are maintained at local and federal levels.

Deliverable: Detailed data inventory that addresses each of the bulleted items above. The inventory should include a data file containing three years of tribal-specific total Part I violent crime counts already submitted to the FBI.



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4. Complete a comprehensive data quality assessment of all tribal crime and justice data submitted to the FBI. The assessment should consider at a minimum several criteria:
- The existence of counting rules,
 - Data quality guidance.
 - Compliance testing.
 - Internal and/or external reviews of data quality (accuracy and completeness).
 - Outreach or training involved.
 - Instructional material.

Deliverable: Data quality assessment document that details the assessment methods, resulting findings of gaps in the data inventory, and recommendations for improving and ensuring data quality as justified. The assessment should also include a template for collecting such data from additional tribal entities.

Tasks 1 – 4 must be completed within the initial 9-month period of the award.

5. Develop a strategic plan for the enhancement and ongoing maintenance of tribal crime and justice data quality control. The plan should include consideration of data already submitted to BIA (which then submits those data to the FBI in a single aggregated line item), improved use of technology, opportunities for efficiencies through better coordination, training/outreach needs, and other factors deemed relevant. At a minimum, the plan must include provision of technical assistance and training to selected tribal entities and primary data collection from selected tribal entities that are not currently eligible for Byrne JAG program funding. **Deliverable: The strategic plan should be completed by the end of the initial 12-month award period.**
6. Implement the strategic plan as feasible. In coordination with BJS and other agencies identified in Task 1, the award recipient will implement components of the strategic plan, including provision of technical assistance and data collection from tribes that are not currently eligible for Byrne JAG program funding.

The recipient of funds will provide training and technical assistance (TTA) to selected tribes/tribal justice personnel on the improvement of crime data collection, analysis, and reporting for the JAG Program formula calculations and submissions to the FBI. This TTA plan must be approved by the BJS Program Manager.

The recipient will further collect data from selected tribes that are not currently eligible for Byrne grant funding. The collection should be based on the template completed as part of the data inventory in Task 4 and include, at a minimum, data that meet the FBI standards for Byrne JAG program funding and provide information on the experience of American Indians in the criminal justice system.

The applicant should propose and support the feasibility and scope of such technical assistance and data collection in the response to this solicitation. Feasibility should be based on the amount of funding proposed for Task 6, the 12 months allocated to complete Task 6, and the experience and expertise of the applicant and its team relative to providing TTA to and collecting data from tribal entities. The applicant should further



be able to adjust the proposed plan in response to the findings from the data quality assessment.

For example, the recipient may propose to focus on selected tribes based on one or more of the following criteria:

- Tribes that already submit data to the FBI but are ineligible for Byrne JAG program funding (e.g., the data are not available for three out of the past ten years).
- Tribes that represent a significant portion of the American Indian population living on tribal lands.
- Tribes that are located in PL-280 states.

The applicant may further propose to collect data from selected state, local, and tribal agencies to determine how American Indians are identified and whether the data differentiate between crimes committed in Indian country and those committed elsewhere.

Deliverable: Data collected from the selected jurisdictions. The database should contain, at a minimum, the bulleted items addressed in the data inventory (Task 3), and also flag measures that support enhanced data utility in terms of (1) Byrne JAG program eligibility and (2) more reliable information on the experience of American Indians in the criminal justice system and/or crimes committed in Indian Country. **The database and all supporting documentation are due no later than 30 days before the award end date.**

Limitation on Use of Award Funds for Employee Compensation; Waiver: No portion of any award of more than \$250,000 made under this solicitation may be used to pay any portion of the total cash compensation (salary plus bonuses) of any employee of the award recipient whose total cash compensation exceeds 110% 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. For FY 2009, the total cash compensation cannot exceed \$194,700 (\$177,000 [current maximum SES salary] plus [\$177,000 times 10%]). (The salary table for SES employees is available at www.opm.gov.)

This prohibition may be waived at the discretion of the Assistant Attorney General for the Office of Justice Programs. An applicant that wishes to request a waiver should include a detailed justification in the budget narrative for the application. The justification should include: the particular qualification and expertise of the individual, the uniqueness of the service being provided, the individual's specific knowledge of the program or project undertaken with the grant funds and a statement explaining that the individual's salary is commensurate with the regular and customary rate for an individual with her/his qualifications and expertise, and for the work that is to be done.

