



FY 2018 Guidance for Invited Applications for Antiterrorism and Emergency Assistance Program for Crime Victim Compensation and/or Assistance

Eligibility

This is not a competitive solicitation.
OVC will contact potential applicants directly.

For Crime Victim Assistance, eligible applicants are limited to state victim assistance programs; public agencies, including federal, state, and local governments, and federally recognized Indian tribal governments, as determined by the Secretary of the Interior and published in the Federal Register; public institutions of higher education; and victim service and nongovernmental organizations.

For Crime Victim Compensation, eligible applicants are limited to state crime victim compensation administrative agencies.

OVC does not provide Antiterrorism Emergency Assistance Program (AEAP) funding directly to individual crime victims. AEAP applications will be accepted only from the jurisdiction where the crime occurred, unless a federal statute establishes a special authorization and appropriation supporting allocations to other jurisdictions or a compelling justification can be provided to the OVC Director supporting requests from other jurisdictions. In the case of terrorism and mass violence outside the United States, OVC will make a determination regarding which organizations or agencies within the United States may apply for funding.

This is a restricted invitation because the program is intended to respond to specific cases of terrorism and mass violence. Only after OVC has consulted with an eligible organization can an application be submitted. Further program guidance is set out in the AEAP Guidelines (available from OVC, or at in the Federal Register at 67 Fed. Reg. 4822 (Jan. 31, 2002) and 79 Fed. Reg. 59298 (Oct. 1, 2014)). (See <https://www.gpo.gov/fdsys/pkg/FR-2002-01-31/pdf/02-2299.pdf> for details.)

All recipients and subrecipients (including any for-profit organization) must forgo any profit or management fee.

Deadline

An applicant must register in the OJP Grants Management System (GMS) at <https://grants.ojp.usdoj.gov/> prior to submitting an application. All applicants must register, even those that have previously registered in GMS. Select the “Apply Online” button associated with the "solicitation title" identified in the OJP Invitation Letter. Please refer to GMS for the most recent registration and application deadlines.

For additional information, see [How to Apply](#) in [Section III. Application and Submission Information](#).

Please note that this invitation is only available after a mass violence or terrorism incident. Applicants will be notified when the invitation is open.

Contact Information

For technical assistance with submitting an application, contact the Grants Management System Support Hotline at 888-549-9901, option 3, or via email at GMS.HelpDesk@usdoj.gov. The [GMS](#) Support Hotline operates 24 hours a day, 7 days a week, including on federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the OVC contact identified in the OJP Invitation Letter (if applicable) **within 24 hours after the application deadline** to request approval to submit its application after the deadline. For information on reporting technical issues see “Experiencing Unforeseen GMS Technical Issues” in the [How to Apply](#) section.

For assistance with any other part of this Guidance for Invited Applications, contact the OJP staff member identified in the OJP Invitation Letter (if applicable) or individual with whom you have been working.

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Guidance for Invited Applications for FY 2018 Antiterrorism and Emergency Assistance Program for Crime Victim Compensation and Assistance (CFDA #16.321)

I. Program Description

Overview

The Office for Victims of Crime (OVC) supports victims of mass violence and terrorism through the Antiterrorism and Emergency Assistance Program (AEAP). This program is designed to supplement the resources and services of entities responding to these acts when a jurisdiction has been overwhelmed after such an incident. Funding for this program comes from the Antiterrorism Emergency Reserve (the Emergency Reserve).

AEAP grants are a mechanism by which the Director of OVC may award supplemental crime victim compensation and assistance to respond to an act of domestic terrorism or mass criminal violence. The criminal act has to be of sufficient magnitude that the jurisdiction cannot provide needed services to victims of the incident with existing resources and it places an undue financial hardship on the jurisdiction's ability to respond to victims of other crimes in a timely and comprehensive manner. AEAP funds can assist with crisis response in the initial aftermath of an event; help victims adapt, restore their equilibrium, and deal with the consequences of the event; and facilitate victim participation in the judicial process. AEAP is also designed to supplement state crime victim compensation administrative agencies that reimburse victims for out-of-pocket expenses related to their victimization. Additionally, training and technical assistance funds are available to identify resources, assess needs, coordinate services to victims, and develop strategies for responding to an event. Applicants should consider the full range of both compensation and assistance programs when requesting grant funding. Justification for all funding must demonstrate that AEAP funds will support victims of the event. OVC may provide a consultant(s) to support the applicant with the AEAP application process. Funding provided under this program is retroactive to the date of the incident. AEAP is authorized by 34 U.S.C. §§ 20101(d)(5) and 20105(b).

