

FUND DISTRIBUTION PROCESS

Program: Detention/Corrections

Type of Funding: Recurring (Non Base)

Funding Authority/Responsibility: 25 U.S.C. 13 (The Snyder Act of November 2, 1921), 42 Stat. 208, Pub.L. 67-85; 90 Stat. 2233, 25 U.S.C. 450 (The Indian Self-Determination and Education Assistance Act), 88 Stat. 2203, Pub.L. 93-638, Pub.L. 100-472; 102 Stat. 2285, Pub.L. 103-413. Pub.L. 94-482. 18 U.S.C. 3055 (Act of June 25, 1948), 62 Stat. 817, Pub.L. 80-722; Pub.L.103-322. 25 U.S.C. 2801 et seq. (Indian Law Enforcement Reform Act), 104 Stat. 473, Pub.L. 101-379, as amended; 124 Stat. 2262, Pub.L. 111-211 (Tribal Law and Order Act). 5 U.S.C. 5305 (Federal Law Enforcement Pay Reform), 104 Stat. 1465, Pub.L. 101-509, Title IV; Pub.L. 103-322.

The Deputy Bureau Director, Office of Justice Services has responsibility for this funding.

Criteria for Distribution:

Recurring funding is distributed based on historical allocations. Direct service and tribal programs are allocated the same amounts as the previous year plus any fixed cost increase.

New funding increases are calculated and distributed in the manner described below:

Eligibility Criteria for Distribution

- Due to resource constraints, OJS generally does not expand services or funding outside of our existing detention footprint unless directed to do so by the Congress. Therefore at this time, only programs currently receiving funds are considered eligible for one-time or recurring funding increases.
- Programs must have submitted all 12 required monthly Detention Operations Monthly Reports (DOMR) for the previous fiscal year.

Calculation Process

- A matrix is constructed of all eligible programs that lists their individual figures for a given set of characteristics. In the past, the following characteristics have been used: resident Indian service population, previous year violent crime rate, previous year inmate intake, estimated percent of program need funded, and size of land base. (The same set of four or five characteristics is used for all eligible programs.)
- For each characteristic, a pro-rata calculation is completed among all eligible programs (using their figures for that characteristic).
- Then each characteristic (and corresponding pro-ration result) is assigned a weight. The sum of all weights assigned must be 1 (or 100%) in order arrive at a weighted average pro-ration (of all individual pro-rations) that incorporates all of the characteristics for all eligible programs. The resulting weighted average pro-ration is used to rank the eligible programs and determine proposed allocation amounts.

- Because of the potential for inaccurate data to skew pro-ratio calculations, the resulting proposed allocation amounts are reviewed individually by OJS leadership to address anomalies or other inequities that do not support funds “reaching the areas of greatest need”.
- The resulting allocation amounts are then approved by OJS leadership.

Distribution Process:

- OBPM moves all apportioned funds to the high level budget address. (within 5 days)
- The Fund Execution Documents (FEDs) are executed to allocate funds to OJS direct service and tribal fund centers and Office of Self-Governance (OSG) tribal fund centers. (CI&P funds do not flow through BIA Regional fund centers.) (within 2 days)
- OJS processes funding directly to tribal fund centers. (same day distribution)

Regional Processing:

- Indian Self Determination (ISD) Awarding Official negotiates terms, conditions of award, including payments. They calculate Contract Support Costs and prepare contract award/modifications in PRISM. (within 5 days)
- The ISD Awarding Official prints and mails the award/modification to tribe for review and acceptance. (within 5 days)
- Tribal elected official approves award/modification and returns the documentation to the Region/Agency.
- The ISD Awarding Official executes the award/modification and releases the obligation in PRISM. PRISM interfaces with ASAP and funds are available to tribes. (within 3 days of receipt of signed document)

OSG Processing:

- OSG FED is sent to OSG for review, approval and forwarding to Division of budget Execution. (within 3 days)
- OSG sends FED to Division of Budget Execution for processing and Budget Execution moves funding to OSG for disbursement. (within 3 business days)
- OSG will process the FED, subsequent PR, and obligate funding. (within 7 business days.)

Tribes log into ASAP to draw funds into their account.