

U.S. Department of Justice  
Office on Violence Against Women (OVW)



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# OVW Fiscal Year 2014 Legal Assistance for Victims Grant Program Application Guidelines for Invitation Only Applicants

## Deadlines

**Application:** All applications are due by **11:59 p.m. Eastern Time (E.T.) on January 17, 2014.**

**Registration:** To ensure all applicants have ample time to complete the registration process, applicants must obtain a Data Universal Number System (DUNS) Number, register online with the System for Award Management (SAM) and with the Grants Management System (GMS) immediately, but no later than **January 7, 2014** (see page 5).

## Contact Information

For assistance with the requirements of this solicitation, contact OVW at (202) 307-6026.

It is anticipated that all applicants will be notified of the outcome of their applications by **September 30, 2014.**

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# Application Requirements

Applications submitted under these invitation-only Application Guidelines must be substantially the same application submitted under the FY 2013 LAV Grant Program Solicitation. However, changes in VAWA 2013 may necessitate some modifications to activities that were proposed in FY 2013 if they are no longer allowable for FY 2014, and there are several new requirements that must be addressed in the re-submitted application. Any changes that are made to the FY 2013 application must be highlighted. In addition, **a cover page must be included with the application** that outlines **any** changes made to the FY 2013 application narrative, budget and budget narrative.

Below are the changes that must be addressed in the FY 2014 application re-submission:

## **I. Purpose Areas**

In FY 2014, funds under the LAV Grant Program may be used for the following purposes:

1. To implement, expand, and establish cooperative efforts and projects between sexual assault, domestic violence, and dating violence victim service providers and legal assistance providers to provide legal assistance for victims of sexual assault, domestic violence, dating violence, and stalking.
2. To implement, expand, and establish efforts and projects to provide legal assistance for victims of sexual assault, domestic violence, dating violence, and stalking by organizations with a demonstrated history of providing direct legal or advocacy services on behalf of these victims.
3. To implement, expand, and establish efforts and projects to provide competent, supervised pro bono legal assistance for victims of sexual assault, domestic violence, dating violence, or stalking, except that not more than 10 percent of the funds awarded under this section may be used for that purpose.

***Please note that the following purpose area that was included in the FY 2013 solicitation is no longer an allowable activity under the LAV Program:***

To provide training, technical assistance, and data collection to improve the capacity of grantees and other entities to offer legal assistance to victims of sexual assault, domestic violence, dating violence, and stalking.

If your FY 2013 application included training, technical assistance and/or data collection activities, **they must be removed from your application along with any costs associated with those activities.**

## **II. Proof of 501(c)(3) Status (Nonprofit Organizations Only)**

***Please note that this is a new requirement that was not required in the FY 2013 solicitation.***

Any entity that is eligible for the LAV Grant Program based on its status as a nonprofit organization (i.e., any private nonprofit entity or tribal nonprofit) must be an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation

under section 501(a) of that Code. See 42 U.S.C. § 13925(b)(16)(B). All such applicants are required to submit a determination letter from the Internal Revenue Service recognizing their tax-exempt status. OVW will be unable to make an award to any nonprofit organization that does not submit a 501(c)(3) determination letter from the Internal Revenue Service.

In addition, any nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code is not eligible for a grant from the LAV Grant Program.

### **III. Statutory Requirements- Certification Letter**

To be eligible for an award under the LAV Grant Program, applicants must certify in writing that they are in compliance with the following statutory requirements:

- (1) any person providing legal assistance with funds through this program
  - (A) has demonstrated expertise in providing legal assistance to victims of domestic violence, dating violence, sexual assault or stalking in the targeted population; or
  - (B) (i) is partnered with an entity or person that has demonstrated expertise described in subparagraph (A); and  
(ii) has completed, or will complete, training in connection with domestic violence, dating violence, stalking, or sexual assault and related legal issues, including training on evidence-based risk factors for domestic and dating violence homicide;
- (2) any training program conducted in satisfaction of the requirement of paragraph (1) has been or will be developed with input from and in collaboration with a tribal, state, territorial, or local domestic violence, dating violence, sexual assault or stalking victim service provider or coalition, as well as appropriate tribal, state, territorial, and local law enforcement officials;
- (3) any person or organization providing legal assistance with funds through this program has informed and will continue to inform state, local, or tribal domestic violence, dating violence, sexual assault or stalking programs and coalitions, as well as appropriate state and local law enforcement officials of their work; and
- (4) the grantee's organizational policies do not require mediation or counseling involving offenders and victims physically together, in cases where sexual assault, domestic violence, dating violence, or child sexual abuse is an issue.

