



Consultation Topic: A proposal by the Department of Justice’s (DOJ) Office on Violence Against Women (OVW) to develop a streamlined application process for OVW’s Tribal-specific grant programs separate and apart from the Coordinated Tribal Assistance Solicitation (CTAS), including issuing a special, COVID-19/violence against women response solicitation for Tribes this summer.

BACKGROUND

OVW recognizes that the COVID-19 pandemic is having particularly devastating effects in Tribal communities, and that keeping victims safe and holding offenders accountable for domestic violence, dating violence, sexual assault, stalking, and sex trafficking (hereinafter “violence against women crimes”) are harder than ever under these conditions. OVW is consulting with Tribes now to help us determine how best to move grant funds quickly out to Tribal communities for improving responses to violence against women. Specifically, OVW is seeking Tribal input on creating a streamlined application process for these grants separate and apart from CTAS, including issuing a special solicitation this summer for funds to mitigate pandemic-related challenges in responding to violence against women.

OVW administers four grant programs specifically for Tribal governments and currently solicits applications for three of these programs outside of CTAS – the Tribal Domestic Violence and Sexual Assault Coalitions Program, the Tribal Sexual Assault Services Program, and the Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction Program. In addition, OVW administers Tribal technical assistance funding and special initiatives outside of CTAS, as well as other OVW grant programs for which Tribes are among the eligible entities, such as programs focused on abuse in later life, legal assistance for victims, and the needs of rural communities.

Each fiscal year, OVW solicits applications for its fourth, and largest, Tribal-specific program – the Tribal Governments Program (TGP) – through CTAS, a Tribal programs application process that is a collaboration among OVW, DOJ’s Office of Justice Programs (OJP), and DOJ’s Office of Community Oriented Policing Services (COPS). CTAS is not a grant program but rather is an umbrella solicitation that has allowed Tribes to apply for one or more different grant programs with a single application. The different grant programs are identified as Purpose Areas within the solicitation, and Tribes receive separate awards under each Purpose Area/grant program for which they are selected, each with different requirements tied to the applicable grant program statute.

Through prior consultations with Tribal leaders, OVW has received input on ways to administer funding for Tribal governments to make it easier for Tribes to access these funds and administer their funded projects. OVW has tried various methods to make grant funds more accessible to Tribes within CTAS, including outreach and technical assistance for Tribes not currently receiving OVW funding, extensive consultation with Tribes on administering OVW’s TGP on a formula basis, simplifying CTAS requirements, making up to five years of funding available to qualifying grantees, and limiting existing Tribal grantees’ eligibility for additional funding in consecutive fiscal years to help reach new grantees. Despite these efforts, Tribal applications for “Purpose



Area 5” of CTAS (OVW’s TGP) have not increased. Although there are 574 federally recognized Indian Tribes, CTAS Purpose Area 5 receives on average 55 to 60 applications annually, with a slight downward trend in recent years.

OVW is proposing a new approach for FY 2021 – consolidating all OVW Tribal-specific grant programs into OVW by moving TGP out of CTAS, as well as streamlining the application process for all OVW Tribal-specific grant programs. Also, OVW is proposing to issue an additional, COVID-19 focused solicitation this summer to ensure that all funds appropriated for OVW’s Tribal-specific programs in FY 2020 can be awarded quickly. This solicitation would be issued for the purpose of distributing any potential carryforward funds (funds leftover after all awards are made under existing FY 2020 solicitations, including the TGP/Purpose Area 5 of CTAS), as well as any potential stimulus funding for OVW’s Tribal-specific programs.¹ This solicitation would help Tribes with their immediate needs related to the pandemic in responding to violence against women, while also implementing an OVW-specific, streamlined solicitation process as proposed in this framing paper. Tribes would be able to provide input on the proposed process for FY 2021 through this current consultation and, based on their experience with the COVID-19 focused solicitation, again at the annual OVW consultation this fall. OVW would then be able to adjust the new process in FY 2021 based on feedback from Tribal leaders.

OVW has identified the following possible advantages and disadvantages of creating an OVW Tribal-specific grant process outside of CTAS:

Possible Advantages:

- OVW would implement a more streamlined approach for applicants, such as allowing Tribes to apply for more than one OVW Tribal-specific program through a single solicitation and enhancing coordination between the application processes for OVW’s Tribal-specific programs and OVW’s general programs for which Tribes are also eligible. One of the goals of this approach would be to bring in more applications for OVW’s Tribal-specific programs.
- OVW’s streamlined approach would allow Tribes applying for OVW Tribal-specific programs to submit certain documents only after being notified of a successful application, thereby reducing the number of documents required at the time of application.
- OVW would have greater ability to highlight the TGP and bring it to the attention of Tribes interested in focusing on violence against women crimes. The TGP is a statutorily-created grant program, with a broad range of permissible purposes, all focused on violence against women. OVW is the logical place to look for grant opportunities in this area, and Tribes

