

2025-2027 VOCA GRANT AWARD CONDITIONS

Utah Office for Victims of Crime (UOVC)
350 East 500 South, Suite 200
Salt Lake City, UT 84111

The VOCA award conditions were last updated January, 2025.

OVC CERTIFIED ASSURANCES

1. Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards

Consistent with Executive Order 14074, "Advancing Effective, Accountable Policing and Criminal Justice Practices To Enhance Public Trust and Public Safety," OJP has prohibited the use of federal funds under this award for purchases or transfers of specified equipment by law enforcement agencies. In addition, OJP requires the recipient, and any subrecipient ("subgrantee") at any tier, to put in place specified controls prior to using federal funds under this award to acquire or transfer any property identified on the "controlled equipment" list. The details of the requirement are posted on the OJP web site at <https://www.ojp.gov/funding/explore/prohibited-and-controlled-equipment> (Award condition: Compliance with restrictions on the use of federal funds--prohibited and controlled equipment under OJP awards), and are incorporated by reference here.

2. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."

Among other items, 28 C.F.R. § 54.140 contains notice requirements that covered recipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

3. Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse

of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.

4. Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this award from OJP.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

5. Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").

6. Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.

7. Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

8. Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://www.ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

9. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38.

Among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

Recipients and subrecipients that provide social services under this award must give written notice to beneficiaries and prospective beneficiaries prior to the provision of services (if practicable) which shall

include language substantially similar to the language in 28 CFR Part 38, Appendix C, sections (1) through (4). A sample written notice may be found at <https://www.ojp.gov/program/civil-rights-office/partnerships-faith-based-and-other-neighborhood-organizations>. In certain instances, a faith-based or religious organization may be able to take religion into account when making hiring decisions, provided it satisfies certain requirements. For more information, please see <https://www.ojp.gov/funding/explore/legaloverview2024/civilrightsrequirements>.

10. Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

11. Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" ([ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm](https://www.ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm)), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.

12. Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relates to an equal employment opportunity program.

Among other items, 28 C.F.R. § 42.106(d), 28 C.F.R. § 42.405(c), and 28 C.F.R. § 42.505(f) contains notice requirements that covered recipients must follow regarding the dissemination of information regarding federal nondiscrimination requirements.

13. Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

14. OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/implement/training-guiding-principles-grantees-and-subgrantees>.

15. Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.

16. Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

17. Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

18. Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

19. Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

20. Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone

number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

21. Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

22. All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

23. Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

24. Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to

the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

25. Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

26. Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

27. Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

28. Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

29. FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at

<https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

30. VOCA Requirements

The recipient assures that the State and its subrecipients will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 34 U.S.C. 20103(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required. Specifically, the State certifies that funds under this award will:

- a) be awarded only to eligible victim assistance organizations, 34 U.S.C. 20103(a)(2);
- b) not be used to supplant State and local public funds that would otherwise be available for crime victim assistance, 34 U.S.C. 20103(a)(2), or for administering the state victim assistance program, 34 U.S.C. 20110(h); and
- c) be allocated in accordance with program guidelines or regulations implementing 34 U.S.C. 20103(a)(2)(A) and 34 U.S.C. 20103(a)(2)(B) to, at a minimum, assist victims in the following categories: sexual assault, child abuse, domestic violence, and underserved victims of violent crimes as identified by the State.

31. Discrimination Findings

The recipient assures that in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the ground of race, religion, national origin, sex, or disability against a recipient of victim assistance formula funds under this award, the recipient will forward a copy of the findings to the Office for Civil Rights of OJP.

32. Access to services - Limited English Proficiency (LEP)

The recipient, and any subrecipient at any tier, must take reasonable steps to ensure that individuals with limited English proficiency (LEP) have meaningful access to their programs and activities to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of national origin, including discrimination against individuals with LEP. Such steps may require providing language assistance services, such as interpretation or translation services. The Department of Justice guidance on compliance with this requirement may be found at "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (67 Fed. Reg. 41455-41472) (<https://www.federalregister.gov/d/02-15207>) and is incorporated by reference here.

UOVC GRANT CONDITIONS

1. Obligation of grant funds

The subrecipient agrees that it will only expend or obligate grant funds, including state and local match, during the grant period. Grant funds may not be obligated prior to the effective date or subsequent to the termination date of the grant period. The subrecipient may only charge to the award allowable costs incurred during this grant period. Such obligations must be related to goods or services provided and utilized within the grant period. All properly incurred obligations must be liquidated no later than the due date of the subrecipients final federal reimbursement request. No new obligations may be made during the liquidation period.

