



FY2018 Solicitation Companion Guide

OVW Grant Programs & Post-Award Information

This Guide offers applicants pertinent post-award information for all OVW Programs. It is not a substitute for any of OVW's program-specific solicitations or any of the applicable statutes, regulations, or policies that govern OVW's programs.

Applicants are responsible for reading each solicitation in its entirety and for following the instructions set forth in each solicitation.

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OVW Grant Programs and Pertinent Information

The Office on Violence Against Women (OVW) expects to award funding under 23 grant programs, including the Technical Assistance Initiative. Four of these programs are formula programs, meaning the enacted legislation specifies how the funds are to be distributed. The remaining 19 programs are discretionary, meaning OVW has the responsibility to create the program parameters and identify qualified applicants. It is anticipated that solicitations for Fiscal Year (FY) 2018 will be released on a rolling basis starting in November 2017.

Please refer to the current solicitations posted on [OVW's website](#) for the most up-to-date information on deadlines, project periods and budget caps.

OVW Grant Programs and Pertinent Information		
OVW Grant Program	Project Period	Projected Budget Caps
Enhanced Training And Services To End Abuse In Later Life Program	36 months	Up to \$400,000.
Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence and Stalking on Campus Program Solicitation	36 months	Up to \$300,000 for individual schools.
		Up to \$500,000 for consortium projects with 2-3 schools working together.
		Up to \$750,000 for consortium projects with 5+ schools working together.
Grants to Enhance Culturally Specific Services for Victims of Sexual Assault, Domestic Violence, Dating Violence and Stalking Program	24 months	Up to \$300,000 for new/state focused.
		Up to \$425,000 for continuation/state focused.
		Up to \$350,000 for local focused.

Training and Services to End Violence Against Women with Disabilities	Up to 24 months for new Up to 36 months for continuation	Up to \$500,000 for new, state focused project
		Up to \$475,000 for new, local-focused project
		Up to \$400,000 for Continuation, state-focused project
		Up to \$375,000 for continuation, local-focused project
Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Staking Grant Program	36 months	\$450,000 - \$900,000 depending on the population of the service area.
Grants to Tribal Governments to Exercise Special Domestic Violence Criminal Jurisdiction	36 months	Up to \$450,000.
Legal Assistance for Victims Grant Program	36 months	New and Continuation LAV applications that are proposing to provide primarily domestic violence focused legal services or less than 80% sexual assault focused legal services may request up to \$600,000.
		New and Continuation LAV applications proposing to provide 80% or more sexual assault focused legal services may request up to \$800,000.

Rural Sexual Assault, Domestic Violence, Dating Violence and Stalking Program	36 months	Up to \$750,000 for continuation applications. Up to \$500,000 for new applications.
Sexual Assault Services Formula Program	24 months	OVW will make a maximum of 56 awards varying in range to each state and territory based on a predetermined formula.
Sexual Assault Services Culturally Specific Program	24 months	Up to \$300,000.
Grants to Tribal Domestic Violence and Sexual Assault Coalitions Program	12 months	OVW will make awards to each recognized tribal coalition based on a predetermined formula.
State and Territorial Sexual Assault and Domestic Violence Coalitions Program	12 months	OVW will make up to 88 awards varying in range to each state and territorial coalition based on a predetermined formula.
STOP Formula Grant Program	24 months	OVW will make a maximum of 56 awards varying in range to each state and territory based on a predetermined formula.
Transitional Housing Assistance Grants for Victims of Sexual Assault, Domestic Violence, Dating Violence, and Stalking	36 months	Up to \$350,000.
Tribal Sexual Assault Services Program	36 months	Up to \$325,000.

Justice for Families Program	36 months	Up to \$550,000 for projects with two purpose areas or just purpose area 5 (court-based and court-related programming).
		Up to \$700,000 for projects proposing to comprehensively address purpose areas 1 (supervised visitation), 5 (court-based and court-related programming), and 6 (civil legal assistance).
Grants for Outreach and Services to Underserved Populations	24 months	Up to \$300,000.
Research and Evaluation	up to 36 months	Up to \$400,000.
Consolidated Grant Program to Address Children and Youth Experiencing Domestic and Sexual Assault and Engage Men and Boys as Allies	36 months	Up to \$750,000 for Comprehensive projects.
		Up to for \$350,000 for Engaging Men projects.
Technical Assistance Initiative	For Targeted TA Projects: Up to 36 months	Up to \$900,000 ¹ .
	For Comprehensive TA Projects: Up to 60 months	Up to \$1,000,000 ² for the first three years of the 5 year award.

* Budget caps for each program are subject to FY 2018 congressional appropriations and availability of funds.

¹ Funding levels under the Technical Assistance Initiative are provided with each purpose area.

² OVW has the discretion to award cooperative agreements for greater or lesser amounts than requested and to negotiate the scope of work and budget with applicants prior to award of a grant.

Activities That May Compromise Victim Safety

OVW has found that certain activities may have the effect of jeopardizing victim safety, deterring or preventing physical or emotional healing for victims, or allowing offenders to escape responsibility for their actions. As such, the following are examples of activities that are prohibited with OVW grant funds.

1) 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.

If victim services are not available to all victims, then the program is compromising safety for those victims who are not eligible for services. Policies that do not directly exclude victims may still have the impact of excluding them. For example if a program uses criminal background checks as part of their screening process, it may deter victims with a criminal history from coming forward. Programs that require social security numbers or state issued identification, employment, or income may not be accessible to undocumented immigrant victims. In addition, all OVW grantees are subject to the nondiscrimination condition of 42 U.S.C. 13925(b)(13). For more information on this, see the OVW website at <https://www.justice.gov/ovw/grantees>.

