

VOCA RECOVERY ACT CERTIFIED ASSURANCES

1. The Subgrantee assures that Recovery Act monies will not be used to fund infrastructure investments.
 - a. Potential supplanting will be the subject of monitoring and audit. Violations may result in a range of penalties, including suspension of current and future funds under this program, suspension or debarment from Federal grant funds, recoupment of monies provided under a grant, and civil and/or criminal penalties. For additional guidance regarding supplanting, refer to the information provided at <http://www.ojp.usdoj.gov/recovery/supplantingguidance.htm>.
2. The Subgrantee assures that Federal funds will be used to *supplement* existing State, local, or agency funds for program activities and will not be used to replace (supplant) State, local, or agency funds that have been allocated for the same purpose.
3. The Subgrantee compliance with applicable Federal civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Justice Department's regulation for the Equal Treatment of Faith-Based Organizations.
4. The Subgrantee assures compliance with the Omnibus Crime Control and Safe Streets Act of 1968, the Victims of Crime Act, or the Juvenile Justice and Delinquency Prevention Act. Collectively, these Federal laws prohibit a recipient of OJP funding from discriminating either in *employment* (subject to the exemption for certain faith-based organizations) or in the *delivery of services or benefits* on the basis of race, color, national origin, sex, religion, or disability. In addition, OJP recipients may not discriminate on the basis of age in the delivery of services or benefits.
 - a. Compliance with Title VI of the Civil Rights Act of 1964, which prohibits recipients from discriminating on the basis of national origin in the delivery of services or benefits, entails taking reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access to funded programs or activities. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. To assist recipients in meeting their obligation to serve LEP persons, the Justice Department has published a guidance document, which is available at www.lep.gov. The OJP encourages applicants to include within their program budgets the costs for providing interpretation and translation services to eligible LEP service populations.
5. The Subgrantee assures that they will submit a Privacy Certificate as a condition of approval of any grant application or contract proposal that contains a research or statistical component under which "information identifiable to a private person" will be collected, analyzed, used, or disclosed.
6. The Subgrantee assures that Recovery Act funds will not be used, either directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express approval of OJP.

Any violation of this prohibition is subject to a minimum \$10,000.00 fine for each occurrence.

7. Audits of State and local units of government, institutions of higher education, and other nonprofit institutions which expend \$500,000.00 or more of Federal funds during their fiscal year are required to submit a single, organization-wide financial compliance audit report to the Office of Crime Victim Reparations within 9 months after the close of each fiscal year.
8. The Subgrantee assures that all equipment and software developed under OJP awards must be compliant with U.S. Department of Justice information technology interface standards, including the National Criminal Intelligence Sharing Plan, the Global Justice XML Data Model, and the Law Enforcement Information Sharing Plan (LEISP). A list of additional standards can be found at the OJP Standards Clearinghouse.
9. The Subgrantee assures that all statements and claims made within the body of this grant contract are true and correct to the best of their knowledge, and acknowledges that any false statements or claims made in connection with OJP grants may result in fines, imprisonment, and debarment from participating in Federal grants or contracts, and/or other remedies available by law.
10. The Subgrantee assures that the project funded by the Recovery Act funds will not make a profit as a result of the award.
11. The Subgrantee assures that data will be collected quarterly and that valid and auditable source documentation is available to support all data collected for each performance measure specified in the program solicitation.
12. The Subgrantee assures that all Financial Status Reports and Quarterly Progress reports will be submitted to The Office of Crime Victim Reparations no later than five (5) calendar days after the end of each quarter. Failure to submit these reports within 5 calendar days will result in immediate termination of VOCA Recovery Act funding.

SUBGRANTEE ACCEPTANCE OF CERTIFIED ASSURANCES

AUTHORIZED OFFICIAL (*same as contract cover sheet*)

DATE

VOCA RECOVERY ACT GRANT CONDITIONS

1. **Suspension or Termination of Funding.** The Office of Crime Victim Reparations or OJP may suspend funding in whole or in part, terminate funding, or impose other sanctions on a recipient for the following reasons:
 - a. Failing to comply substantially with the requirements or statutory objectives of the appropriate Act, program guidelines issued thereunder, or other provisions of Federal law.
 - b. Failing to make satisfactory progress toward the goals, objectives, or strategies set forth in the application.
 - c. Failing to adhere to the requirements in the agreement, standard conditions, or special conditions;
 - d. Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
 - e. Failing to submit financial and narrative progress reports
 - f. Failing to submit financial and narrative reports within 5 calendar days of the end of each quarter
 - g. Filing a false certification in this application or other report or document

2. **Nonprofit Organizations.** In all OJP funded programs for which nonprofit organizations are eligible sub-recipients, it is Department of Justice policy that an organization can demonstrate its non-profit status in any one of four methods:
 - a. submission of 501(c)(3) status from the Internal Revenue Services
 - b. submission of a statement from the State taxing authority or State Secretary of State, or other similar official certifying that the organization is a nonprofit operating within the State, and that no part of its net earnings may lawfully benefit any private shareholder or individual;
 - c. submission of a certified copy of the applicant's certificate of incorporation or similar document; or,
 - d. submission of any item above, if that item applies to a State or national parent organization, together with a statement by the State or parent organization that the applicant is a local nonprofit affiliate.

3. **Rights in Intellectual Property.** In connection with OJP awards, the U.S. Department of Justice reserves certain rights with respect to data, patentable inventions, works subject to copyright, and other intellectual property associated with an award of Federal funds. *See, e.g.* 28 C.F.R. §§ 66.34, 70.36, and 37 C.F.R. Part 401.

4. Federal Funding Accountability and Transparency Act (FFATA) of 2006.

Applicants that receive an award from the OJP should be aware of the requirements of the Federal Funding Accountability and Transparency Act (FFATA) of 2006, which will make public the following information about every subgrantee:

- a. The name of the entity receiving the award;
- b. The amount of the award;
- c. Information on the award including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source, and an award title descriptive of the purpose of each funding action;
- d. The location of the entity receiving the award and primary location of performance under the award, including city, state, congressional district, and country;
- e. A unique identifier of the entity receiving award and of the parent entity of the recipient, should the entity be owned by another entity; and,
- f. Any other relevant information specified by OMB.

The signature below certifies that the program proposed in this application meets all the requirements of the VOCA Recovery Act Program, that all the information presented is correct, that there has been appropriate coordination with affected agencies, and that the applicant will comply with the provisions of the VOCA Recovery Act and all other Federal laws. By appropriate language incorporated in each grant, subgrant or other document under which funds are to be disbursed, the authorized official shall assure that the applicable certified assurances and grant conditions will be complied with by their own agency and any other agency with whom they make contracts or agreements.

**SUBGRANTEE ACCEPTANCE OF CERTIFIED ASSURANCES
AND GRANT CONDITIONS *(sign below)***

AUTHORIZED OFFICIAL *(same as contract cover sheet)*

DATE