

UNITED STATES INFORMATION AGENCY**Public and Private Nonprofit Organizations in Support of International Educational and Cultural Activities: Civil Justice Modernization in Jordan**

AGENCY: The United States Information Agency.

ACTION: Request for proposals.

SUMMARY: The Office of Citizen Exchanges (E/P) of the United States Information Agency's Bureau of Educational and Cultural Affairs announces an open competition for an assistance award. Public and private non-profit organizations meeting the provisions described in IRS regulation 26 CFR 1.501(c) may apply to develop a project providing six Jordanian lawyers and judges in-depth orientation to and study of functions and mechanisms regularly employed in the American legal system to resolve civil/commercial litigation expeditiously, i.e., case management, early neutral evaluation, judicial settlement, mediation, arbitration, and summary judgement. The goal will be the formation of a cadre of knowledgeable Jordanian specialists who will develop guidelines for the introduction of modern case management process and ADR mechanisms into the civil legal process of Jordan.

Overall grant making authority for this program is contained in the Mutual Educational and Cultural Exchange Act of 1961, Public Law 87-256, as amended, also known as the Fulbright-Hays Act. The purpose of the Act is "to enable the Government of the United States to increase mutual understanding between the people of the United States and the people of other countries * * *; to strengthen the ties which unite us with other nations by demonstrating the educational and cultural interests, developments, and achievements of the people of the United States and other nations * * * and thus to assist in the development of friendly, sympathetic and peaceful relations between the United States and the other countries of the world."

Announcement Title and Number

All communications with USIA concerning this announcement should refer to the above title and reference number E/P-97-45.

Deadline for Proposals

All copies must be received at the U.S. Information Agency by 5 p.m. Washington, DC time on June 12, 1997.

Faxed documents will not be accepted, nor will documents postmarked June 12, 1997, but received at a later date. It is the responsibility of each grant applicant to ensure that proposals are received by the above deadline.

FOR FURTHER INFORMATION, CONTACT: The Office of Citizen Exchanges, E/P, Room 220, U.S. Information Agency, 301 4th Street, SW., Washington, DC 20547, telephone: (202) 619-5319; fax: (202) 619-4350; e-mail: tjohnsto@usia.gov to request a solicitation package containing more detailed award criteria, required application forms, and standard guidelines for preparing proposals, including specific criteria for preparation of the proposal budget.

To Download a Solicitation Package Via Internet

The entire solicitation package may be downloaded from USIA's website at <http://www.usia.gov/education/rfps>. Please read all information before downloading.

To Receive a Solicitation Package Via Fax on Demand

The entire Solicitation Package may be received from the Bureau's "Grants Information Fax on Demand System," which is accessed by calling (202) 401-7616. The "Table of Contents" listing available documents and order numbers should be your first order when entering the system.

Please specify USIA Program Specialist Thomas Johnston on all inquiries and correspondence. Interested applicants should read the complete **Federal Register** announcement before sending inquiries or submitting proposals. Once the RFP deadline has passed, Agency staff may not discuss this competition in any way with applicants until the Bureau proposal review process has been completed.

Submissions

Applicants must follow all instructions given in the solicitation package. The original and nine copies of the application should be sent to: U.S. Information Agency, Ref.: E/P-97-45, Office of Grants Management, E/XE, Room 326, 301 4th Street, SW., Washington, DC 20547.

Applicants must also submit the "Executive Summary" and "Proposal Narrative" sections of the proposal on a 3.5" diskette, formatted for DOS. This material must be provided in ASCII text (DOS) format with a maximum line length of 65 characters. USIA will transmit these files electronically to USIS posts overseas for their review, with the goal of reducing the time it

takes to get posts' comments for the Agency's grants review process.

Diversity, Freedom and Democracy Guidelines

Pursuant to the Bureau's authorizing legislation, programs must maintain a non-political character and should be balanced and representative of the diversity of American political, social, and cultural life. "Diversity" should be interpreted in the broadest sense and encompass differences including, but not limited to, ethnicity, race, gender, religion, geographic location, socio-economic status, and physical challenges. Applicants are strongly encouraged to adhere to the advancement of this principle both in program administration and in program content. Please refer to the review criteria under the 'Support for Diversity' section for specific suggestions on incorporating diversity into the total proposal. Public Law 104-319 provides that "in carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy," USIA "shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries." Proposals should reflect advancement of this goal in their program contents, to the full extent deemed feasible.

Background/Objectives of this Program

The legal community in Jordan, with the support and endorsement of the Jordanian Ministry of Justice, has been engaged in a civil justice modernization study since 1995, with the goal of improving the practical operation and increasing the efficiency of the Jordanian legal process. There is widespread support within the community for the use of ADR mechanisms to resolve civil—especially commercial—cases, thereby relieving the backlog within the courts and rendering rapid resolution of commercial cases possible. The creation of a more transparent, accessible, and efficient system for the litigation of commercial and labor disputes in Jordan will contribute to a more hospitable environment for both regional trade and international investment. The primary objective of this program is to further the development of the modern civil legal system in Jordan by training a core group of lawyers and judges who will draft, in the context of the exchange, practical guidelines for system modernization.

