

or agency has the authority to submit an application on behalf of the Native American individuals in the tribe(s) and to administer programs and activities funded under this program (section 303(b)(2)).

(3) A description of the procedures designed to involve knowledgeable individuals and interested organizations in providing services under the Act (section 303(b)(2)). For example, knowledgeable individuals and interested organizations may include: tribal officials or social services staff involved in child abuse or domestic violence prevention, tribal law enforcement officials, representatives of State coalitions against domestic violence, and operators of domestic violence shelters and service programs.

(4) A description of the tribe's operation of and/or capacity to carry out a domestic violence prevention and services program. This might be demonstrated in ways such as the following:

(a) The current operation of a shelter, safehouse, or domestic violence prevention program;

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

(c) 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; Child Welfare Services grants under title IV-B of the Social Security Act; or Family Preservation and Family Support grants under title IV-B of the Social Security Act.

(5) A description of the services to be provided, how the Native American tribe or tribal organization plans to use the grant funds to provide the direct services, to whom the services will be provided, and the expected results of the services (section 303(b)(2)).

(6) Documentation of the procedures that assure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services by any program assisted under the Act. Include procedures that ensure that individual client records cannot be identified when providing statistical

data on program services and activities (section 303(a)(2)(E)).

(7) The EIN number of the Native American tribe, tribal organization, or non-profit organization submitting the application.

Each application must contain the following assurances:

(a) That not less than 70 percent of the funds shall be used for immediate shelter and related assistance for victims of family violence and their dependents and not less than 25 percent of the funds distributed shall be used to provided related assistance (section 303(f)).

(b) That grant funds made available under the Act will not be used as direct payment to any victim or dependent of a victim of family violence (section 303(c)).

(c) That the address or location of any shelter or facility assisted under the Act will not be made public, except with the written authorization of the person or persons responsible for the operations of such shelter (section 303(a)(2)(E)).

(d) That law or procedure has been implemented for the eviction of an abusing spouse from a shared household (section 303(a)(2)(F)).

(e) That all programs or activities funded in whole or in part under the Act will prohibit discrimination on the basis of age, handicap, sex, race, color, national origin or religion (section 307).

(f) That applicant will comply with the applicable Departmental record-keeping and reporting requirements and general requirements for the administration of grants under 45 CFR parts 74 and 92.

## Part VI. Other Information

### A. Notification Under Executive Order 12372

For States, this program is covered under Executive Order 12372, "Intergovernmental Review of Federal Programs," for State plan consolidation and implication only—45 CFR 100.12. The review and comment provisions of the Executive Order and part 100 do not apply. Federally-recognized Native American tribes are exempt from all provisions and requirements of E.O. 12372.

### B. Paperwork Reduction Act

In accordance with the Paperwork Reduction Act of 1980 (Pub. L. 96-511),

the application requirements contained in this instruction have been approved by the Office of Management and Budget under control number 0970-0062.

## C. Certifications

Applications must comply with the required certifications found at Appendix A as follows:

1. Anti-Lobbying Certification and Disclosure Form. Pursuant to 45 CFR part 93, the certification must be signed and submitted with the application. If applicable, a standard form LLL, which discloses lobbying payments must be submitted.

2. Certification Regarding Drug-Free Workplace Requirements.

3. Certification Regarding Debarment: The signature on the application by the chief program official attests to the applicants intent to comply with the Drug-Free Workplace requirements and compliance with the Debarment Certification. The Drug-Free Workplace and Debarment certifications do not have to be returned with the application.

4. Certification Regarding Environmental Tobacco Smoke: The signature on the application by the chief program official attests to the applicants intent to comply with the requirements regarding environmental tobacco smoke and services to children under age 18 of the Pro-Children Act of 1994. The applicant further agrees that it will require the language of this certification be included in any sub-awards which contain provisions for children's services and that all grantees shall certify accordingly.

(Catalog of Federal Domestic Assistance number 93.671, Family Violence Prevention and Services.)

Dated: April 8, 2003.

**Clarence H. Carter,**

*Director, Office of Community Services.*

## Appendix A—Required Certifications:

Attachment—A Certification Regarding Lobbying and Disclosure of Lobbying Activities and Instructions

Attachment—B Certification Regarding Debarment;

Attachment—C Regarding Environmental Tobacco Smoke; and

Attachment—D Drug-Free Workplace Requirements.

**BILLING CODE 4184-01-P**