Non-supplanting: Federal funds must be used to supplement existing State and local funds for program activities and must not replace those funds that have been appropriated for the same purpose. See the OJP Financial Guide (Part II, Chapter 3) [[hyperlink to OJP Financial Guide](#)].



Additional information appears on the “OJP Recovery Act Additional Requirements” webpage at www.ojp.usdoj.gov/recovery/solicitationrequirements.htm.

Recovery Act: Preference for Quick-Start Activities

Pursuant to section 1602 of the Recovery Act, recipients of funds under this solicitation for infrastructure investment are to give preference to activities that can be started and completed expeditiously, and also are expected to use grant funds in a manner that maximizes job creation and economic benefit. For the details of this requirement, please refer to the text of section 1602, which appears on the “OJP’s Recovery Act Additional Requirements” webpage at <http://www.ojp.gov/recovery/solicitationrequirements.htm> .

Recovery Act: Contracts

Generally speaking, the Recovery Act places special emphasis on the use of fixed-price contracts awarded through competitive procedures. As information becomes available, OJP will provide guidance to applicants as to what, if any, particular procurement requirements or procedures may apply to contracts awarded with Recovery Act grant funds, apart from those that appear in 28 C.F.R. Part 66 and 28 C.F.R. Part 70.

Recovery Act: Limit on Funds

The Recovery Act specifically provides that funds may not be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.

Recovery Act: Use of Funds in Conjunction with Funds from Other Sources.

Recovery Act funds may be used in conjunction with other funding as necessary to complete projects, but tracking and reporting of Recovery Act funds must be separate, to meet the reporting and other requirements of the Recovery Act and other applicable law. There can be no commingling of funds. (See “Accountability and Transparency under the Recovery Act,” below.)

Accountability and Transparency under the Recovery Act

Separate Tracking and Reporting of Recovery Act Funds and Outcomes

Consistent with the special purposes and goals of the Recovery Act, and its strong emphasis on accountability and transparency, it is essential that all funds from a Recovery Act grant be tracked, accounted for, and reported on separately from all other funds (including DOJ grant funds from non-Recovery Act grants awarded for the same or similar purposes or programs). Recipients must also be prepared to track and report on the specific outcomes and benefits attributable to use of Recovery Act funds.

The accounting systems of all recipients and subrecipients must ensure that funds from any award under this Recovery Act solicitation are not commingled with funds from any other source.

Misuse of grant funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under a grant, and civil and/or criminal penalties.



Quarterly Financial and Programmatic Reporting

Consistent with the Recovery Act emphasis on accountability and transparency, reporting requirements under Recovery Act grant programs will differ from and expand upon OJP's standard reporting requirements for grants. In particular, section 1512(c) of the Recovery Act sets out detailed requirements for quarterly reports that must be submitted within 10 days of the end of each calendar quarter. Receipt of funds will be contingent on meeting the Recovery Act reporting requirements.

Under this Recovery Act program, quarterly financial and programmatic reporting will be required, and will be **due within 10 calendar days after the end of each calendar quarter**, starting July 10, 2009.

Programmatic and Financial Reporting Periods	Due Dates
October- December	January 10
January- March	April 10
April-June	July 10
July-September	October 10

The information from grantee reports will be posted on a public website. To the extent that grant funds are available to pay a grantee's administrative expenses, those funds may be used to assist the grantee in meeting the accelerated time-frame and extensive reporting requirements of the Recovery Act.

Recovery Act grant recipients may expect that the information posted by OJP will identify grantees that are delinquent in their reporting. In addition, in keeping with standard OJP practice, grant recipients who do not submit required reports by the due date will not be permitted to draw down funds thereafter, during the pendency of the delinquency, and may be subject to other appropriate actions by OJP, including, but not limited to, restrictions on eligibility for future OJP awards, restrictions on draw-down on other OJP awards, and suspension or termination of the Recovery Act award.