2) Procedures or policies that compromise the confidentiality of information and privacy of persons receiving OVW-funded services.

Protection of personally identifying information is of critical importance to victims. VAWA recognized this with the inclusion of a provision requiring grantees and subgrantees to protect the confidentiality and privacy of persons receiving services. All grantees are required to sign a form acknowledging that they are aware of and will comply with the VAWA provision. The form can be found here:

https://www.justice.gov/sites/default/files/ovw/pages/attachments/2015/01/20/confidentiality_ac_knowledge_form_42015.pdf).

Victim service providers should have policies and procedures regarding protection of victim information and the use of written, informed, time-limited releases for situations where victims wish to share information for a specific purpose.

3) 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).

Victims are in the best position to know what services they would benefit from and what actions could increase or jeopardize their safety. Victim service providers should offer options to clients and information about possible remedies and available services, without making them mandatory.

4) Procedures or policies that fail to conduct safety planning with victims. Safety planning helps victims consider the risk of future harm and the steps victims can take both to prevent harm and in response to an emergency.

For examples and guidance on safety planning in domestic violence cases, please see <http://www.thehotline.org/help/path-to-safety/> and for sexual assault cases, please see http://www.victimrights.org/sites/default/files/Safety%20Planning%20with%20Adult%20Sexual%20Assault%20Survivors_A%20Guide%20for%20Advocates%20and%20Attorneys.pdf.

Frequent and ongoing safety planning helps assess changes in circumstances and perception of risk.

5) Project design and budget that fail to account for the access needs of individuals with disabilities and individuals who have limited English proficiency or are Deaf or hard of hearing.

Without attention to accessibility, victims with disabilities may be unable to utilize the available services. In addition, clear and unencumbered communication is essential for victims when accessing help and receiving services, especially for victims with limited English proficiency or who are Deaf or hard of hearing.

Recipients of OVW funds must comply with applicable federal civil rights laws, which, among other things, prohibit discrimination on the basis of disability and national origin. This includes taking reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access to recipients' programs and activities and ensuring that these programs and activities are readily accessible to qualified individuals with disabilities.

Grantees must allocate grant funds or other available resources to support activities that help to ensure meaningful and full access to their programs. For example, grant funds can be used to support American Sign Language (ASL) interpreter services, language interpretation and translation services, or the purchase of adaptive equipment. For resources, please see www.LEP.gov or <http://www.endabusepwd.org/>.

Examples of activities that may compromise victim safety:

The use of pre-trial diversion programs without prior OVW review and approval of the program or the automatic placement of offenders in such programs.
Couples counseling, family counseling or any other manner of joint victim-offender counseling as a routine or required response to sexual assault, domestic violence, dating violence, or stalking or in situations in which child sexual abuse is alleged.
Mediation in cases of domestic violence, dating violence, sexual assault, or stalking, except where the mediation is voluntary for the victim and there is screening for such issues prior to the start of mediation, there is informed consent on the part of the victim, the mediators have appropriate training on such victimization issues, and the process includes ongoing safety planning for victims and flexibilities such as having the victim and offender physically separated.

Offering or ordering anger management programs for offenders as a substitute for batterer's intervention programs.
Partnering with individuals or organizations that support/ promote practices that compromise victim safety and/or minimize offender accountability.
Policies or procedures that require victims to report the crime to law enforcement, participate in the criminal justice system, or seek a protection or restraining order against the offender, and penalize them for failing to do so.
Training and technical assistance that do not reflect an understanding of domestic violence, dating violence, sexual assault, and stalking, and the experience of survivors, that fails to incorporate the experiences and unique needs of underserved communities, or that includes or promotes practices that may re-victimize survivors.
Except if required by law, procedures or policies that require automatic reporting to child protective services, regardless of the circumstances of an incident, including situations that may implicate victims of domestic violence solely for failure to protect a minor child from witnessing domestic violence.
Procedures or policies that deny individuals access to services based on their relationship to the perpetrator.
Procedures or policies that deny victims and non-abusing parents or caretakers and their children access to services based on their involvement with the perpetrator.
Procedures or policies that do not provide student victims with the option of making the final decision to modify their class schedules and/or other arrangements (such as locker locations or living arrangements) or failing to provide appropriate academic or other accommodations.
Dissemination of information, education, or prevention materials that place blame on the victim or focus primarily on changing victim behavior.
Establishment or enhancement of a multidisciplinary collaborative community response without developing appropriate policies regarding confidentiality and information sharing for the members
Requiring survivors to meet restrictive conditions in order to receive services (e.g. background checks of victims; clinical evaluations to determine eligibility for services; etc.) or other screening processes that elicit information that is not necessary for services, such as questions about immigration status, gender identity, sexual orientation, disability, physical or mental health, and work or criminal history that the service provider does not need to know about to provide services safely