2. Utilization, payment, and limitations of funds

The subrecipient agrees to only expend grant funds for purposes and activities covered by the subrecipients approved project activities and budget. The subrecipient must not undertake any work or activities that are not described in the subrecipient's application, award documents, or approved budget, and must not use staff, equipment, or other goods or services paid for with grant funds for such work or activities, without a grant amendment.

The subrecipient agrees to complete and return the deobligation form provided by the Utah Office for Victims of Crime (UOVC) by the date identified by the UOVC. Payments will be adjusted to correct any previous overpayments or underpayments and any disallowances resulting from an audit.

3. Budget management

The subrecipient must plan and budget for equipment and supplies early in the grant period to ensure the full benefit of the purchase is received. Moving personnel, purchasing excessive amounts of equipment and supplies, and requesting training funds during the last month of the grant period may not be undertaken merely for the purpose of using available funds, as this does not support the purpose of the program. Purchases should only be made for equipment and supplies needed for the current grant period.

4. Requirements related to "de minimis" indirect cost rate

A subrecipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise the UOVC in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis"

rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.

5. Compensation and method of payment

The UOVC will reimburse the subrecipient for the Federal share of approved program expenditures on a monthly or quarterly basis as financial status reports are submitted and approved up to the amount of approved federal expenditures. Funding under this award will be provided to the subrecipient on a reimbursement basis only after the payment request has been reviewed and approved by UOVC. Payments made to subrecipients before the expenses have been incurred must have prior written approval from the UOVC and will only be given in exceptional circumstances.

6. Non-supplantation

The subrecipient agrees that grant funds will be used to supplement, not supplant, non-federal funds that would otherwise be available for the activities under this grant.

7. Personal property

The subrecipient shall retain in the grant program any non-expendable personal property acquired with grant funds as long as there is a need for the property to accomplish the purpose of the program, whether or not the program continues to be supported by grant funds. When there is no longer a need for the property to accomplish the purpose of the program, the subrecipient shall request property disposition instructions from the UOVC.

8. Unallowable expenses

The following is a list of activities that are unallowable and cannot be supported by the subrecipient using grant funds: (a) items that are not either part of the approved budget or separately approved by the UOVC; (b) the purchase of real property; (c) construction projects; (d) indirect or overhead cost rates which have not been approved by the federal government; (e) lobbying (except with explicit statutory authorization); (f) fundraising; (g) physical modifications to buildings, including minor renovations; (h) research projects; and (i) with the exception of the use of limited emergency funds for the immediate needs of victims, food and beverage costs are not allowable with the use of federal grant funds. For further guidance, the subrecipient will contact the UOVC.

9. Misuse of award funds

The subrecipient understands and agrees that misuse of award funds may result in a range of penalties, including suspension of current and future funds, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.

10. Termination or suspension

The Director of the UOVC, upon a finding that there (1) has been substantial failure by the subrecipient to comply with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation, (2) has been failure by the subrecipient to make satisfactory progress toward the goals, objectives, or strategies set forth in the application, or (3) have been project changes proposed or implemented by the subrecipient to the extent that, if originally submitted, the application would not have been selected for funding, will terminate or suspend until the Director is satisfied that there is no longer such failure or changes, all or part of the award, in accordance with the provisions of 28 C.F.R. Part 18, as applicable mutatis mutandis. The federal regulation providing uniform rules for termination of grants and cooperative agreements is 2 C.F.R. 200.340.

11. Providing grant funded services at no charge

The subrecipient agrees to provide grant-funded services at no charge through the grant program.

12. Financial audits

A subrecipient expending more than \$750,000 in federal funds per year must submit audit reports to the UOVC annually. The audit report must comply with 2 C.F.R. Subpart F, referred to as a “Single Audit”, and be submitted to the UOVC within one month of completion of the audit.

13. Nonprofit tax exempt status

A subrecipient that is a nonprofit entity must make its financial statements available online (either on the subrecipient’s website or on another publicly available website). A subrecipient nonprofit entity that has Federal 501(c)(3) tax status will be considered to be in compliance with this requirement, with no further action needed, to the extent that the subrecipient files IRS Form 990 or similar tax document (e.g., 990-EZ), as several sources already provide searchable online databases of such financial statements.

