C. Definitions

As used in this program, the following definitions are found in section 309 of the Act. The Crime Bill amendments added the phrase "or other supportive services" to the definition of related assistance in 3(b) below.

(1) Family Violence: Any act or threatened act of violence, including any forceful detention of an individual, which (a) results or threatens to result in physical injury and (b) is committed by a person against another individual (including an elderly person) to whom such person is or was related by blood or marriage or otherwise legally related or with whom such person is or was lawfully residing.

(2) Shelter: The provision of temporary refuge and related assistance in compliance with applicable State law and regulation governing the provision, on a regular basis, which includes shelter, safe homes, meals, and related assistance to victims of family violence

and their dependents.

(3) Related assistance: The provision of direct assistance to victims of family violence and their dependents for the purpose of preventing further violence, helping such victims to gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of the violence. Related assistance includes:

(a) outreach and prevention, services for victims and their children, such as employment training, parenting and other educational services for victims and their children, preventive health services within domestic violence programs (including nutrition, disease prevention, exercise, and prevention of substance abuse), domestic violence prevention programs for school age children, family violence public awareness campaigns, and violence prevention counseling services to abusers;

- (b) counseling with respect to family violence, counseling or other supportive services by peers individually or in groups, and referral to community social services:
- (c) transportation, technical assistance with respect to obtaining financial assistance under Federal and State programs, and referrals for appropriate health-care services (including alcohol and drug abuse treatment), but does not include reimbursement for any health-care services;
- (d) legal advocacy to provide victims with information and assistance through the civil and criminal courts, and legal assistance; or

(e) children's counseling and support services, and child care services for children who are victims of family violence or the dependents of such victims.

D. Eligibility: States

"States" as defined in section 309(6) of the Act are eligible to apply for funds. The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, and the remaining eligible entity previously a part of the Trust Territory of the Pacific Islands—the Republic of Palau. In the past, Guam, the Virgin Islands, and the Commonwealth of the Northern Mariana Islands, have applied for funds as a part of their consolidated grant under the Social Services Block grant. These jurisdictions need not submit an application under this Program Announcement if they choose to have their allotment included in a consolidated grant.

E. Eligibility: Native American Tribes and Tribal Organizations

Native American Tribes and Tribal organizations are eligible for funding under this program if they meet the definition of such entities as found in sections (e) and (l), respectively, of section 4 of the Indian Self-Determination and Education Assistance Act and are able to demonstrate their capacity to carry out a family violence prevention and services program. The required capacity must be demonstrated in the application. Methods of demonstrating such capacity can include, but are not limited to, showing:

(1) The current operation of a shelter, safehouse, or family violence prevention

program;

(2) The establishment of joint, collaborative, or service agreements with a local public agency or a private non-profit agency for the operation of family violence prevention activities or services; or

(3) The operation of social services programs as evidenced by receipt of "638" contracts with the Bureau of Indian Affairs (BIA); Title II Indian Child Welfare grants from the BIA; or Child Welfare Services grants under Title IV–B of the Social Security Act.

A list of currently eligible Native American Tribes and Tribal organizations is found at Appendix B of this Announcement. Any Native American Tribe or Tribal organization that believes it has met the eligibility criteria and should be included in the list of eligible tribes should provide supportive documentation and a request for inclusion. The documentation and the request may be submitted concurrently with their grant application addressed to the contact person at the above address.

As in previous years, Native American Tribes may apply singularly or as a consortium. In addition, a nonprofit private organization, approved by a Native American Tribe for the operation of a family violence shelter on a reservation, is eligible for funding. Any non-profit organization submitting an application must submit proof of its non-profit status in its application at time of submission. The non-profit agency can accomplish this by providing a copy of the applicants listing in the Internal Revenue's Service (IRS) most recent list of tax-exempt organizations described in Section 501(c)(3) of the IRS code, or by providing a copy of the currently valid IRS tax-exemption certificate, or by providing a copy of the articles of incorporation bearing the seal of the State in which the corporation or association is domiciled.

Because section 304(a) specifies a minimum base amount for State allocations, we have set a base amount for Native American Tribal allotments. Since FY 1986, we have found, in practice, that the establishment of such an allocation, based on population, has facilitated our efforts to make a fair and equitable distribution of limited grant funds.

Native American Tribes which meet the application requirements and whose reservation and surrounding Tribal Trust Lands population is less than 3,000 will receive a minimum of \$3,000; Tribes which meet the application requirements and whose reservation and surrounding Tribal Trust Lands population exceeds 3,000 will receive a minimum of \$8,000, except for the Navajo Tribe which will receive a minimum of \$24,000 because of its population. We have used these population figures to determine minimum funding levels since the beginning of the program.

In computing Native American Tribal allocations, we will use the latest available population figures from the Census Bureau. Where Census Bureau data are unavailable, we will use figures from the BIA Indian Population and Labor Force Report. If not all eligible Tribes apply, the available funds will be divided proportionally among the Native American Tribes which apply and meet the requirements.