Materials that are not tailored to the dynamics of sexual assault or domestic violence' or the underserved or culturally specific population to be addressed by the grant
Activities that focus on victim services programs only and do not address victim/survivor centered practices within disability and/or Deaf organizations.
Products, program services, or safety plans that do not adequately address the unique needs of individuals with disabilities and/or Deaf individuals
Relying on batterer intervention programs that do not use court monitoring to hold batterers accountable for their behavior
Issuance of mutual restraining orders of protection except in cases where both parties file a claim and the court makes detailed findings of fact indicating that both parties acted primarily as aggressors and that neither party acted primarily in self-defense
Requiring that victims bear the costs associated with: (1) the prosecution of any misdemeanor or felony domestic violence, dating violence, sexual assault, or stalking offense; (2) the filing, issuance, registration, modification, enforcement, dismissal, or service of a protection order, or a petition for a protection order, to protect a victim of sexual assault, domestic violence, dating violence, or stalking; (3) the filing of criminal charges against the offender; or (4) the filing, issuance, registration, modification, enforcement, dismissal or service of a warrant, protection order, petition for a protection order, or witness subpoena
Policies or practices that discourage accepting cases when victims do not have physical evidence.
Refusal to represent victims who are also respondents/defendants.
Study designs, interventions, recruitment and assignment methods, privacy and confidentiality procedures, and data management and reporting strategies that do not fully account for the safety needs of participants
Policies and procedures that fail to account for the physical safety of victims
Enforcing or promoting nuisance abatement ordinances, crime-free housing ordinances, or crime-free lease addenda (often associated with crime-free housing programs) that require or encourage the eviction of tenants or residents who may be victims of domestic violence, sexual assault, dating violence or stalking. (See also the U.S. Department of Housing and Urban Development for guidance on how such ordinances and addenda may violate the Fair Housing Act.)
Policies or procedures that require testing of sexual assault forensic evidence in cases where the victim obtained a medical forensic exam but has not chosen to participate in the criminal justice system.

OVW Grant Programs Application Information

Address to Request Application Package

During the solicitation open period, application packages are available on the Grants.gov website or at the [OVW website](#). Applicants wishing to request a paper copy of the application materials should contact OVW at (202) 307-6026.

After the solicitation open period, solicitation data will remain available on the [OVW website](#).

Unique Entity Identifier (DUNS Number) and System for Award Management (SAM)

Applicants for federal grants and cooperative agreements are required to have a Data Universal Number System (DUNS) Number to submit an application. A DUNS Number is a unique nine-character identification number provided by the commercial company **Duns & Bradstreet (D&B)**. Once an applicant has completed the D&B registration, its DUNS Number should be available within two business days.

Federal guidelines require that applicant organizations must (1) be registered in SAM.gov prior to submitting an application; (2) provide a valid DUNS number in its application; and (3) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application under consideration by a federal awarding agency. Also, federal agencies may not make an award to an applicant until that applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time that OVW is ready to make an award, then OVW may make the determination that the applicant is not qualified to receive an award and use that determination as a basis for making the award to another applicant.

The SAM centralizes information about grant recipients and also provides a central location for grant recipients to change organizational information. Grants.gov uses SAM to establish roles and IDs for electronic grant applicants.

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:

1. Obtain a DUNS number at the following website <http://www.dnb.com/us/> or call (866) 705-5711.
2. Access the SAM online registration through the SAM homepage at <https://www.sam.gov/> and follow the online instructions for new SAM users.

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 Grants.gov and complete the registration. Please note that organizations must update or renew their SAM registration at least once a year to maintain an active registration.

Submission Requirements

Applications must be submitted electronically via [Grants.gov](https://www.grants.gov) or [GMS](https://www.gms.gov). Applicants that are unable to submit electronically must follow the instructions outlined in the solicitation.

OVW Policy on Duplicate Applications

An applicant can only submit one application for the same project per program. If an applicant submits multiple versions of an application, OVW will review the most recent version submitted.

OVW Policy on Late Submissions

OVW offers several options for an applicant to provide advance notice to OVW if receipt of its application will be delayed due to a temporary lack of Internet access, unforeseeable technical issues, or geographic isolation. If an applicant does not provide advance notice to OVW about an issue that may cause a delay in the submission of its application, the application will not be considered for funding. If applicant follows the steps outlined in the solicitation, OVW will consider the applicant's request for late submission. Extension of deadlines is not guaranteed and permission to submit a late application does not automatically result in an award. Late submission only allows an application to be considered for funding. If late submission is approved, the application will be reviewed for registration information and completeness and to ensure that the applicant meets the basic eligibility requirements (BMR) as defined in the solicitation. If the applicant meets BMR, the application will be subject to both peer review and programmatic review before any funding decision is made.

Failure to begin the registration or application submission process in sufficient time is not an acceptable reason for a late application submission. Applicants should register with SAM, [Grants.gov](https://www.grants.gov), or [GMS](https://www.gms.gov) by the date outlined in the solicitation. 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.

Experiencing Unforeseeable Technical Issues

The applicant should begin the application submission process 48, but no less than 24, hours prior to the application deadline. This will allow sufficient time for the applicant to contact the appropriate individuals and take corrective action, as outlined in the solicitation, should unforeseeable technical issues arise. If technical difficulties are experienced at any point during the application process, the applicant must contact the [Grants.gov](https://www.grants.gov) Customer Support Hotline, or the GMS Support Line and OVW prior to the application deadline.

Within 24 hours after the deadline, the applicant must again contact OVW to request permission to submit an application. At that time, the applicant will be required to email the complete grant application and DUNS number, and provide the tracking numbers from the Grants.gov Customer Support Hotline or the GMS Support Line and all relevant documentation pertaining to the technical issue and any attempts to resolve the issue. After OVW reviews all of the information submitted and verifies the technical issues were unforeseeable with the appropriate Customer Service Line, OVW will contact the applicant to either approve or deny the request to submit a late application. If the technical issues cannot be verified as unforeseeable, the application will be rejected as late.