Funding recipients may expect that a standard form and/or reporting mechanism may be available. Additional instructions and guidance regarding the required reporting will be provided as they become available. For planning purposes, however, all applicants should be aware that the Recovery Act section 1512(c) provides as follows:

Recipient Reports- Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a federal agency shall submit a report to that agency that contains--

- (1) the total amount of recovery funds received from that agency;
- (2) the amount of recovery funds received that were expended or obligated to projects or activities;
- (3) a detailed list of all projects or activities for which recovery funds were expended or obligated, including--



- (A) the name of the project or activity;
 - (B) a description of the project or activity;
 - (C) an evaluation of the completion status of the project or activity;
 - (D) an estimate of the number of jobs created and the number of jobs retained by the project or activity; and
 - (E) for infrastructure investments made by State and local governments, the purpose, total cost, and rationale of the agency for funding the infrastructure investment with funds made available under this Act, and name of the person to contact at the agency if there are concerns with the infrastructure investment; and
- (4) Detailed information on any subcontracts or subgrants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282), allowing aggregate reporting on awards below \$25,000 or to individuals, as prescribed by the Director of the Office of Management and Budget.

Subawards under Recovery Act Grants

Reporting: DUNS and CCR. As indicated above, quarterly reporting requirements for Recovery Act awards include reporting with respect to subawards. In order to facilitate that reporting, award recipients must work with their first-tier subawardees (if any) to ensure that, no later than the due date of the award recipient's first quarterly report after a subaward is made, the subawardee has a DUNS numbers and is registered with the CCR database. See "Deadline: Registration," above, for more information on CCR and DUNS numbers.

Monitoring of subawards. All applicants should bear in mind that any recipient of an award under this solicitation will be responsible for monitoring of subawards under the grant in accordance with all applicable statutes, regulations, OMB circulars, and guidelines, including the OJP Financial Guide. Primary recipients will be responsible for oversight of subawardee spending and monitoring of specific outcomes and benefits attributable to use of Recovery Act funds.

Reporting Fraud, Waste, Error, and Abuse

Each grantee or subgrantee awarded funds made available under the Recovery Act is to promptly refer to an appropriate inspector general any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving Recovery Act funds.

You may report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General (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 <http://www.usdoj.gov/oig/>.

The Recovery Act provides certain protections against reprisals for employees of non-federal employers who disclose information reasonably believed to be evidence of gross management, gross waste, substantial and specific danger to public health or safety, abuse of authority, or violations of law related to contracts or grants using Recovery Act funds. For additional information, refer to section 1553 of the Recovery Act.

Performance Measures

To assist in fulfilling the accountability objectives of the Recovery Act, as well as the Department's responsibilities under the Government Performance and Results Act (GPRA), Public Law 103-62, applicants who receive funding under this solicitation must provide data that measure the results of their work. Additionally, applicants must discuss their data collection methods in the application. Performance measures for this solicitation are as follows:

OBJECTIVE	PERFORMANCE MEASURES	DATA THE GRANTEE PROVIDES FOR 3-MONTH REPORTING PERIOD	DESCRIPTION (PLAIN LANGUAGE EXPLANATION OF WHAT EXACTLY IS BEING PROVIDED)
Recovery Act: Preserving and creating jobs and promoting economic recovery	Number of jobs retained (by type) due to Recovery Act funding	Number of persons retained using project funds. The proportion of employees allocated to the project	The number of persons employed in connection with the project, including consultation tasks with tribal agencies. The full-time equivalent (FTE), which is the percent time that each employee, consultant, or subcontractor spends on the project.
	Number of jobs created (by type) due to Recovery Act funding	Number of persons hired using project funds	The number of persons hired in connection with the project, including consultation tasks with tribal agencies.



OBJECTIVE	PERFORMANCE MEASURES	DATA THE GRANTEE PROVIDES FOR 3-MONTH REPORTING PERIOD	DESCRIPTION (PLAIN LANGUAGE EXPLANATION OF WHAT EXACTLY IS BEING PROVIDED)
Maintaining essential services without disruption.	<p>Percentage of tribal agencies eligible for Byrne JAG program funding.</p> <p>Percent increase of tribal agencies that are submitting arrest data to the FBI as a result of this funding.</p>	<p>Number of tribal entities assessed by the grantee.</p> <p>Number of tribal entities submitting three years of arrest data to the FBI as a result of Recovery Act funding.</p> <p>Number of tribal agencies that are now submitting arrest data to the FBI as a result of Recovery Act funding.</p>	The number and type of federal, state, and local agencies participating in the funded project, including tribal entities.

