

tribal representatives in the ranking process.

TWG proposed guidelines state that “the Director will make the final determination for grant approval.” Six respondents stated their agreement with this language. One respondent disagreed. Three suggested that the national review team be capable of making the final decision on accepting proposals, and two others would like the Regional Native American Liaisons to rank and award proposals in their respective Regions. In addition to these comments, it was suggested that an appeal process should be included for proposals that are not selected.

*Response:* Because this is a nationally competitive program, the Secretary’s authority is delegated solely to the Director, who will review recommendations and make final selections. Submitters of proposals not selected will receive information to improve their chances of future selection.

*Part II., Proposed Implementation Guidelines, section B., Application Requirements (1),* states that TWG is not exempt from any of the Federal grant program compliance requirements as specified in 43 CFR part 12, OMB Circulars A–102 and A–87, and Service Manual Chapters 522 FW1 and 523 FW1. Two comments addressed this issue, both in agreement, but one called for the inclusion of language that identified the tribe’s fiduciary responsibility over subgrantees and contractors.

*Response:* The language in the proposed notice will be amended to indicate Tribal grantees’ responsibility for ensuring that subgrantees and contractors adhere to these requirements.

In *part II., Proposed Implementation Guidelines, section B., Application Requirements (2),* general inclusions for proposals in the TWG program are addressed. They include a Cover Letter, Program Summary, Program Narrative, Budget Narrative, and Resolution of Support. Two general comments on this section were received: one stated approval of the proposed components of the grant proposal, and another noted the necessity of keeping the process as simple as possible to alleviate the administrative burden on the applicant.

*Response:* Comments noted.

No comments were received on the requirement of a *Cover Letter* or *Program Summary*.

Sixteen respondents commented on the requirement of a *Program Narrative*. Eleven advocated for the inclusion and/or prioritization of tribal goals rather than “relevant Service performance

goals”; three asked that Service Goals, 1.4, 1.5, 1.6, and Mission Goal in Partnerships 4.1 be included; and one respondent would like the inclusion of fish to be clearly articulated.

*Response:* The Service recognizes that the tribal grant funding is for the benefit of wildlife and their habitat, including species that are not hunted or fished. The care and maintenance of the nation’s fish and wildlife resources is dependent on cooperative efforts of partners. The Service’s performance goals articulate the importance of tribal partnerships in Mission Goal 4.1 and the broad range of mutually beneficial resource accomplishments that can result from partnership actions. The final advice is modified to include Mission Goal 4.1, Tribal Partnerships and resource-related goals, including 1.1; 1.2; 1.3; 1.4; 1.5; 1.6, Sustainability of Fish and Wildlife Populations (<http://planning.fws.gov/tableofcon.html>).

Under the heading *Budget Narrative*, one respondent asked the Service to clarify the meaning of “administrative costs” to include or exclude indirect costs, and advocated excluding indirect costs. Another comment suggested a 15 percent maximum for Indirect Cost Rates.

*Response:* The Service determined that administrative costs are those that can be directly related to allowable costs as defined in 43 CFR 12.62, as well as in OMB Circular A–87 (Cost Principles for State, Local, and Indian Tribal Governments). Indirect costs are also explained in OMB Circular A–87; indirect costs are allowable as direct costs if the applicant has an approved indirect cost agreement with its cognizant agency. All costs, whether direct or indirect, must be included in the grant proposal and are subject to the grant award maximum of 25 percent.

Nine comments were submitted regarding the requirement of a *Resolution of Support* from the appropriate tribal governing body that supports the proposed project. One expressly opposed this requirement. Nine said that often it is not reasonable to expect a tribal governing body to meet during the open period for submitting grant proposals. Several comments proposed remedies that would allow for a letter of support from the “duly elected leader of the tribe” or the “Tribal Chair or Councilperson.” Another suggested alternative was to allow for an extended open period to account for varying meeting schedules for tribal councils.

*Response:* The requirement for a *Resolution of Support* is an assurance that the tribal governing body supports

the proposed project and the actions necessary to realize the natural resource benefits identified in the proposal. The Service recognizes that there could be times when a tribal resolution of support for a proposal may not be logistically possible. The Service will amend the requirement to accept a letter or signed endorsement from an individual with delegated tribal authority. If a resolution of support is not submitted with the proposal, one will be required from the tribal governing body prior to the Service’s awarding of the grant.

*Part II., Proposed Implementation Guidelines, section B., Application Requirements (3),* states that the proposal package will be made available through the Service’s Regional Native American Liaisons. Two comments pointed out that they would like to be able to download the proposal package from the Internet.

*Response:* The Service is required to provide access to application packages through as many sources as available. Therefore, application guidelines and packages for this grant program can be obtained through Regional Native American Liaisons as well as through the Service’s Web site at <http://grants.fws.gov/tribal.html>.

*Part II., Proposed Implementation Guidelines, section B., Application Requirements (4),* states that matching funds are not required. However, they are encouraged and the proposed ranking criteria will consider them as an indication of commitment and to encourage partnerships. Two comments asked that the Service eliminate or decrease the value of this requirement.

*Response:* These comments are addressed in part II., C., Ranking Criteria.

In *part II., Proposed Implementation Guidelines, section B., Application Requirements (5),* the Service outlines the proposed allowance for in-kind contributions as meeting a matching funds requirement and provides additional information as to how it defines in-kind contributions. One respondent agreed, and one disagreed, pointing out that this would add no value to a proposal. Another asked that the Service clarify whether or not funds may be expended in multiyear projects and, if so, for how many years. One comment indicated that if matching funds are not required, then it is not fair to use them in ranking proposals for selection.

*Response:* The Service has identified those costs that are considered allowable as in-kind contributions or matching funds. These have been identified in Service Manual 522 FW 1