To ensure a fair competition for limited discretionary funds, the following conditions are not valid reasons to permit late submissions: (1) failure to begin the registration process in sufficient time; (2) failure to register or update information on the SAM website; (3) failure to follow [Grants.gov](https://www.grants.gov)

instructions as posted on its website; and (4) failure to follow all of the instructions in the OVW solicitation.

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 request should specify the nature of the disaster and how it affected the applicant's ability to submit an application on time. OVW may request additional documentation from the applicant verifying the extraordinary natural or manmade disaster.

Post-Award Requirements for all Federal Grant Recipients

All OVW award recipients must comply with the following requirements:

Funding Restrictions

Federal assistance awards are governed by the provisions of 2 CFR Part 200. Additionally, OVW awards are covered by the [DOJ Financial Guide](#). The [DOJ Financial Guide](#) includes information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. The guide also outlines the successful administration of grant funds.

Any recipient of an award will be responsible for monitoring subawards and contracts, including MOU partner activities, under the grant in accordance with all applicable statutes, regulations, guidelines, and the [DOJ Financial Guide](#). Primary recipients will be responsible for oversight of subrecipient/partner spending and monitoring specific performance measures and outcomes attributable to the use of OVW funds.

Food and Beverage/Costs for Refreshments and Meals

Generally, food and beverage costs are **not** allowable. OVW may approve the use of OVW funds to provide food and/or beverages for a working meal at a meeting, conference, training, or other event, if one of the following applies:

1. The location of the event is not in close proximity to food establishments. It should be a priority to try to secure a location near reasonably priced and accessible commercial food establishments.
2. Not serving food will significantly lengthen the day or necessitate extending the meeting to achieve meeting outcomes.
3. A special presentation at a conference requires a plenary address where there is no other time for food to be obtained.
4. Other extenuating circumstances necessitate the provision of food.

Justification for an exception listed above must be included in the budget narrative, and funds may only be used to purchase food and/or beverages for a meal at a meeting, conference, training, or other event if OVW approves the specific expenditures in advance. For additional guidance on food and beverage expenditures go to <http://www.justice.gov/ovw/grantees>.

Conference Planning and Expenditure Limitations

Applicants should be aware of all applicable laws, regulations, policies and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (which is defined to include meetings,

retreats, seminars, symposiums, training and other similar events), including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies and guidance related to conference planning is available at <http://www.justice.gov/ovw/grantees>. Applicants should also be aware of the following specific restrictions on conference planning and expenditure limitations:

1. Cost of Logistical Conference Planning
2. Cost of Programmatic Conference Planning
3. Conference Space and Audio-Visual Equipment and Services
4. Prohibition on Trinkets at Conferences
5. Entertainment at Conferences
6. Food and Beverages at Conferences
7. Prior Approval Required Before Entering Into Contracts or Expending Funds for Conferences
8. Conference Reporting

Updated Department of Justice and OVW guidance on conference planning, minimization of costs, and conference cost reporting is available on the OVW website at <http://www.justice.gov/ovw/grantees>.

Training and Technical Assistance All applicants are required to allocate funds in the amount identified in the solicitation to support travel costs associated with technical assistance and capacity-building activities sponsored by OVW-designated technical assistance providers. Applicants from Alaska, Hawaii, and United States Territories should allocate the amount identified in the solicitation to account for higher travel costs. These specific applicants may exceed the budget caps to account for this increased travel amount. The amounts identified in the solicitation are for the entire project period and NOT per year. The required set-aside amount may be shared between the applicant and any partnering agency(ies), but the budget must reflect the costs in the appropriate categories. Therefore, an employee's travel costs should be included in the "Travel" category, while travel costs for the project partner(s) must be included in the "Consultants/Contracts/Subawards" category. Label both costs as "OVW Technical Assistance." OVW technical assistance is provided free of charge to grantees, so applicants do not need to include registration fees. The amounts included in the budget should equal the full, required set-aside amount listed above.

These funds can **only** be used for OVW-designated technical assistance, unless otherwise approved by OVW. Travel funds should be used to support travel by all project partners including nonprofit, nongovernmental victim service providers. Funds may also be used by persons whose positions are not grant-funded as long as that person's roles and responsibilities are linked to the project's overall mission. Applicants may budget for expenses in excess of the OVW estimate if they are aware of relevant non-OVW sponsored conferences for which they would like permission to use grant funds to support staff/project partner attendance.

Program Assessments

Grantees under this program are prohibited from using OVW funds to conduct research. Upon budget approval, they may use funds to assess their work for quality assurance and program improvement purposes only. Assessments for quality assurance and program improvement might include surveying training participants about the quality of training content and delivery or convening discussion forums with key stakeholders. Applicants considering proposing program

assessments should refer to the [DOJ/OJP decision tree](#) to ensure that the activity does not qualify as human subjects research.

Pre-Agreement Cost Approval

OVW generally does not allow pre-award costs. Costs incurred prior to the start date of the award may not be charged to the project unless the recipient receives prior approval from OVW. See the [DOJ Financial Guide](#) for more information on pre-award costs.

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 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. For more information on this prohibition, see <http://www.justice.gov/ovw/docs/faqs-ngc-vawa.pdf>.