How to Apply

Grants Management System Instructions. Applications must be submitted through OJP's online Grants Management System (GMS). To access the system, go to <https://grants.ojp.usdoj.gov>. Applicants should begin the process a few weeks prior to the GMS registration deadline, especially if this is the first time they have used the system. Each application requires a separate GMS registration. For a step-by-step guide, visit <http://www.ojp.gov/gmscbt/> and refer to the section entitled "External Overview: Locating & Applying for Funding Opportunities." For additional assistance, call the GMS Help Desk at 1-888-549-9901 from 7:00 a.m. to 9:00 p.m. Eastern Time Monday to Friday.

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 formats: Microsoft Word (*.doc), Word Perfect (*.wpd), Microsoft Excel (*.xls), PDF files (*.pdf), or Text Documents (*.txt). 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 that any Word documents you are submitting in Grants.gov are saved using "Word 97-2003 Document (*.doc)" format. Additionally, 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."

Recovery Act CFDA Number: The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.803, titled "Recovery Act - Edward Byrne Memorial Justice Assistance Grant (JAG) Program/Grants to States and Territories," and the funding opportunity number is _____.



What an Application Must Include

Standard Form 424 Program Narrative

The project narrative should describe activities as discussed in the Scope of Work and address the selection criteria. The narrative should include:

- Project objectives that are linked to meaningful and measurable outcomes consistent with the goals of the Recovery Act, and the likelihood of achieving such outcomes, such as job creation and preservation;
- Organizational capabilities and competencies, including a description of how the organization will track all drawdowns and grant expenditures separately from other federal funding;
- Activities that can be started and completed expeditiously, and in a manner that maximizes job creation and economic benefits;
- A timeline or project plan identifying when the goals and objectives should address a 24-month period; and
- Performance measures established by the organization should assess whether grant objectives are being met.

Budget and Budget Narrative

The budget information should address a 24-month project period.

Description of the Applicant's Plan for the Collection of the Data Required for Performance Measures

Indirect Cost Rate Agreement (if applicable)

Certifications

Other Attachments

Selection Criteria

Proposals should describe the plan and implementation strategies outlined in the scope of work. Information on staffing levels and qualifications should be included for each task and descriptions of experience relevant to the project. Resumes of the proposed project director and key staff should be submitted with the proposal.

Applications will be reviewed competitively with the final award decision made by the Director of BJS. The applicant will be evaluated on the basis of:

1. Understanding of the problem
 - Extensive knowledge and experience in tribal crime data and Byrne grant funding calculations.
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- Knowledge of tribal justice organization, including PL 280 states, and the role of federal, state, local and tribal agencies in criminal justice functions.
 - Statistical data collection, analysis, and post data collection processing and editing.
2. Project design and implementation
 - Meet the stated goals and address the tasks in the Scope of Work.
 - Demonstrate the ability to complete the Scope of Work.
 3. Comprehensive and on-time reports
 - Progress reports.
 - Performance measures.
 - Other deliverables as specified in the Statement of Work.
 4. Capabilities/Competencies
 - Demonstrated ability of staff in understanding statistical data collection, analysis and reporting. In addition, demonstrated experience working on Indian country criminal justice issues.
 - Demonstrated ability to work with hard-to-reach populations, varying management information systems (from electronic to paper) and coordination of the work of diverse groups.
 - Experience working with UCR-type data and knowledge of the formulas or supporting information for Byrne grant calculations.
 5. Budget
 - Reasonableness of the Budget. The degree to which the budget demonstrates fiscal, management, staff, and organizational capacity to provide sound management for this project.
 - Applicant should include detailed staff resources and other costs by project tasks.