All applicants should note that certification must be in the form of a letter on letterhead that must be signed (electronic or typed signatures do not satisfy this requirement) and dated by the authorizing official. The signed Certification Letter must be uploaded as a separate attachment in Grants.gov. A sample Certification Letter is available at <http://www.ovw.usdoj.gov/docs/sample-cert-letter.pdf>.

***Please note that the language for the certification letter has changed from FY 2013, so the letter must be re-written and include a current signature and date.***

#### **IV. Confidentiality Notice Form**

***Please note that this is a new requirement that was not required in the FY 2013 solicitation.***

All applicants are required to acknowledge that they have received notice that grantees and subgrantees must comply with the confidentiality and privacy requirements of the Violence Against Women Act, as amended. The acknowledgement form is available on the OVW website at <http://www.ovw.usdoj.gov/docs/conf-acknowledgement.pdf> and must be signed by the authorized representative and uploaded to the application on the Grants Management System (GMS).

#### **V. Disclosures Related to Executive Compensation**

***Please note that this is a new requirement that was not required in the FY 2013 solicitation.***

Any applicant that is a nonprofit organization that uses the Internal Revenue Service's three-step safe-harbor procedure for establishing a rebuttable presumption that its executives' compensation is reasonable, must provide the following: (1) a brief description of the process used for determining the compensation of its officers, directors, trustees, and key employees, including the independent persons involved in reviewing and approving such compensation (in lieu of a description, an applicant may submit its written compensation policy); (2) the comparability data used in establishing executive compensation; and (3) contemporaneous substantiation of the deliberation and decision regarding executive compensation. This third element can usually be addressed by submitting minutes from board meetings where compensation was considered and approved.

Applicants that want to learn about best practices for establishing compensation for their executives and the IRS's safe-harbor procedures can find more information through the National Council of Nonprofits, <http://www.councilofnonprofits.org/nonprofit-executive-compensation-policy>.

#### **VI. Award Period**

The grant award period is 36 months. Budgets must reflect 36 months of project activity, and the total "estimated funding" (block 15) on the SF-424 must reflect 36 months.

#### **VII. Award Amounts**

Budget requests must not exceed the amount requested in your FY 2013 application. If activities have been removed due to changes to the LAV purpose areas, the requested amount should go down.

OVW has the discretion to award grants for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants prior to award of a grant.

## **How to Apply in GMS**

This section describes how an application should be submitted. Applicants should anticipate that failure to meet all registration and submission deadlines will result in their application being

removed from consideration. It is the responsibility of the applicant to ensure that the application is submitted by the deadline.

Applicants must follow the registration process outlined below. **There is no fee associated with the registration process. Additionally, the registration process cannot be expedited.** OVW strongly discourages applicants from paying a third party to register on their behalf, or as an attempt to expedite the registration process. To ensure all applicants have ample time to complete the registration process, applicants must obtain a Data Universal Number System (DUNS) Number, register online with the System for Award Management (SAM) and with **GMS** immediately, but no later than **January 7, 2014**.

Applicants must be registered and current with the SAM registration and with GMS prior to submitting an application. It is strongly recommended that applicants begin the registration process immediately, but no later than **January 7, 2014** in order to ensure that the registration process is completed and any difficulties are resolved well in advance of the application deadline. **It is important that applicants do not wait until the day of the application deadline to begin the application submission process. To ensure a successful application submission, OVW strongly encourages applicants to submit their applications at least 48, but no less than 24, hours before the deadline.**

#### **Application Registration Requirements**

It is very important that all applicants read this section carefully. Applicants that do not complete all the steps in registering and submitting their application by the due date will not be considered for funding. Applicants are responsible for ensuring their applications are complete at the time of submission. OVW will not contact applicants for missing items.