14. Third party participation

The subrecipient agrees not to enter into contracts or other agreements with third parties for the execution of project activities or the provision of services in the grant program, unless entering into such agreements was either incorporated in the approved proposal or has been approved in advance by the UOVC in writing. Any such agreement with a third party must be in writing, and the subrecipient must provide a copy of the agreement to the UOVC as soon as possible, but no later than three business days from the date it is fully executed. If the agreement is terminated prior to the end of the grant period for any reason, the subrecipient must provide written notice to the UOVC as soon as possible but no later than three business days from the date of termination. Services that are not specifically identified in the written agreement are not eligible for reimbursement. Any contracted or agreed-upon services provided outside the grant period, before the written agreement is finalized, or after the agreement has terminated are likewise not eligible for reimbursement.

Any such agreement must provide that the subrecipient will retain ultimate control and responsibility for the grant program and that the third-party contractor is bound by all grant conditions stated herein and any other requirements applicable to the subrecipient in the administration of the grant program. Beginning and end dates, services to be provided, and payment conditions must also be identified in the agreement.

Any such agreement must comply with the provisions of the DOJ Grants Financial Guide, as posted on the OJP website, including any updated version that may be posted during the period of performance. Third-party contractor fees exceeding \$650 per day for an 8-hour day or \$81.25 per hour require additional justification and written approval from the UOVC. In addition, the subrecipient must follow its internal procurement policies when entering into such agreements.

15. Purchasing

The subrecipient agrees to maintain and comply with internal purchasing policies, including policies governing travel, purchasing supplies and equipment, and entering into contractual agreements.

16. Travel policy

Subrecipients may follow their own established travel rates if they have an established travel policy and as long as they do not exceed the federal rates set by the General Services Administration (GSA). The UOVC reserves the right to determine the reasonableness of an organization's travel policy. Rates must be standard across all funding sources and applied equally to grant and non-grant funded personnel. If the subrecipient does not have an established policy, they must adhere to the State of Utah travel policy: <https://finance.utah.gov/state-travel-a-2/cornerstone-draft-2/>. Transportation costs for air and rail must be at coach rates.

17. Funding for computer networks

The subrecipient understands and agrees that (a) no award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) nothing in subsection (a) limits the use of funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

18. Information systems

With respect to programs related to criminal justice information systems, the subrecipient agrees to comply with the provisions of 28 CFR, Part 20 governing the protection of individual privacy and the assurance of integrity and accuracy of data collection.

19. Financial management systems

The subrecipient agrees to establish and maintain adequate accounting systems and financial records and to accurately account for funds awarded to them. The subrecipient must have a financial management system in place that is able to record and report on the receipt, obligation, and expenditure of award funds. The subrecipient must properly track the use of award funds and maintain adequate supporting documentation including maintaining proper documentation for all paid grant and match staff and for all volunteer time reported. Further information is available in the DOJ Financial Guide.

20. Access to grant records

The subrecipient must provide the UOVC, OVC, DOJ, Comptroller General, and the Office of the Chief Financial Officer (OCFO), and its representative, with access to and the right to examine all records, books, papers, or documents related to this award.

This includes promptly providing, upon request, financial or programmatic documentation related to this award, including documentation of expenditures and achievements.

The subrecipient understands that it may be subject to additional financial and programmatic onsite monitoring, which may be on short notice, and agrees that it will cooperate with any such monitoring.

21. Auditing, Monitoring and Evaluation

The subrecipient must provide accounting, auditing, monitoring, and other evaluation procedures as may be necessary to assure fiscal control, proper management, and efficient disbursement of award funds. Additionally, the subrecipient agrees that it shall maintain such data, records, and information and submit such reports, in such form, at such times, and containing such information as the UOVC may require.

Based on the UOVC's assessment of each subrecipient's current and/or previous funding, unresolved audit issues, delinquent programmatic and fiscal reporting, and prior performance, a subrecipient may be designated by the UOVC as "high risk." Awards to high-risk subrecipients may carry special conditions, such as increased monitoring and/or prohibitions on drawing funds, until certain requirements are met.

22. Compliance with request for proposal solicitation requirements

The subrecipient must comply with all requirements outlined in the request for proposal (RFP) solicitation under which the approved application was submitted. The RFP solicitation is hereby incorporated by reference into this award.

23. Grant primary point of contact

There shall at all times during the life of the grant agreement be an individual appointed by the subrecipient as the Primary Point of Contact (POC). This individual will be responsible for program

planning, operation and administration of the grant program. The subrecipient is responsible for maintaining updated contact information in the Utah Grants Management System (GMS).