Review Process

OJP is committed to ensuring a standardized process for awarding grants. BJS 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. BJS 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 the Bureau of Justice Statistics, 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 OJP Assistant Attorney General (AAG), 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 awards under this Recovery Act solicitation 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/recovery/solicitationrequirements.htm

- Civil Rights Compliance
- Funding to Faith-Based Organizations
- Confidentiality and Human Subjects Protection
- Anti-Lobbying Act
- Financial and Government Audit Requirements, includes Single Audit Act Requirements
- National Environmental Policy Act (NEPA)
- 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



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- For-Profit Organizations
 - Government Performance and Results Act (GPRA)
 - Rights in Intellectual Property
 - Federal Funding Accountability and Transparency Act (FFATA) of 2006
 - Recovery Act Reporting Requirements; Section 1512(c) of the Recovery Act
 - Section 1511 of the Recovery Act: Certifications
 - Section 1602 of the Recovery Act: Preference for Quick-Start Activities
 - Section 1604 of the Recovery Act: Limit on Funds
 - Section 1605 of the Recovery Act: Buy American
 - Section 1606 of the Recovery Act: Wage Rate Requirements
 - Section 1607 of the Recovery Act: Additional Funding Distribution and Assurance of Appropriate Use of Funds
 - Section 1609 of the Recovery Act: Relating to National Environmental Policy Act



Appendix. Template(s) for Certification(s)

(Instructions: Scan signed certification(s) and submit image files electronically as part of your application package.)

U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

Recovery Act - Tribal Crime Data Collection, Analysis, and Estimation Project

Certification as to Recovery Act Reporting Requirements

On behalf of the applicant entity named below, I certify the following to the Office of Justice Programs, U.S. Department of Justice:

I have personally read and reviewed the section entitled "Accountability and Transparency under the Recovery Act" in the program announcement for the Recovery Act grant program identified above. I have also read and reviewed section 1512(c) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5), concerning reporting requirements for grants. I agree that the applicant will comply with the reporting requirements set forth therein with respect to any grant the applicant may receive under the Recovery Act grant program identified above.

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program, grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs, and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant entity (that is, the entity applying directly to the Office of Justice Programs).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Full Name of Applicant Entity

Date



U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

**Recovery Act - Tribal Crime Data Collection, Analysis, and Estimation
Project**

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

On behalf of the applicant State or unit of local government (including tribal government) named below, I certify the following to the Office of Justice Programs ("OJP"), U.S. Department of Justice:

I have personally read and reviewed the section entitled "Eligibility" in the program announcement for the Recovery Act grant program named above. I also have personally read and reviewed section 1511 of the American Recovery and Reinvestment Act of 2009 (the "Recovery Act"), which requires a specific certification prior to receipt of Recovery Act funds for infrastructure investments.

Initial the statement that applies:

_____ The applicant identified below **does not intend to use** any portion of any funds received under this Recovery Act grant program for any infrastructure investment. Should this intention change, the applicant will promptly notify OJP, and (except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law) will not draw down, obligate, or expend any funds received under this Recovery Act program for any infrastructure investment project until section 1511 of the Recovery Act has been satisfied, and an adequate project-specific certification has been executed, posted, and submitted to OJP.

_____ The applicant identified below **does intend to use** some or all of any funds received under this Recovery Act grant program for one or more infrastructure investment projects. Except to the extent, if any, that OJP has given prior written approval to expend funds to conduct the review and vetting required by law, I agree that the applicant entity will execute, post, and submit to OJP, prior to obligating, expending, or drawing down funds for such project, a project-specific certification that satisfies all of the requirements of section 1511 (including execution by the Governor, mayor, or other chief executive, as appropriate) for each such infrastructure investment project.



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U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS

General Certification as to Requirements for Receipt of Funds
for Infrastructure Investments

I acknowledge that a false statement in this certification may be subject to criminal prosecution, including under 18 U.S.C. § 1001. I also acknowledge that Office of Justice Program grants, including certifications provided in connection with such grants, are subject to review by the Office of Justice Programs and/or by the Department of Justice's Office of the Inspector General.

I have authority to make this certification on behalf of the applicant (that is, the governmental entity applying directly to the Office of Justice Programs).

Signature of Certifying Official

Printed Name of Certifying Official

Title of Certifying Official

Full Name of Applicant Government Entity

Date