Upon verification that an act of domestic terrorism or mass violence has resulted in a significant number of victims injured or deceased, OVC will contact the state Victims of Crime Act (VOCA) administrator(s) in the affected state(s) and advise them that AEAP resources may be available. In order to determine the scope of possible need and resources available, this will be the first of many interactions between OVC and the agency eligible to receive AEAP funds.

Because many mass violence or domestic terrorism incidents involve federal jurisdiction and law enforcement officials, OVC will immediately coordinate with the Federal Bureau of Investigation's (FBI) Victim Services Division (VSD) to determine which resources may already be deployed and which services are being coordinated with state and local victim assistance and law enforcement personnel on the scene. In the event that the FBI is investigating a federal crime or is asked to assist state, local, or tribal authorities with a non-federal crime, VSD can be

a valuable resource to victims and affected agencies, especially in the initial aftermath of an incident. In such instances, VSD personnel can provide immediate victim assistance such as helping to collect ante-mortem data and to conduct death notifications; establishing or helping staff Family Assistance Centers; assisting with incident briefings for victims/families, individual needs assessments, and personal effects management; and providing support and information to victims through a national network of FBI Victim Specialists. When the FBI is investigating federal crimes or their assistance is requested by state, local, or tribal authorities, VSD may also support select short-term emergency victim-related expenses. This may include expenses associated with emergency transportation or temporary lodging for victims or their families. For more information on the FBI's victim services, visit: <https://www.fbi.gov/resources/victim-assistance>. State VOCA personnel and other state and local victim assistance providers should work with appropriate federal, state, local, and tribal government agencies and nongovernmental and nonprofit agencies to address the full range of victims' needs.

Program-Specific Information

Once OVC determines the appropriate eligible applicant, OVC will interact regularly with the applicant and inform the organization of the range of AEAP resources. OVC will also supply samples of approved AEAP application submissions to use as a guideline for developing a funding request. As victims' needs become more apparent and victim support expenses mount, OVC encourages the applicant to call or email OVC with questions about what AEAP funding can support.

Note: AEAP Guidelines follow the definition of victim that is used under the VOCA program. However, because of the nature of mass violence and domestic terrorist incidents, AEAP may also include individuals who are likely to suffer vicarious trauma from the incident, for example, people in direct proximity to the crime and emergency responders who respond to the incident.

There are four types of **supplemental** grants available under AEAP:

1. Crisis Response (emergency/short-term, up to 9 months): designed to provide resources to help victims rebuild adaptive capacities, decrease stressors, and to reduce symptoms of trauma immediately following the terrorism or mass violence event.
2. Consequence Management (on-going/longer term, up to 18 months): designed to provide supplemental resources to help victims adapt to the trauma event and to restore victims' sense of equilibrium.
3. Criminal Justice Support (on-going/longer term, up to 36 months): designed to facilitate victim participation in an investigation or prosecution directly related to the terrorist and mass violence event. (Please note the longer time frame here is generally intended to provide victim support in instances where there is a trial or other extended criminal proceedings.)
4. Crime Victim Compensation (available at any time): designed to provide supplemental funding to reimburse victims for out-of-pocket expenses related to their victimization in cases of terrorism or mass violence occurring within the United States.

Prospective grantees will identify victim-related expenses, including those associated with the immediate aftermath of the event; the longer term consequences for victims; and victim participation in investigations or prosecutions. Once an applicant has determined the extent and nature of their needs, but before a formal application is submitted, the applicant will submit a Letter of Request to OVC. (See "[Before You Apply](#)," page 25.) This letter will demonstrate the applicant's intent to seek funding. OVC may require detailed justification for proposed expenses and will need to ensure that the requested funding is supplemental and does not supplant

existing resources or duplicate funding from another source. The prospective grantee and OVC will collaborate to refine the application prior to the final application submission. The time needed to complete this process may vary depending on the complexity of the application. OVC personnel will help prospective grantees throughout this process and will be available to address questions and concerns. In most instances, particularly for large and complex situations, OVC may also provide a consultant to assist the applicant with researching and gathering information, determining victim needs, identifying victim resources, developing response strategies, and drafting the AEAP proposal. OVC will also work with prospective grantees to ensure that they have coordinated their response with other agencies that may be able to provide support. For example, OJP's Bureau of Justice Assistance may have funding available for law enforcement activities associated with the event that are not victim-related (see Justice Assistance Grant information at www.bja.gov/ProgramDetails.aspx?Program_ID=59). DOJ Community Oriented Policing Services (COPS) grants also may be available (see www.cops.usdoj.gov/Default.asp?Item=232). Additionally, under limited circumstances, the U.S. Department of Education may have funding available to help local educational agencies and institutions of higher education recover from a violent or traumatic event (see "Project School Emergency Response to Violence" at www2.ed.gov/programs/dvppserv/index.html).