Participants

Six Jordanian lawyers and judges who have participated, with the former Minister of Justice, in a Ministry-sponsored legal study project focussed on legal system modernization and alternative dispute resolution mechanisms. The Jordanian participants will be fluent in English. Participants will be nominated through coordination among USIA, U.S. Information Service personnel in the region, and overseas partner institutions. USIA and the USIS post in Jordan retain the right to nominate all participants and to accept or reject participants recommended by grantee institutions. American judges, lawyers, and legal scholars who serve as consultants and trainers during the initial phase of this exchange and who may travel abroad in the capacity of advisors during later phases will be selected by the grantee institution in consultation with USIA/USIS.

USIS officers in participating countries will facilitate the issuance of visas and other program-related material.

Programmatic Considerations

The program should provide that the exchange:

- Be informed by the grantee's experience in working with foreign audiences and in the field of civil legal processes;
- Provide the six Jordanian participants both a strong theoretical and a strong experiential orientation to the court management and ADR mechanisms determined by the Jordanians to be appropriate for adaptation to the Jordanian legal system;
- Include, as an early phase, a two-to-three-week intensive orientation program in the United States for the participants, comprising lectures by leading legal scholars and members of the Bar Association and focussing primarily on case management and mediation and an opportunity to observe, in actual courtrooms and law firms, the implementation of ADR mechanisms by experienced judges and lawyers.
- Provide consultation with and advice to the Jordanian judges and lawyers in their development of guidelines for adapting appropriate court management and ADR mechanisms to the Jordanian civil legal system;
- Include the possibility that American specialists will travel to Jordan to collaborate with their Jordanian counterparts in presenting and explaining the guidelines to the members of the Jordanian legal community.

Beyond the immediate goals of this exchange, USIA is interested in encouraging exchange projects which lay the groundwork for new and continuing, mutually beneficial links between American and Middle Eastern institutions and professional organizations and which will encourage the further growth and development of democratic institutions.

The grantee organization will be responsible for most arrangements associated with this program. These include organizing a coherent progression of activities, providing international and domestic travel arrangements for all participants, making lodging and local transportation arrangements for visitors, orienting and debriefing participants, preparing any necessary support material, and working with host institutions and individuals to achieve maximum program effectiveness.

To prepare the Jordanian judges and lawyers for this project prior to their arrival in the United States, E/P encourages the grantee organization to develop material to be sent to USIS offices overseas for distribution to participants. This material should include a tentative project outline with suggested goals and objectives, relevant background information, and information on American individuals and institutions involved in the exchange.

At the beginning of the U.S.-based program, the grantee organization should conduct an orientation session for the visiting participants which addresses administrative details of the program and provides general information about American society and culture that will facilitate the participants' understanding of and adjustment to daily life in the United States.

At the conclusion of the U.S.-based program, the group should meet in a symposium to review what has been presented to and experienced by the participants and to consider how that which has been learned can most effectively be applied upon the participants' return to their home country.

Additional Guidelines

Program monitoring and oversight will be provided by appropriate USIA elements. The U.S. grantee institution should maximize cost-sharing in all facets of the program and stimulate U.S. private sector (foundation and corporate) support.

Proposals incorporating participant/observer site visits will be more competitive if letters committing

prospective host institutions to support these efforts are provided.

Funding

Competition for USIA funding support is keen. The final selection of a grantee institution will depend on assessment of proposals according to the review criteria delineated below.

The amount requested from USIA for this exchange should not exceed \$130,000. Organizations with less than four years of successful experience in managing international exchange programs are subject to a grant limit of \$60,000.

Applicants are invited to provide both an all-inclusive budget as well as separate sub-budgets for each program component, phase, location, or activity in order to facilitate USIA decisions on funding. While an all-inclusive budget must be provided with each proposal, separate component budgets are optional.

USIA will consider funding the following project costs:

1. International and domestic air fares; visas; transit costs (e.g., airport taxes); ground transportation costs.
2. Per diem: For the U.S. program, organizations have the option of using a flat rate of \$140/day for international participants or the published Federal Travel Regulations per diem rates for individual American cities. NOTE: U.S. escorting staff must use the published federal per diem rates, not the flat rate. For activities in the Middle East, the Standard Federal Travel Regulations per diem rates must be used.
3. Escort-interpreters: In the case of this project, the Jordanian participants traveling to the United States will be fluent in English, and escort/interpretation will not be necessary. The cost of interpretation as needed for the second (foreign) component of the exchange is to be paid from the grant. The grant applicant is encouraged to confirm with the appropriate USIS post(s) the local costs for interpreters. Grant proposals should reflect these costs.

4. Book and cultural allowance: Participants are entitled to a one-time cultural allowance of \$150 per person, plus a book allowance of \$50. Escorts are reimbursed for actual cultural expenses up to \$150. These benefits are not available to U.S. staff.

5. Consultants: May be used to provide specialized expertise or to make presentations. Honoraria up to \$345 per day. Subcontracting organizations may also be used, in which case the written contract(s) must be included in the proposal.