Each applicant must obtain a Data Universal Numbering System (DUNS) number, be registered in the System for Award Management (SAM) and submit their application online via the Grants Management System (GMS) according to the instructions. Applicants are encouraged to submit their applications 48, but no less than 24, hours before the deadline to allow sufficient time to address technical problems. Applicants should ensure that the DUNS number for the application is for an organization that is eligible to apply for the grant program. Also, only the organization that is registered in SAM may use that DUNS number and GMS registration to submit an application.

#### **System for Award Management (SAM)**

Applicants for all federal grants are required to register with the System for Award Management (SAM). If the applying organization already has an Employer Identification Number (EIN), the SAM registration will take **up to two weeks to process**. If the applying organization does not have an EIN, then **the applicant should allow two to five weeks for obtaining the information from IRS when requesting the EIN via phone, fax, mail or Internet**. Follow the steps listed below to register in the SAM:

*Step 1:* Obtain a DUNS number at the following website <http://www.dnb.com/us/> or call (866) 705-5711.

*Step 2:* Access the SAM online registration through the SAM home page at <https://www.sam.gov/> and follow the online instructions for new SAM users.

*Step 3:* Complete and submit the online registration. If the applying organization already has the necessary information on hand, the online registration takes approximately 30 minutes to complete, depending upon the size and complexity of the business or organization. Once the SAM

registration becomes active, the applicant will be able to return to GMS and complete the registration. **Please note that organizations must update or renew their SAM registration at least once a year to maintain an active status. (Applicants formerly used the Central Contractor Registration (CCR) database).**

### **Grants Management System**

Applicants are required to submit applications through the Office of Justice Programs' Grants Management System (GMS) instead of Grants.gov. In order to apply for a grant through GMS, go to <https://grants.ojp.usdoj.gov/> and either sign in using the applicant's current GMS ID and password or register as a new user. Once the applicant has logged into GMS, they should select the program that they intend to apply for and follow the instructions. Training materials are available on the main GMS homepage.

### **Late Submissions**

If an applicant experiences unforeseen technical issues that prevent them from submitting an application by the deadline, they must take the following actions:

- contact the LAV Grant Program at (202) 307-6026 or [ovw.lav@usdoj.gov](mailto:ovw.lav@usdoj.gov) prior to the application deadline stating that they are experiencing unforeseen technical issues; and
- contact the GMS Help Desk at 202-514-2024 or 866-655-4482 for assistance prior to the deadline.

**Within 24 hours after the deadline**, the applicant must again contact the LAV Grant Program at (202) 307-6026 or [ovw.lav@usdoj.gov](mailto:ovw.lav@usdoj.gov) to request approval to submit the application. At that time, the applicant will be required to email the complete grant application and DUNS number, and provide complete information of when a call was made to the GMS Help Desk. After OVW reviews all of the information submitted and verifies the technical issues with the Helpdesk, OVW will contact the applicant to either approve or deny the request to submit a late application. If the technical issues cannot be verified, the application will be rejected as late.

### **OVW Policy on Late Submissions**

OVW offers several options for applicants to provide advance notice to OVW if receipt of their application will be delayed due to a temporary lack of Internet access, other technical difficulties, or geographic isolation. If applicants do not provide advance notice to OVW about an issue that may cause a delay in the submission of the application, then the application will not be considered for funding. If applicants follow the steps outlined above, late submission may be considered. Extension of deadlines is not guaranteed.

### **Extraordinary Natural or Manmade Disasters**

In cases of extraordinary natural or manmade disasters, such as extreme weather emergencies or terrorist acts, applicants may request to submit applications up to seven calendar days late by sending an e-mail to the contact listed in the solicitation. The message should specify the nature of the disaster and how it affected the applicant's ability to submit an application on time.