Goals, Objectives, and Deliverables

The objective of this program is to improve services and assistance by providing supplemental funding to assist victims of domestic terrorism and mass violence. This is consistent with OJP Strategic Objective 1.2, to increase access to sound, practical programs designed to improve outcomes for youth, non-violent offenders, and victims. OVC is authorized to provide emergency relief for the benefit of victims in cases of domestic terrorism or mass violence occurring within the United States (34 U.S.C. § 20105(b)). This support provides supplemental resources in relation to the jurisdiction's crisis response efforts, consequence management activities, criminal justice actions, and training and technical assistance.

The following information provides examples of the types of support that are available under AEAP. This is not an exhaustive list; other items will be considered if the applicant can demonstrate that expenditures support victim assistance or compensation and that such expenses are supplemental and not provided through other funding. It is expected that state VOCA programs will examine their existing resources to determine whether they can support an incident without significantly adversely affecting victims of other crimes. If they lack sufficient resources then AEAP funding will be considered. Since AEAP covers expenses retroactive to the date of the incident, it is assumed that organizations requesting retroactive supplemental costs will need to fund those expenses up front and, if approved, they will be reimbursed under the AEAP award.

Examples of supplemental VOCA compensation items typically covered under AEAP include (*see Compensation NOTE on page 8):

- Compensation for autopsy, refrigeration, and transport of a body; funeral and burial costs; etc.
- Compensation for medical costs and medical-related expenses, including vocational rehabilitation, non-medical attendant services, rehabilitation and physical therapy, diagnostic examinations, prosthetic devices, eyeglasses, medical/dental/vision health insurance copayments, etc.
- Compensation for mental health costs, including crisis counseling, group therapy, etc., and insurance copayments supporting these type services.

- Emergency travel and/or transportation costs.
- Lost wages.

Note: Compensation funds may NOT be used to cover property damage or loss. Property damage is damage to material goods (not including medical-related devices) or the physical loss of money, stocks, bonds, etc.

Examples of supplemental VOCA assistance services typically covered under AEAP include:

- Victim advocacy efforts including applying for compensation.
- Counseling and group therapy (providers should be licensed and accredited according to state standards and delivering evidence-based or widely accepted services).
- Rehabilitation expenses.
- Vocational rehabilitation.
- Emergency food, clothing, housing, transportation, and travel.
- Temporary housing, per diem, and relocation.
- Child and dependent care.
- Cleaning and return of personal effects.
- Employer and creditor intervention.
- Victim and community needs assessments and planning.
- Automated informational telephone services.
- Outreach, awareness, and education.
- Case management and navigator services.
- Victim informational websites, including victim notification systems.
- Protocols for coordination and collaboration.
- Support for victim participation in investigations and criminal justice proceedings such as travel/transportation to court or closed-circuit viewing facility, counseling, advocacy, victim impact statements, etc.
- On a case-by-case basis, the OVC Director may approve limited funding to be used for administrative purposes (such as staff and some equipment) deemed essential to the delivery of services and assistance to victims.
- Training and technical assistance to identify resources, assess needs, coordinate services to victims, enhance capacity of service providers to provide specialized trauma-informed care for victims, develop response strategies for responding to an event, and related issues.
- Support for trauma suffered by first responders.
- **Very limited** victim service-related law enforcement and first responder **overtime expenses**, such as death notifications; showing/explaining the crime scene to the family; law enforcement-based victim advocates; crime scene cleanup; and additional security at a memorial service or funeral when there is an ongoing threat. (Please note that AEAP does not cover routine law enforcement or first responder expenses and that any requests for funding must be related to **victim** activities. Interviewing victims and witnesses about the incident is NOT considered a victim service.)
- **Limited** expenses for coroners' or medical examiners' offices for a larger-than-normal number of deceased victims. Costs for additional supplies and **overtime** *may* be considered if the office is overwhelmed. Salaries of current staff will not be reimbursed. It is assumed that the coroner or medical examiner will be able to support some amount of these expenses. For example, if responding to multiple vehicle fatalities is normal for the office, then some costs above that norm will be considered. The type and amount will depend on the size of the incident and office

(major city versus rural area). Costs will NOT be considered for expenses related to a suspect/perpetrator.