6. Room rental: Generally should not exceed \$250 per day.

7. Material development: Proposals may contain costs to purchase, develop and translate material for participants.

8. One working meal per project: Per capita cost may not exceed \$5–8 per lunch and \$14–20 per dinner, excluding room rental. The number of invited guests may not exceed the number of participants by a factor of more than two to one.

9. Return travel allowance: \$70 for each participant which is to be used for incidental expenditures incurred during international travel.

10. Other costs necessary for the effective administration of the program, including salaries for grant organization employees, benefits, and other direct and indirect costs per detailed instructions in the application package.

E/P encourages cost-sharing, which may be in the form of allowable direct or indirect costs. The Recipient must maintain written records to support all allowable costs which are claimed as being its contribution to cost participation, as well as costs to be paid by the Federal government. Such records are subject to audit. The basis for determining the value of cash and in-kind contributions must be in accordance with OMB Circular A–110, Attachment E, "Cost-sharing and Matching," and should be described in the proposal. In the event the Recipient does not meet the minimum amount of cost-sharing as stipulated in the Recipient's budget, the Agency's contribution will be reduced in proportion to the Recipient's contribution.

Application Requirements

Proposals must be structured in accordance with the instructions contained in the application package. Confirmation letters from U.S. and foreign co-sponsors noting their intention to participate in the program will enhance a proposal.

Review Process

USIA will acknowledge receipt of all proposals and will review them for technical eligibility. Proposals will be deemed ineligible if they do not fully adhere to the guidelines established herein and in the application package.

Eligible proposals will be forwarded to panels of USIA officers for advisory review. Proposals will be reviewed by USIS posts and by USIA's Office of Near Eastern, North African, and South Asian Affairs. Proposals may also be reviewed by the Office of the General Counsel or by other Agency elements. Funding decisions are at the discretion of the

Associate Director for Educational and Cultural Affairs. Final technical authority for granting awards resides with the USIA grants officer. The awarding of any grant is subject to availability of funds.

The U.S. Government reserves the right to reject any or all applications received. USIA will not pay for design and development costs associated with submitting a proposal. Applications are submitted at the risk of the applicant; should circumstances prevent the awarding of a grant, all preparation and submission costs are borne by the applicant. USIA will not fund activities conducted prior to the actual grant award.

Review Criteria

Technically eligible applications will be competitively reviewed according to the criteria stated below. These criteria are not rank ordered.

1. *Quality of Program Idea*: Proposals should exhibit substance, originality, rigor, and relevance to the Agency mission. They should demonstrate the matching of U.S. resources to a clearly defined need.

2. *Program Planning*: Proposals should demonstrate the applicant's ability to plan, organize, and administer a complex undertaking involving international travel and collaboration among institutions and individuals.

3. *Ability to Achieve Program Objectives*: The applicant should give evidence of a clear grasp of the objectives of the program and indicate how the applicant's project design would promote the efficient achievement of those objectives.

4. *Multiplier Effect*: Proposed projects should strengthen mutual understanding, should contribute to maximum sharing of information, and should promote the establishment of long-term institutional and individual ties.

5. *Value to U.S.-Partner Country Relations*: The project should be framed in such a way as to make clear the significance of the project to both the United States and the foreign country and should demonstrate how the project might influence positively the binational relationship.

6. *Institutional capacity*: Institutions should demonstrate their potential for effective program design and implementation and provide, if available, evidence of having conducted successful programs. If an applicant has previously received a USIA grant, responsible fiscal management and full compliance with all reporting requirements for past Agency grants, as determined by USIA's Office of

Contracts, will be considered.

Evaluations of previous projects may also be considered in this assessment.

7. *Follow-on Activities*: Proposals should provide, if possible, a plan for continued exchange activity (without USIA support) which ensures that the USIA-supported project is not an isolated event.

8. *Evaluation Plan*: Proposals should include a plan to evaluate the project. USIA recommends that the applicant discuss the evaluation methodology chosen and the techniques which will be employed to assess the effectiveness of the project and the correspondence between observable outcomes and original project objectives.

9. *Cost Effectiveness*: Costs to USIA per exchange participant (American and foreign) should be kept to a minimum, and all items proposed for USIA funding should be necessary and appropriate to achieve the program's objectives.

10. *Cost Sharing*: Proposals should maximize cost-sharing through private sector support as well as through direct funding contributions and/or in-kind support from the prospective grantee organization and its partners.

11. *Support of Diversity*: Projects conducted under USIA auspices should reflect, to the degree feasible, the diversity of American (and the foreign) society in the selection of both American and foreign participants.

Notice

The terms and conditions published in this RFP are binding and may not be modified by any USIA representative. Explanatory information provided by the Agency which contradicts published language will not be binding. Issuance of the RFP does not constitute an award commitment on the part of the U.S. Government. The Agency reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the program and the availability of funds. Awards made will be subject to periodic reporting and evaluating requirements.

Notification

Final awards cannot be made until funds have been appropriated by Congress, allocated and committed through internal USIA procedures.

Dated: April 25, 1997.

Dell Pendergrast,

Deputy Associate Director for Bureau of Educational and Cultural Affairs.

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