¹ Carryforward numbers are not known for FY 2020 yet, but at the end of FY 2019, they were approximately \$6 million. The Health and Economic Recovery Omnibus Emergency Solutions Act (HEROES Act, H.R. 6800), as passed by the House of Representatives, would provide supplemental appropriations of nearly \$15 million for OVW’s Tribal-specific grant programs (\$7.8 million for the TGP, \$1.5 million for the Tribal Sexual Assault Services Program, \$4 million for the Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction Program, and \$685,714 for the Tribal Domestic Violence and Sexual Assault Coalitions Program). We do not know at this time whether these amounts – or different amounts – will be appropriated, but preparing to issue a solicitation now would make it easier to move them out expeditiously if they are appropriated, with the benefit of Tribal input on their distribution.



currently go to OVW when looking for such opportunities, both OVW's Tribal-specific grant programs and nine general OVW programs for which Tribes are also eligible. Removing the TGP from CTAS and bringing it back to OVW would make OVW the single location for Tribes to apply to address violence against women crimes.

- Creating an OVW Tribal-specific grant process outside of CTAS would allow Tribes, Tribal non-profits, and other entities solely interested in addressing violence against Native women to avoid using CTAS if they are not seeking funding under other CTAS Purpose Areas.
- Currently, significant OVW staff time is devoted to the operational aspects of CTAS and its committee structure, which limits time spent supporting Tribal grantees. An OVW Tribal-specific grant process outside of CTAS would permit OVW to coordinate timing and program development across OVW's Tribal-specific grant programs, thus allowing OVW to devote more time, effort, and resources to grantee support and program improvements for the benefit of Tribes.

Possible Disadvantages:

- Because CTAS has been in place for 11 years, Tribes would need to adjust to the new process that OVW is suggesting.
- Tribes would need to continue to consider CTAS as well as the OVW Tribal-specific grant process when searching for funding opportunities.
- OVW would no longer be a participant in the DOJ comprehensive review of Tribal-specific grant funding that is part of the CTAS process and helps the Department to understand and address Tribes' overall justice system needs. However, as discussed below, OVW could mitigate this disadvantage by continuing to give priority to applicants that have engaged in Tribal justice system strategic planning under CTAS Purpose Area 2.

In light of these possible advantages and disadvantages, OVW is proposing a new approach for all of OVW's Tribal-specific programs, one that would enable OVW to maintain a consistent process for these programs and provide greater simplicity for Tribes. For example, OVW could develop a consolidated solicitation for two or more of the Tribal-specific grant programs administered by OVW's Tribal Affairs Division (TAD), which would reduce the number of solicitations posted by TAD and potentially streamline workload for both Tribal applicants and TAD staff providing services to Tribal grantees. To implement a consolidated solicitation, OVW would need to address the variability in eligible entities and requirements for these programs, as some include Tribal non-profits and one provides formula funding (OVW's Tribal Coalitions Program). Additional options for streamlining include:

- Reducing the number of documents required at the time of application so that only those applicants selected for funding would have to prepare and submit them.
 - Issuing a separate OVW Tribal-specific solicitation this summer to ensure that all FY 2020 funds reach Tribes during this period of intense need related to the COVID-19 pandemic. These funds would be awarded to new and existing Tribal grantees specifically for the purpose of addressing challenges in responding to violence against women created by the pandemic and national emergency. This also would give Tribes an opportunity to experience and provide feedback on OVW's streamlined process at
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OVW's annual consultation in the fall.

- Maximizing the use of OVW Tribal training and technical assistance (TTA) providers. OVW TAD could continue to conduct strategic planning through the TGP TTA provider. Tribes that have received an award under CTAS Purpose Area 2 for justice system strategic planning could continue to receive priority for OVW funding.
- Eliminating the CTAS community profile requirement and allowing the narrative portion of the application to focus more on the goals and objectives of the project, with more space to describe the proposed project through OVW's solicitation format.
- Coordinating application due dates across OVW programs and with CTAS to avoid placing conflicting demands on Tribes.
- Continuing to manage the post application and award processes at OVW.
- For TGP awardees, reducing required attendance to only one annual new grantee orientation on how to successfully manage an OVW grant award and eliminating CTAS orientation for OVW grantees.
- Using targeted webinars to save on grantee travel expenses and time.

QUESTIONS

1. Do Tribes support creating an OVW Tribal-specific grant process outside of CTAS?
2. Do Tribes support OVW's proposal to test this process by issuing an OVW-specific, COVID-19 focused solicitation this summer?
3. Are there additional advantages and disadvantages to removing the TGP from CTAS that Tribes have identified, beyond those listed above?
4. Would Tribes support any of the ideas listed above for creating an OVW Tribal-specific grant process and streamlining the application process for OVW's Tribal-specific grant programs, particularly if OVW no longer participates in CTAS?
5. Do Tribes have additional ideas for streamlining the application process within OVW for these programs or enhancing Tribes' access to OVW funding?
6. Do Tribes have additional suggestions on how to encourage Tribes that have never received OVW grant funds to apply for grants to expand the reach of OVW funding in Tribal communities?