Civil Rights Compliance

As a condition for receiving funding from OVW, recipients must comply with applicable federal civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Department of Justice (DOJ) regulation for the Equal Treatment of Faith-Based Organizations. Depending on the funding source, a recipient must also comply with the nondiscrimination provisions within the applicable program statutes, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (“the Omnibus Crime Control and Safe Streets Act”). Collectively, these federal laws prohibit a recipient of OVW funding from discriminating either in *employment* (subject to the exemption for certain faith-based organizations discussed below) or in the *delivery of services or benefits* on the basis of race, color, national origin, sex, religion, or disability. In addition, recipients of OVW funding may not discriminate on the basis of age in the delivery of services or benefits.

Compliance with Title VI of the Civil Rights Act of 1964, which prohibits recipients from discriminating on the basis of national origin in the delivery of services or benefits, entails taking reasonable steps to ensure that persons with limited English proficiency (LEP) have meaningful access to their programs and activities. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. To assist recipients in meeting their obligation to serve LEP persons, the DOJ has published a guidance document, which is available at https://www.lep.gov/guidance/guidance_DOJ_Guidance.html. Additional resources are available at <http://ojp.gov/about/ocr/lep.htm>. OVW strongly encourages applicants and recipients to develop a language access plan. Additionally, applicants must include within their program budgets the costs for providing interpretation and translation services to eligible LEP service populations or explain how language access will be provided if grant funds are not necessary for this purpose.

For technical assistance on complying with the civil rights laws linked to the receipt of federal financial assistance from OVW, please contact the:

Office of Justice Programs
Office for Civil Rights

810 7th Street NW
Washington, DC 20531
202-307-0690
Fax: 202-616-9865
TTY: 202-307-2027

Funding to Faith-Based Organizations

In 2002, President Bush issued Executive Order 13279, and in 2004, DOJ issued the regulation Equal Treatment for Faith-Based Organizations, 28 C.F.R. Part 38. In 2014, President Obama issued Executive Order 13559, Fundamental Principles and Policymaking Criteria for Partnerships With Faith-Based and Other Neighborhood Organizations, which extends protections to beneficiaries of funded programs. In April, 2016, DOJ issued a Final Rule, which amended Part 38 and was effective May 4, 2016.

Under Part 38, the grantee, and any subgrantee, at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38, specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

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 grantee and subgrantee organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to grantees and subgrantees that are faith-based or religious organizations.

The text of the regulation, now entitled "Partnerships with Faith-Based and Other Neighborhood Organizations," is available via the Electronic Code of Federal Regulations (currently accessible at <http://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data. For more information, please see <https://ojp.gov/about/ocr/partnerships.htm>.

Confidentiality and Privacy Protections

OVW grantees and their subgrantees are prohibited from disclosing personally identifying information collected in connection with services requested, utilized, or denied through the grantee and their subgrantee's programs, to any third party or third-party database without informed, written, reasonably time-limited consent of the person, unless compelled by statutory or court mandate.

Where there is a mandate to release information, grantees and subgrantees must make reasonable attempts to provide notice to victims affected by the disclosure of information. They must also take necessary steps to protect the privacy and safety of the persons affected by the release of the information.

Regarding unemancipated minors or persons with disabilities lacking legal capacity to consent, a parent or guardian may consent to the disclosure; however, an abuser of a minor, person with disabilities, or the minor's other parent is prohibited from giving consent to the disclosure. 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.

Due to a requirement in VAWA 2013, grantees and subgrantees must document their compliance with the confidentiality and privacy provisions required under this section. In FY 2018, OVW applicants must acknowledge that they have received notice of this requirement to document compliance. The acknowledgement form is available on the OVW website at http://www.justice.gov/sites/default/files/ovw/pages/attachments/2015/01/20/confidentiality_acknowledgement_form_42015.pdf.

In addition, grantees and subgrantees may share aggregate information regarding their services and demographics of victims for certain purposes, if this information does not identify specific individuals or reveal personally identifying information. They may share such aggregate information with appropriate agencies to comply with federal, state, tribal, or territorial reporting, evaluation, and data collection requirements. For protection order purposes, they may also share court and law enforcement-generated information contained in secure, governmental registries. Moreover, they may share law enforcement- and prosecution-generated information necessary for law enforcement and prosecution purposes.

DOJ regulations (28 CFR Part 22) also require recipients of OVW funding to submit a Privacy Certificate as a condition of approval of any grant application or contract proposal that contains a research or statistical component under which "information identifiable to a private person" will be collected, analyzed, used, or disclosed. These regulations define a research or statistical project as "any program, project, or component thereof ... whose purpose is to develop, measure, evaluate, or otherwise advance the state of knowledge in a particular area." 28 CFR Part 22.2(c).

Research and Protection of Human Subjects

It is important for applicants with OVW funding to be aware of DOJ guidance on research involving protection of human subjects so that they do not propose activities that encompass such research. The Department of Justice's Office of Justice Programs (OJP) has developed a "[decision tree](#)" to assist applicants/grantees in determining whether an activity they plan to undertake with federal funds constitutes research involving human subjects. If research involving human subjects is involved, DOJ regulations as described below are applicable. OVW strongly encourages applicants to use this decision-tree to ensure that proposed activities can be supported with OVW funding. See also related "[Confidentiality and Privacy Protections](#)".