## **Selection Criteria**

### **Initial Review**

As noted in the invitation letter, due to the high number of strong applications received in FY 2013, OVW was unable to fund many of the top tier scoring applications that focused on domestic violence. Your organization's application was one of those; your application has already been

through a competitive peer review and therefore will not be scored a second time. Your re-submitted application will be subject to an initial review. The initial review will ensure the following:

- the re-submitted application is substantially the same as the application submitted in FY 2013;
- the new requirements outlined in these Guidelines are included and complete; and
- any training, technical assistance and/or data collection activities, along with any costs associated with those activities, that were included in the FY 2013 application have been removed.

### **Programmatic Review**

All applications that are considered for funding will be subject to a programmatic review. The programmatic review consists of assessing for scope, activities that compromise victim safety and, if applicable, past performance. OVW reserves the right to deduct points for applications that propose the following:

- Activities that compromise victim safety and recovery (Up to 10 points.)
- Out-of-scope activities (Up to 10 points)
- Past performance review (Up to 30 points)

An application that is deemed to be substantially out of scope, proposes a substantial number of activities that are unallowable, or proposes activities that pose a significant threat to victim safety or a serious breach of confidentiality will not be considered for funding.

As a part of the programmatic review process described above, applicants with current or recent (closed within the calendar year) OVW awards and/or cooperative agreements will be reviewed for past performance based on the elements listed below.

- Progress reports submitted by the applicant, in conjunction with monitoring conducted by OVW, demonstrate the effectiveness of the current project, indicating timely progress toward meeting project goals and objectives;
- Demonstration that past activities supported with OVW grant funds have been limited to program purpose areas;
- Adherence to all special conditions of existing grant award(s) from OVW;
- Adherence to programmatic and financial reporting requirements, including timely submission of required reports;
- Completion of close-out of prior awards in a timely manner;
- Appropriate utilization and active participation in OVW-sponsored workshops and other technical assistance events as required by a special condition of the current or recent award;
- Receipt of financial clearances on all current or recent grants from OVW;
- Timely resolution of issues identified in any audit or on-site financial or programmatic monitoring visit;
- Adherence to the Office of Management and Budget single-audit requirement; and
- Timely expenditure of grant funds.

### **OVW grantees with significant past performance issues may not be considered for funding.**

Absent explicit statutory authorization or written delegation of authority to the contrary, all final award decisions will be made by the OVW Director, who also may give consideration to factors



including, but not limited to, underserved populations, geographic diversity, strategic priorities, past performance, and available funding when making awards. All award decisions are final and not subject to appeal.

### **Compliance with OVW Financial Requirements**

Each OVW grantee agrees to follow the financial and administrative requirements in the OVW Financial Grants Management Guide at <http://www.ovw.usdoj.gov/docs/ovw-fgmg.pdf> as a condition of receiving grant funding. If OVW determines that a current grantee has violated any of the requirements of the Guide, the grantee may be denied continuation funding.

### **High Risk Grantees**

Based on DOJ's assessment of each grantee with regard to current or previous funding, unresolved audit issues, delinquent programmatic and fiscal reporting, and prior performance, a grantee may be designated "high risk." Awards to high-risk grantees may carry special conditions such as increased monitoring and/or prohibitions on drawing funds until certain requirements are met. High-risk grantees with substantial or persistent performance or compliance issues, long-standing open audits, or open criminal investigations will likely not receive an additional OVW award until all issues are resolved.

## **Post-Award Requirements**

### **Violence Against Women Act Non-Discrimination Provision**

The Violence Against Women Reauthorization Act of 2013 added a new civil rights provision that applies to all FY 2014 OVW grants. This provision prohibits OVW grantees from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW. More guidance on this provision will be forth coming and made available on the OVW website. Additional information on the civil rights obligations of OVW funding recipients can be found in the FY 2014 Solicitation Companion Guide under "Civil Rights Compliance."

### **Reporting Requirements**

All OVW grantees receiving awards are required to submit a semi-annual progress report and quarterly Federal Financial Reports. Appropriate forms will be provided to all applicants selected for an award.