24. UOVC Grant Management Training

The subrecipient agrees that the POC and financial point of contact (FPOC) for this grant program will either attend a UOVC grant management training or review the recordings of the training. In the event that the POC or FPOC for this program changes during the grant period, the new POC or FPOC must review a recorded grant management training within 60 days of the date of hire.

25. Grant amendments

Subrecipients must obtain a grant amendment from the UOVC for major changes to the grant program. These include: (a) changes to program goals, objectives, or activities; (b) changes to the POC and other grant-funded personnel; and (c) changes to the approved project budget. Proposed grant amendments must be submitted through GMS.

26. Quarterly financial reimbursement reports

The subrecipient must submit, at a minimum, quarterly financial reimbursement reports to the UOVC through GMS by the 30th of each month following the end of each quarter. The final report shall be submitted not later than 15 days following the end of the grant period.

Subrecipients may also choose to submit financial reimbursement requests on a monthly basis by the last day of the month.

27. Performance progress reports

The subrecipient agrees to submit quarterly performance progress reports that describe activities conducted during the reporting period, including program effectiveness measures. Reports must be submitted throughout the grant period, even if no funds were spent and no activities were conducted in a given reporting period. Delinquent reports may affect future award decisions and may lead to suspension and/or termination of the award.

28. Report to governing entity

The subrecipient must provide two reports during the program year to the local, state, or non-profit governing entity (such as the city council, county commission, or board of directors) receiving the grant funds. Such reports should be presented live, either virtually or in-person, unless an alternative presentation method is approved by the UOVC. The reports must include crime categories under which crime victims are served, types of services provided, and program accomplishments as described in the "Record of Providing Effective Services" section of the quarterly progress report. Grant funded personnel must participate in the report presentations.

29. Civil Rights training requirement

The subrecipient agrees to meet the civil rights training requirements through viewing the online Civil Rights and Discrimination Policies training offered through the Utah Commission on Criminal and Juvenile Justice (CCJJ) on their website: <https://justice.utah.gov/grants/grant-resources/>. The subrecipient must complete this training in the first quarter of each grant year.

30. Equal Employment Opportunity Plan (EEOP)

As a subrecipient of Department of Justice funding, the subrecipient agrees to comply with the requirements regarding Equal Employment Opportunity Plans (EEOP). The purpose of the EEOP is to make sure that subrecipients are providing equal employment opportunities to all individuals regardless of sex, race, or national origin.

Subrecipients must develop an EEOP if they meet all of the following criteria:

- a. The subrecipient is a state or local government agency or a business; and
- b. The subrecipient has 50 or more employees; and
- c. The subrecipient has received a single award of \$25,000 or more.

Subrecipients are exempt from the EEOP requirement, if they meet any of the following criteria:

- a. The subrecipient is a nonprofit organization, a medical or educational institution, or an Indian Tribe; or
- b. The subrecipient has less than 50 employees; or
- c. The subrecipient received a single award for less than \$25,000.

All subrecipients must complete a Certification Form in which they declare their EEOP obligations. All subrecipients, unless otherwise exempted, must develop an EEOP plan. EEOPs and Certification Forms should be prepared and submitted electronically through OCR's EEO Reporter Tool, at <http://ojp.gov/about/orc/eeop.htm>.

31. Access to services – Limited English Proficiency (LEP)

The recipient, and any subrecipient at any tier, must take reasonable steps to ensure that individuals with limited English proficiency (LEP) have meaningful access to their programs and activities to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of national origin, including discrimination against individuals with LEP. Such steps may require providing language assistance services, such as interpretation or translation services. The Department of Justice guidance on compliance with this requirement may be found at "Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons" (67 Fed. Reg. 41455-41472) (<https://www.federalregister.gov/d/02-15207>) and is incorporated by reference here.

32. Crime Victim's Rights

Subrecipients understand that certain state and federal laws exist setting a minimum level of rights for victims of crime. Subrecipients agree to extend any and all rights and services that are required by law. This includes informing crime victims of remedies should their rights be violated. Subrecipients understand the legal rights extended to victims of crime and will train all relevant employees and volunteers in those rights. Subrecipients specifically agree to comply with all victim rights laws.