DOJ regulations (28 CFR Part 46) protect the human subjects of federally-funded research. In brief, 28 CFR Part 46 requires that most research involving human subjects that is conducted or supported by a federal department or agency be reviewed and approved by an Institutional Review Board (IRB), in accordance with the regulations, before federal funds are expended for that research. As a rule, persons who participate in federally-funded research must provide their "informed consent" and must be permitted to terminate their participation at any time. For additional information on this topic, please see <http://www.nij.gov/funding/humansubjects/pages/welcome.aspx>.

Please note that "research" does not include program assessments conducted only for internal improvement purposes. If an OVW program solicitation asks for a more comprehensive program evaluation or other type of activity that constitutes research implicating human subject research and confidentiality/privacy protections, the solicitation will so state.

Anti-Lobbying Act

In 2002, the Anti-Lobbying Act (18 U.S.C. § 1913) was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each individual occurrence of lobbying activity. The Violence Against Women Act definitions and grant conditions (42 U.S.C. 13925) explicitly provides that the prohibition in 18 U.S.C. § 1913 applies to funds appropriated for VAWA grant programs. It also provides that grantees and subgrantees may “collaborate with or provide information to federal, state, local, or tribal public officials or agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking.” In addition, some programs contain purpose areas for developing and promoting legislation and policies that promote best practices for responding to domestic violence, dating violence, sexual assault, and stalking. Grantees should contact their grant managers with any questions regarding the allowability of specific activities. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352.

In general, under the statutes above and as set out in the Cost Principles at 2 C.F.R. § 200.450, for most organizations, no federally appropriated funding made available under this grant program may be used, either directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy at any level of government without the express prior written approval of OVW. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. The recipient, or any subrecipient ("subgrantee") may, however, use federal funds to collaborate with and provide information to federal, state, local, tribal and territorial public officials and agencies to develop and implement policies and develop and promote state, local, or tribal legislation or model codes designed to reduce or eliminate domestic violence, dating violence, sexual assault, and stalking (as those terms are defined in 42 U.S.C. 13925(a)) when such collaboration and provision of information is consistent with the activities otherwise authorized for the grant program.

Reporting Requirements

Federal grants are governed by the provisions of the Uniform Guidance (2 CFR 200), OMB circulars applicable to financial assistance and the DOJ Financial Guide, which includes information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records.

For fiscal years beginning on or after December 26, 2014, any non-Federal entity that expends \$750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of 2 CFR 200, Subpart F- Audit Requirements. This audit report must be submitted to the **Federal Audit Clearinghouse** within nine months after the close of the fiscal year during the term of the award.

OVW Reporting Requirements

Grantees must comply with the following OVW reporting requirements:

1. Federal Financial Report (SF-425)

OVW grantees are required to file a Federal Financial Report (FFR) quarterly via the FFR module in the web-based Grants Management System (GMS). OVW grantees are required to

designate and approve at least one Financial Point of Contact (FPOC) in GMS before they can file the FFR. An FPOC must be registered and approved by the Grant Point of Contact through GMS at <https://grants.ojp.usdoj.gov/>.

The FFR is used to track actual expenditures and unliquidated obligations and is due no later than 30 days after the calendar quarter ends. The final FFR is due 90 days after the grant end date. Grantees are encouraged to submit the FFR as soon as the quarter ends to avoid delays in processing and access to grant funds.

The schedule for submitting Federal Financial Reports is as follows:

Reporting quarter:	Due no later than:
January 1–March 31	April 30
April 1–June 30	July 30
July 1–September 30	October 30
October 1–December 31	January 30

2. Progress Reports

Under the Government Performance and Results Act (GRPA) and Violence Against Women Act (VAWA) of 2000, grantees are required to collect and maintain data that measure the effectiveness of their grant-funded activities.

Each grant program's progress reporting form reflects the different statutorily authorized activities that grantees perform, and collects uniform information on victims served, demographics, and common activities that occur across grant programs. These progress report forms provide OVW with comprehensive data regarding grantee activities and are used for Congressional reporting, OVW's outreach strategy, and other performance-related data reporting.

OVW grantees are required to submit semi-annual or annual progress reports through the Grants Management System (GMS). If selected for funding, the applicant will have a special condition on their award requiring the submission of these progress reports. For information on progress reporting and sample reporting forms, please visit the VAWA Measuring Effectiveness Initiative website: <http://muskie.usm.maine.edu/vawamei/index.htm>.

If either a Federal Financial Report or Progress Report is late, GMS will automatically place a hold on grant funds. GMS will generate a GAN informing the grant recipients that the funds have been placed on hold. Once the delinquent report has been submitted, GMS will automatically generate a GAN releasing the hold. Delinquent reports may affect future awards and may lead to suspension/and or termination of the award.

National Environmental Policy Act

All OVW awards are subject to the National Environmental Policy Act (NEPA) and other related Federal laws, if applicable. 42 U.S.C. § 4321 et seq. DOJ has established procedures to implement NEPA. See 28 CFR Part 61. The regulations state that "all federal agencies are required to give appropriate consideration to the environmental effects of their proposed actions in their decision-making and to prepare detailed environmental statements on . . . major federal actions significantly affecting the quality of the human environment." 28 CFR section 61.2. Under the regulations, DOJ, among other things, is required to "consider from

the earliest possible point in the process all relevant environmental documents in evaluating proposals for Department action." 28 CFR Section 61.6.

