



---

# **Guide to Post-Award Requirements for the Special Tribal Criminal Jurisdiction Reimbursement Program**

This Guide offers applicants pertinent information about post-award requirements for OVW's Special Tribal Criminal Jurisdiction Reimbursement Program (Tribal Reimbursement Program). It is not a substitute for the program's Notice of Reimbursement Opportunity or any of the applicable statutes, regulations, or policies that govern the Tribal Reimbursement Program.

## Table of Contents

Post-Award Requirements for Tribal Reimbursement Program Recipients.....	3
Civil Rights Compliance .....	3
Audit Reporting Requirements .....	4
Non-Supplanting of Federal, State, and Local Funds.....	4
Remedies for Noncompliance or for Materially False Statements .....	4
Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct.....	4
Suspension or Termination of Funding .....	5
Federal Funding Accountability and Transparency Act of 2006 (FFATA).....	5
General Appropriations Law Restrictions .....	5

# Post-Award Requirements for Tribal Reimbursement Program Recipients

OVW Special Tribal Criminal Jurisdiction Reimbursement Program (Tribal Reimbursement Program) recipients must comply with the requirements below. In addition, the general terms and conditions applicable to Tribal reimbursement awards are available at <https://www.justice.gov/ovw/special-tribal-criminal-jurisdiction-reimbursement-program>.

## 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. 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.

As a condition of receiving funding, recipients also must comply with a nondiscrimination provision in the Violence Against Women Act (VAWA), as amended, that covers any program or activity funded in whole or in part by OVW. 34 U.S.C. § 12291(b)(13)(A). Under this provision, recipients may provide sex-segregated or sex-specific programming if doing so is necessary for the essential operation of a program (e.g., in the case of women's safety), so long as the recipients provides comparable services to those who cannot be provided with the sex-segregated or sex-specific programming. *Id.* § 12291(b)(13)(B).

Recipients of federal financial assistance are reminded that denial of language assistance services can be evidence of discrimination on the basis of national origin or disability under certain circumstances. Costs for such services may be reimbursed under this program, as long as they are associated with the exercise of Special Tribal Criminal Jurisdiction.

Similarly, recipients are responsible for ensuring that their programs and activities are readily accessible to qualified individuals with disabilities. Recipients may use reimbursement funds for American Sign Language (ASL) interpreter services for Deaf or hard of hearing individuals or the purchase of adaptive equipment for individuals with mobility or cognitive disabilities. For resources, see [www.ADA.gov](http://www.ADA.gov) or contact OVW.

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

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

## Audit Reporting Requirements

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 C.F.R. Part 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.

## Non-Supplanting of Federal, State, and Local Funds

Recipients must use federal funds to supplement existing federal, state, or local funds for program activities and may not replace (supplant) federal, state, and local funds 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, suspension or debarment from federal grants, recoupment of monies provided under an award, and civil and/or criminal penalties.

## Remedies for Noncompliance or for Materially False Statements

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

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

Any materially false, fictitious, or fraudulent statement to the federal government related to an OVW 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).

## Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct

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

<https://oig.justice.gov/hotline/contact-grants.htm> (select “Submit Report Online”)

or: U.S. Department of Justice

Office of the Inspector General

Investigations Division

ATTN: Fraud Detection Office

950 Pennsylvania Avenue, N.W.

Washington, DC 20530

(202) 616-9881 (fax to DOJ OIG Fraud Detection Office)

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

## 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 applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation.
2. 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 at 28 C.F.R. Part 18, as applicable.

## 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), as amended, which called for the establishment of a single searchable website (<https://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 Assistance Listing 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.
6. Any other relevant information specified by OMB.

DOJ awarding agencies are responsible for collecting the recipient information above and providing it to the public website. For more information, visit the USASpending.gov website.

## General Appropriations Law Restrictions

The federal appropriations statutes that provide (among many other things) the funds that OVW awards include various restrictions on how the 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 general appropriations-law restrictions applicable to OVW awards each fiscal year, visit <https://www.justice.gov/ovw/award-conditions> and click on "Award Condition: General appropriations-law restrictions on use of federal award funds" under each fiscal year.