33. Conflict of interest

All subrecipients must disclose in writing to the UOVC any potential conflict of interest. A potential conflict of interest occurs when an employee, contractor, or volunteer involved in the administration of the grant program has a personal or business interest that may conflict with their professional obligations or responsibilities to the program or affect their ability to objectively execute their duties to the program. A potential conflict of interest must be disclosed to the UOVC as soon as possible, but not later than 24 hours from the time it is discovered.

34. Subrecipient program income

The subrecipient understands and agrees that the UOVC has responsibility for approval of program income earned by the subrecipient. Program income, as defined by 2 C.F.R. 200.1, means gross income earned by a non federal entity that is directly generated by a supported activity or earned as a result of the federal award during the period of performance. In most cases, a subrecipient will not be permitted to generate program income as part of the grant program. In order to add program income to a grant program, the subrecipients must obtain written approval from the UOVC prior to generating any income. Any program income added to an award must be used to support activities that were approved in the budget and follow the conditions of the award agreement. Without prior approval from the UOVC, program income must be deducted from the subrecipient's total allowable costs to determine its net allowable costs.

35. Copyrighted works

Pursuant to 2 C.F.R. 200.315(b), the subrecipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award. The UOVC, along with the OVC, reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work, in whole or in part (including in the creation of derivative works), for federal purposes, and to authorize others to do so.

In addition, the subrecipient (or contractor, or subcontractor of this award at any tier) must obtain advance written approval from the UOVC program manager assigned to this award, and must comply with all conditions specified by the program manager in connection with that approval, before: 1) using

award funds to purchase ownership of, or a license to use, a copyrighted work; or 2) incorporating any copyrighted work, or portion thereof, into a new work developed under this award.

It is the responsibility of the subrecipient (and of each contractor, or subcontractor as applicable) to ensure that this condition is included in any subaward, contract, or subcontract under this award.

VOCA GRANT SPECIAL CONDITIONS

1. Activities that compromise victim safety and recovery and undermine offender accountability

The subrecipient agrees that grant funds will not support activities that compromise victim safety and recovery or undermine offender accountability, such as: procedures or policies that exclude victims from receiving safe shelter, advocacy services, counseling, and other assistance based on their actual or perceived sex, age, immigration status, race, religion, sexual orientation, gender identity, mental health condition, physical health condition, criminal record, work in the sex industry, or the age and/or sex of their children; procedures or policies that compromise the confidentiality of information and privacy of persons receiving UOVC-funded services; procedures or policies that impose requirements on victims in order to receive services (e.g., seek an order of protection, receive counseling, participate in couples' counseling or mediation, report to law enforcement, seek civil or criminal remedies, etc.); procedures or policies that fail to ensure service providers conduct safety planning with victims; project design and budgets that fail to account for the access needs of participants with disabilities and participants who have limited English proficiency or are Deaf or hard of hearing; or any other activities outlined in the solicitation under which the application was submitted.

2. Match requirement

Subrecipients shall contribute (i.e., match) not less than twenty percent (cash or in-kind) of the total cost of each project, except for subrecipients that are federally-recognized American Indian or Alaska Native tribes, or projects that operate on tribal lands.

Failure to meet the match requirement may result in a required repayment of the federal funds associated with those unmet match dollars.

3. Publication disclaimer

The subrecipient agrees that all materials and publications (written, web-based, audio-visual, or any other format) resulting from award activities shall contain the following statement: "This project was supported by Grant No. _____ awarded by the Office for Victims of Crime, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice."

4. Use of volunteers

The subrecipient assures that the agency will utilize volunteers.

5. Subgrant award report (SAR)

The subrecipient agrees to submit a Subgrant Award Report (SAR) to OVC within ninety (90) days of receiving award funds.

6. VOCA victim assistance rule

Subrecipients must assure they adhere to all requirements listed in 28 CFR § 94.111-122.

FORMS FOR CERTIFICATION

1. Certification Regarding Lobbying (Page)
2. VAWA Confidentiality Acknowledgement Form (Page)
3. Rape Crisis Mandate (Page)
4. Privileged Communications with Victim Advocates Mandate (Page)

CERTIFICATION REGARDING LOBBYING

As required by 31 U.S.C. § 1352, as implemented by 28 C.F.R. Part 69, the Subrecipient certifies and assures (to the extent applicable) the following:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Subrecipient, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, or the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If the Subrecipient's request for Federal funds is in excess of \$100,000, and any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this Federal grant or cooperative agreement, the Subrecipient shall complete and submit [Standard Form - LLL, "Disclosure of Lobbying Activities"](#) in accordance with its (and any DOJ awarding agency's) instructions.