OVW has responsibility to ensure compliance with NEPA and 28 CFR Part 61, including Appendix D (included in Part 61 - Office of Justice Assistance, Research, and Statistics Procedures Relating to the Implementation of the National Environmental Policy Act). For many projects that are funded by OVW, NEPA may have no applicability. However, if OVW funds will be used, for example, to pay for renovation projects or new construction, programs involving the use of chemicals, or any other activity, including research and technology development, that may have an effect on the environment, at a minimum, the funding recipient must provide a full description of proposed project activities to OVW. Prior to allowing a recipient to spend OVW funds for such a project, OVW must make a finding that the project does not significantly affect the human environment and that further environmental assessment is not necessary.

DOJ Information Technology Standards

As appropriate, all equipment and software developed under awards that result from OVW funding must be compliant with DOJ information technology interface standards, including the National Criminal Intelligence Sharing Plan at https://it.ojp.gov/documents/National_Criminal_Intelligence_Sharing_Plan.pdf, the Global Justice XML Data Model at <http://it.ojp.gov/jxdm/>, and the Law Enforcement Information Sharing Plan. A list of additional standards can be found at the OJP Standards Clearinghouse at <http://it.ojp.gov/default.aspx?area=implementationAssistance&page=1017>.

Non-Supplanting of State and Local Funds

Grantees must use federal funds to supplement existing funds for program activities and may not replace (supplant) nonfederal funds that they have appropriated for the same purpose.

Potential supplanting will be the subject of monitoring and an audit. Violations can result in a range of penalties, including suspension of current and future OVW funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and/or criminal penalties.

Criminal Penalty for False Statements

False statements or claims made in connection with OVW grants may result in fines, imprisonment, and debarment from participating in federal grants or contracts, and/or other remedy available by law.

Reporting Fraud, Waste, Error, and Abuse

The Office of the Inspector General (OIG) conducts independent investigations, audits, inspections, and special reviews of U.S. Department of Justice personnel and programs to detect and deter waste, fraud, abuse, and misconduct, and to promote integrity, economy, efficiency, and effectiveness in U.S. Department of Justice operations. Grantees should report potential fraud, waste, abuse, or misconduct to the U.S. Department of Justice, Office of the Inspector General (OIG) by contacting:

Office of the Inspector General
U.S. Department of Justice Fraud
Detection Office
Attn: Grantee Reporting

1300 North 17th Street
Suite 3200
Arlington, VA 22209 Email:
oiq.hotline@usdoj.gov

Hotline: (contact information in English and Spanish): (800) 869-4499

Or Hotline fax: (202) 305-8447

Hotline: (contact information in English and Spanish): (800) 869-4499

Or Hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.justice.gov/oiq.

Suspension or Termination of Funding

OVW may suspend funding in whole or in part, terminate funding, or impose other sanctions on a recipient for the following reasons:

1. Failing to comply substantially with the requirements or statutory objectives of the appropriate Act, program guidelines issued thereunder, or other provisions of federal law.
2. Failing to make satisfactory progress toward the goals, objectives, or strategies set forth in the application.
3. Failing to adhere to the requirements in the agreement, standard conditions, or special conditions.
4. Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.
5. Failing to submit reports.
6. Filing a false certification in the application or other report or document.

Before imposing sanctions, OVW will provide reasonable notice to the recipient of its intent to impose sanctions and will attempt to resolve the problem informally. Hearing and appeal procedures will follow those in DOJ regulations in 28 CFR Part 18.

Rights in Intellectual Property

DOJ reserves certain rights with respect to data, patentable inventions, works subject to copyright, and other intellectual property associated with an award of federal funds. See 2 CFR 200.315 and 37 CFR Part 401.

Federal Funding Accountability and Transparency Act of 2006 (FFATA)

Applicants receiving an OVW award should be aware of the requirements of the Federal Funding Accountability and Transparency Act of 2006 (FFATA), which calls for the establishment of a single searchable website <http://www.USASpending.gov> that is accessible by the public and includes the following information for each Federal award:

1. The name of the entity receiving the award;
2. The amount of the award;
3. Information on the award including the transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (where applicable), program source, and an award title descriptive of the purpose of each funding action;
4. The location of the entity receiving the award and primary location of performance under the award, including the city, state, congressional district, and country;

5. A unique identifier of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity; and
6. Any other relevant information specified by OMB.

DOJ awarding agencies will be responsible for collecting grantee information and providing it to the public website, using data provided by grantees through the Grants Management System. Additional information regarding these requirements will be provided when available. For more information, visit the USASpending.gov website.

Applicants should note that all recipients of awards of \$25,000 or more consistent with FFATA, will be required to report award information on any first-tier subawards totaling \$25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. If applicable, the FFATA Subaward Reporting System (FSRS), accessible via the Internet at www.fsr.gov, is the reporting tool recipients will use to capture and report subaward information and any executive compensation data required by FFATA. The subaward information entered in FSRS will then be displayed on www.USASpending.gov associated with the prime award, furthering federal spending transparency.

Each applicant entity must ensure that it has the necessary processes and systems in place to comply with the applicable reporting requirements should it receive funding.

For additional information regarding the executive compensation and subaward reporting requirements, please see Vol. 75, No. 177 (September 14, 2010) of the Federal Register, www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf.

Federal Award Performance and Integrity Information System (FAPIS) Requirements

Recipients that have a total value of current active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies that exceeds \$10,000,000 for any period of time during the period of performance of their OVW award must maintain the currency of information about civil, criminal, or administrative proceedings reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIS)).