### **Information for All Federal Award Grantees**

Applicants selected for awards must agree to comply with additional legal requirements upon acceptance of an award. OVW strongly encourages applicants to review the information pertaining to these additional requirements prior to submitting an application. Additional information for each requirement can be found in the FY 2014 Solicitation Companion Guide at <http://www.ovw.usdoj.gov/docs/companion-guide-10-16-12.pdf>.

- Civil Rights Compliance
- Funding to Faith-Based Organizations
- Confidentiality and Privacy Protections
- Research and the Protection of Human Subjects (if applicable)

- Anti-Lobbying Act
- Reporting Requirements
- National Environmental Policy Act (NEPA) (if applicable)
- DOJ Information Technology Standards (if applicable)
- Non-Supplanting of State or Local Funds
- Criminal Penalty for False Statements
- Reporting Fraud, Waste, Error, and Abuse
- Suspension or Termination of Funding
- Nonprofit Organizations
- Government Performance and Results Act (GPRA)
- Rights in Intellectual Property
- Federal Funding Accountability and Transparency Act (FFATA) of 2006
- Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement
- Active SAM Registration

## **Public Reporting Burden**

### **Paperwork Reduction Act Notice**

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a currently valid OMB control number. We try to create forms and instructions that are accurate, can be easily understood, and which impose the least possible burden on you to provide us with information. The estimated average time to complete and file this form is 30 hours. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, you can write to the Office on Violence Against Women, U.S. Department of Justice, 145 N Street, NE, Washington, DC 20530.

# Application Checklist

Applications submitted under this invitation to apply **must** be substantially the same application submitted under the FY 2013 LAV Grant Program Solicitation. However, changes in VAWA 2013 may necessitate some modifications to activities that were proposed in FY 2013 as they are no longer allowable for FY 2014, and there are several new requirements that must be addressed in the re-submitted application. Any changes that are made to the FY 2013 application must be highlighted in the application. In addition, **a cover page must be included with the application** that outlines ANY changes made to the FY 2013 application narrative, budget and budget narrative.

Application Document	Date Completed
1. Cover page outlining ANY changes made to the FY 2013 application narrative, budget and budget narrative	
2. Summary Data Sheet	
3. Project Narrative	
4. Purpose of the Application	
5. What Will Be Done	
6. Who Will Implement	
7. Proposal Abstract	
8. Budget Detail Worksheet and Narrative	
9. MOU/IMOU	
10. LAV Certification Letter	
11. Proof of 501(c)(3) Status <i>(Nonprofit Organizations Only)</i>	
12. Application for Federal Assistance: SF 424	
13. Standard Assurances and Certifications	
14. Disclosures Related to Executive Compensation	
15. Confidentiality Notice Form	
16. Letter of Nonsupplanting	
17. Financial Accounting Practices	
18. Financial Capability Questionnaire (nonprofits only)	
19. Indirect Cost Rate Agreement (only if the applicant has a current Federally-approved rate)	

Do not submit documents in addition to those specified in this solicitation. Please note that any materials submitted as part of an application may be released pursuant to a request under the Freedom of Information Act.

# **APPENDIX A**

## **Disclosures Related to Executive Compensation**

## Disclosures Related to Executive Compensation Sample Cover Letter

[Applicant Letterhead]

[Date]

Director  
Office on Violence Against Women  
145 N Street, NE  
Suite 10W.  
Washington, DC 20530

Dear Director:

The [Applicant] is a nonprofit organization that uses the Internal Revenue Service's three-step safe-harbor procedure for establishing a rebuttable presumption that our executives' compensation is reasonable. Therefore, I am submitting the following information to you, as required by the Violence against Women Reauthorization Act of 2013:

(1) a brief description of the process used for determining the compensation of our officers, directors, trustees, and key employees, including the independent persons involved in reviewing and approving such compensation;

[or, if relevant]: (1) a copy of our written policy for determining the compensation of our officers, directors, trustees, and key employees, which includes the independent persons involved in reviewing and approving such compensation;]

(2) the comparability data used in establishing executive compensation; and

(3) contemporaneous substantiation of the deliberation and decision regarding executive compensation.

Sincerely,

[Applicant's Authorizing Official]

Attachments