(c) The Applicant shall require that the language of this certification be included in the award documents for all subgrants and procurement contracts (and their subcontracts) funded with Federal award funds and shall ensure that any certifications or lobbying disclosures required of recipients of such subgrants and procurement contracts (or their subcontractors) are made and filed in accordance with 31 U.S.C. § 1352.

By signing your name, you are hereby declaring that you agree to the terms and conditions of the preceding document and assure that all the information provided herein is accurate.

NAME OF AGENCY

AUTHORIZED OFFICIAL PRINT NAME

TITLE

AUTHORIZED OFFICIAL SIGNATURE

DATE

U.S. Department of Justice
Office on Violence Against Women

**Acknowledgement of Notice of Statutory Requirements to Comply with the
Confidentiality and Privacy Provisions of the Violence Against Women Act, as
Amended**

Under section 40002(b)(2) of the Violence Against Women Act, as amended (42 U.S.C. 13925(b)(2)), grantees and subgrantees with funding from the Office on Violence Against Women (OVW) are required to meet the following terms with regard to nondisclosure of confidential or private information and to document their compliance. By signature on this form, applicants for grants from OVW are acknowledging that they have notice that, if awarded funds, they will be required to comply with this provision, and will mandate that subgrantees, if any, comply with this provision, and will create and maintain documentation of compliance, such as policies and procedures for release of victim information, and will mandate that subgrantees, if any, will do so as well.

(A) In general

In order to ensure the safety of adult, youth, and child victims of domestic violence, dating violence, sexual assault, or stalking, and their families, grantees and subgrantees under this subchapter shall protect the confidentiality and privacy of persons receiving services.

(B) Nondisclosure

Subject to subparagraphs (C) and (D), grantees and subgrantees shall not— (i) disclose, reveal, or release any personally identifying information or individual information collected in connection with services requested, utilized, or denied through grantees' and subgrantees' programs, regardless of whether the information has been encoded, encrypted, hashed, or otherwise protected; or (ii) disclose, reveal, or release individual client information without the informed, written, reasonably time-limited consent of the person (or in the case of an unemancipated minor, the minor and the parent or guardian or in the case of legal incapacity, a court-appointed guardian) about whom information is sought, whether for this program or any other Federal, State, tribal, or territorial grant program, except that consent for release may not be given by the abuser of the minor, incapacitated person, or the abuser of the other parent of the minor. If a minor or a person with a legally appointed guardian is permitted by law to receive services without the parent's or guardian's consent, the minor or person with a guardian may release information without additional consent.

(C) Release

If release of information described in subparagraph (B) is compelled by statutory or court mandate— (i) grantees and subgrantees shall make reasonable attempts to provide notice to victims

affected by the disclosure of information; and (ii) grantees and subgrantees shall take steps necessary to protect the privacy and safety of the persons affected by the release of the information.

(D) Information sharing

(i) Grantees and subgrantees may share—

(I) nonpersonally identifying data in the aggregate regarding services to their clients and nonpersonally identifying demographic information in order to comply with Federal, State, tribal, or territorial reporting, evaluation, or data collection requirements;

(II) court-generated information and law enforcement-generated information contained in secure, governmental registries for protection order enforcement purposes; and

(III) law enforcement-generated and prosecution-generated information necessary for law enforcement and prosecution purposes.

(ii) In no circumstances may—

(I) an adult, youth, or child victim of domestic violence, dating violence, sexual assault, or stalking be required to provide a consent to release his or her personally identifying information as a condition of eligibility for the services provided by the grantee or subgrantee;

(II) any personally identifying information be shared in order to comply with Federal, tribal, or State reporting, evaluation, or data collection requirements, whether for this program or any other Federal, tribal, or State grant program.

(E) Statutorily mandated reports of abuse or neglect

Nothing in this section prohibits a grantee or subgrantee from reporting suspected abuse or neglect, as those terms are defined and specifically mandated by the State or tribe involved.

(F) Oversight

Nothing in this paragraph shall prevent the Attorney General from disclosing grant activities authorized in this Act to the chairman and ranking members of the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate exercising Congressional oversight authority. All disclosures shall protect confidentiality and omit personally identifying information, including location information about individuals.

(G) Confidentiality assessment and assurances

Grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section.