FAPIS reporting requires recipients to comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OVW award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OVW awards are required to report information about such proceedings, through SAM to the designated federal integrity and performance system FAPIS. The details of the recipient obligations regarding this requirement can be viewed on the OVW website at www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf. OVW includes a special condition regarding this requirement on all awards where the cumulative amount of the award will exceed \$500,000.

Awards in Excess of \$5,000,000 – Federal Taxes Certification Requirement

A prospective recipient of an award in excess of \$5,000,000 may be required to submit a detailed certification concerning filing of federal tax returns, criminal convictions under the Internal Revenue Code, and unpaid federal tax assessments.

Prohibited Conduct by Recipient and Subrecipients Related to Trafficking in Persons

During the period of time that the award is in effect, any recipient or subrecipient ("subgrantee") that is a private entity, and the employees of any recipient or subrecipient that is a private entity, may not engage in--

- a. Severe forms of trafficking in persons as defined in 22 U.S.C. § 7102(9);
- b. Procurement of a commercial sex act;
- c. Use of forced labor in the performance of the award or any subaward ("subgrant") under the award;
- d. Acts that directly support or advance trafficking in persons, including acts such as:
 - (i) Denying an employee access to the employee's own identity or immigration documents (including by destroying or confiscating such documents);
 - (ii) Without legally-sufficient justification as determined by OVW/DOJ, failing to provide (or pay for) return transportation to an employee to the country from which the employee was recruited (if other than the United States), if the employee requests such return transportation upon the end of employment;
 - (iii) Using materially false or fraudulent pretenses, representations, or promises regarding the employment to solicit a person for employment, or in an offer of employment;
 - (iv) Charging recruited employees unreasonable placement or recruitment fees, such as fees equal to or greater than the employee's monthly salary, or recruitment fees that violate the laws of the country from which an employee is recruited; or
 - (v) Providing or arranging housing that fails to meet the host country (e.g., the United States) housing and safety standards.

Computer Network Requirement

Grantees must agree 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.

Whistleblower Protections for Employees of OVW Recipients

Recipients of OVW grants and cooperative agreements must comply with, and are subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee of an OVW recipient by the OVW recipient 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.

Recipients of OVW grants and cooperative agreements should inform their employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

General Appropriations Law Restrictions

The federal appropriations statutes that provide (among many other things) the funds that OVW awards in its grants and cooperative agreements include various restrictions on how the federal appropriated funds may be used. These restrictions, which often appear in sets of "General

Provisions," typically do not relate to a particular program, or even to a particular agency such as OVW. Rather, they are wide-ranging, "cross-cutting" restrictions. For more information on the specific restrictions applicable to OVW grants, please see www.justice.gov/OVW/grantees.

Subrecipient and Contractor Determinations Under OVW Awards

Under 2 C.F.R. § 200.330, recipients of OVW grants and cooperative agreements must make case-by-case determinations whether each agreement they make for the disbursement of federal program funds casts the party receiving the funds in the role of a subrecipient or a contractor. The substance of the relationship between the two parties is more important than the form of the agreement in classifying each agreement as a subaward or a procurement contract. The characteristics of each type of relationship are set forth in section 200.330, and the determination is important because the requirements for subawards and procurement contracts are different. Recipients should incorporate into their internal procedures a documented process for making the subrecipient versus contractor determination and maintain documentation of the decision-making process in each case in their internal files.

A subaward is for the purpose of carrying out a portion of the federal award, and the subrecipient is typically responsible for adhering to applicable program requirements and for fulfilling a program purpose, as opposed to providing goods or services for the benefit of the direct recipient. Partners with which the recipient has entered into a memorandum of understanding to carry out the funded project are generally considered subrecipients because of their role in meeting program objectives, participating in programmatic decision-making, and in some cases determining who is eligible to receive assistance or services with program funds. The agreement for disbursement of funds to the subrecipient must be clearly identified as a subaward and include the information required in 2 C.F.R. § 200.331(a). The recipient must evaluate the subrecipient's risk of noncompliance with federal statutes, regulations, and award requirements, monitor the activities of the subrecipient, and take all other actions specified in 2 C.F.R. § 200.331(b)-(h).

A contract is for the purpose of obtaining goods and services for the recipient's own use and creates a procurement relationship with the contractor. A contractor provides goods and services within normal business operations, and the goods or services provided are ancillary to the project, rather than fulfilling one of the purposes of the grant program under which the project is funded. A contractor also provides similar goods and services to many different purchasers, normally operates in a competitive environment, and is not subject to the compliance requirements of the federal program as a result of the agreement. In awarding contracts, recipients must follow the procurement standards set forth in 2 C.F.R. §§ 200.317-200.326, including following sole source requirements. Recipients also must include in the contract the applicable provisions described in Appendix II to 2 C.F.R. Part 200.

Other important distinctions between subrecipients and contractors include the following: the procurement standards and sole source requirements in 2 C.F.R. Part 200 do not apply to subawards; instead, the program requirements and conditions in the recipient's award pass down to subrecipients. In addition, contractors may earn a normal profit under agreements with direct OVW recipients, but subrecipients may not earn a profit; subrecipients are reimbursed for their actual costs and not on a fee-for-service basis.

Questions regarding the determination as to whether an agreement is a subaward or a contract may be directed to the recipient's program manager or to OVW's Grants Financial Management Division at OVW.GFMD@usdoj.gov.