As the duly authorized representative of the applicant, I hereby acknowledge that the applicant has received notice that if awarded funding they will comply with the above statutory requirements. This acknowledgement shall be treated as a material representation of fact upon which the Department of Justice will rely if it determines to award the covered transaction, grant, or cooperative agreement.

Typed Name of Authorized Representative
Title

Telephone Number

Signature of Authorized Representative

Date Signed

Agency Name

RAPE CRISIS COUNSELOR MANDATE FOR THE STATE OF UTAH

(Applicable to Non-Profit Organizations)

The Utah Office for Victims of Crime requires all non-profit organizations (501(c)3) receiving grant funding who provide rape crisis services to certify their compliance with the Confidential Communications for Sexual Assault Act, Utah State Judicial Code 77. All Sub grantee staff and volunteers who provide direct services to victims of sexual violence must complete 40 hours of training in assisting victims of sexual assault. Training to certify as a Rape Crisis Counselor must be provided by a Utah Rape Crisis Program or a State Sexual Assault Coalition.

Confidential Communications for Sexual Assault Act

Utah State Judicial Code Section 77-38-201-204

AS THE DULY AUTHORIZED REPRESENTATIVE OF THE APPLICANT, I HEREBY CERTIFY THAT THE APPLICANT IS IN COMPLIANCE WITH THE TRAINING MANDATE STATED ABOVE (SIGN BELOW)

AUTHORIZED OFFICIAL SIGNATURE

DATE

☐ IF YOU ARE NOT CURRENTLY IN COMPLIANCE WITH THE TRAINING MANDATE STATED ABOVE, PLEASE CHECK THE BOX AND SUBMIT A LETTER REQUESTING A 90 DAY EXTENSION IN ORDER TO COMPLY.

☐ PLEASE CHECK THIS BOX IF YOU **ARE NOT A RAPE CRISIS COUNSELOR AND ARE NOT REQUIRED TO COMPLETE THIS TRAINING**

PRIVILEGED COMMUNICATIONS WITH VICTIM ADVOCATES MANDATE

The Utah Office for Victims of Crime requires all non-profit and government organizations receiving grant funding who provide direct services to crime victims to certify their compliance with the [Privileged Communications with Victim Advocates Act](#).

All subgrantee staff and volunteers who are considered “[Criminal justice system victim advocates](#)” (in accordance with [Utah Code 77-38-403 \(4\)](#)) must complete 40 hours of trauma-informed training in crisis response, the effects of crime and trauma on victims, victim advocacy services and ethics, informed consent, and privileged confidential communication in accordance with [Utah Code 77-38-401-405](#). Training must be approved or provided by the Utah Office for Victims of Crime.

All subgrantee staff and volunteers who are considered “[Non government organization victim advocates](#)” (in accordance with [Utah Code 77-38-403 \(4\)](#)) must complete 40 hours of trauma-informed training in assisting victims specific to the specialization or focus of the non government organization advocacy services provider and privileged confidential communication in accordance with [Utah Code 77-38-401-405](#). Training must be either approved/provided by the Utah Office for Victims of Crime or meet other minimally equivalent standards set forth by the non government advocacy victim services provider.

Privileged Communications with Victim Advocates Act Utah State Code of Criminal Procedure Section 77 38 401-405

AS THE DULY AUTHORIZED REPRESENTATIVE OF THE APPLICANT, I HEREBY CERTIFY THAT THE APPLICANT IS IN COMPLIANCE WITH THE TRAINING MANDATE STATED ABOVE (SIGN BELOW)

AUTHORIZED OFFICIAL SIGNATURE

DATE

- ☐ IF YOU ARE NOT CURRENTLY IN COMPLIANCE WITH THE TRAINING MANDATE STATED ABOVE, PLEASE CHECK THE BOX AND SUBMIT A LETTER REQUESTING A 90 DAY EXTENSION IN ORDER TO COMPLY.
- ☐ PLEASE CHECK THIS BOX IF YOU ARE NOT A VICTIM SERVICES ORGANIZATION AND ARE NOT REQUIRED TO COMPLETE THIS TRAINING

VOCA SIGNING PAGE

By signing your name, you are hereby declaring that you agree to the terms and conditions of the preceding document and assure that all the information provided herein is accurate.

AUTHORIZED OFFICIAL PRINT NAME

TITLE

AUTHORIZED OFFICIAL SIGN

DATE