If a state VOCA agency is applying for both compensation and assistance resources, the request should be combined into one application, if practical. It is possible to file a supplemental application if circumstances are such that it is not possible to combine all items in the initial request or if there is an unforeseen ongoing need.

*Note to state VOCA compensation programs applying for supplemental crime victim compensation: AEAP may provide state crime victim compensation agencies supplemental funding to reimburse victims for out-of-pocket expenses related to their victimization in cases of domestic terrorism or mass criminal violence occurring within the United States. AEAP funds may not be used to cover property damage or loss and the funding is not intended to exceed existing compensation program limits; however, OVC may award state compensation programs supplemental funding to cover extra expenses related to the incident. Under a 2014 clarification to the AEAP Guidelines, OVC may provide funding to the state program, public agencies, or other organizations to cover expenses not ordinarily covered (whether in amount or type) by state crime victim compensation programs. Due to the nature of mass violence incidents, victims (in addition to being more numerous) may also have compensation needs that are more extensive or somewhat different than what the state program would ordinarily cover, such as compensation to emergency responders or victims who were in the immediate proximity of the crime when it occurred or, in the aftermath of a bombing where many victims lose limbs, there may be an increased need for rehabilitative services that extend beyond what a state compensation program typically provides. Caregivers for seriously injured victims may also incur expenses not typically covered under state crime victim compensation programs such as lost wages and travel expenses when providing care for or taking victims to medical appointments. OVC will coordinate such awards with state crime victim compensation programs in the event that such an award is made to another organization. (See <https://www.gpo.gov/fdsys/pkg/FR-2014-10-01/pdf/2014-23343.pdf> for the amendment to the AEAP Guidelines.)

Allowable expenses are based, in part, on activities authorized in guidelines established for OVC's Federal Emergency Assistance Fund and in the *Federal VOCA Victim Assistance Grant Program Guidelines*. In addition, when developing these categories of available services and assistance, OVC relied on the requirements in the *Attorney General Guidelines for Victim and Witness Assistance* that deal specifically with the provision of services for victims of terrorism and other mass casualties.

Victim services identified in this section are intended to complement services that are available from other agencies and organizations. For instance, an applicant would not be precluded from receiving AEAP funding merely because it received funding from a private charitable organization or another federal agency, such as the Federal Emergency Management Agency; however, the applicant would be required to demonstrate how AEAP funding would complement and enhance (not duplicate) the ability to meet an unmet need.

Funding under this program is best administered by one agency working in conjunction with other organizations and victim assistance providers. In most instances, OVC will award one grant with the grantee assuming overall responsibility for coordination of grant activities with subgrantees and/or contractors. With sufficient justification, OVC may entertain more than one application and may award funding to multiple applicants for different types of

assistance. If multiple applicants receive grants under AEAP, they are expected to coordinate their activities. OVC also works closely with applicants to ensure the most appropriate use of resources from all affected entities. Applicants should identify other public and private entities that were consulted in the process of preparing the application, and describe how the proposed services fit within the overall plan for addressing victims' needs. OVC will consider the level of coordination and the availability of resources from other federal, state, local, and tribal agencies and private entities when making funding determinations. Extensive coordination with agencies (e.g., state emergency preparedness organizations, state mental health providers, and local chapters of the American Red Cross and the United Way) and among federal and state law enforcement and prosecution personnel is a necessary component of an effective response to terrorism and mass violence and a criterion upon which OVC will base its funding decision. OVC does not provide AEAP funding directly to individual crime victims.

Evidence-Based Programs or Practices

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

- improving the quantity and quality of evidence OJP generates;
- integrating evidence into program, practice, and policy decisions within OJP and the field;
- improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The OJP CrimeSolutions.gov website at <https://www.crimesolutions.gov/> is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

Information Regarding Potential Evaluation of Programs and Activities

DOJ has prioritized the use of evidence-based programming and deems it critical to continue to build and expand the evidence informing criminal and juvenile justice programs to reach the highest level of rigor possible. Therefore, applicants should note that OJP may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and sub-recipients will be expected to cooperate with program-related assessments or evaluation efforts, including through the collection and provision of information or data requested by OJP (or its designee) for the assessment or evaluation of any activities and/or outcomes of those activities funded under this solicitation. The information or data requested may be in addition to any other financial or performance data already required under this program.

II. Federal Award Information

Amount and Length of Awards

There are no minimum or maximum levels of funding for grant awards. OVC will work with applicants to ensure that the level of funding requested is necessary to meet their unique circumstances and needs. Funding and other assistance may be provided for an extended period of time if the applicant can provide a sufficient justification. The established timeframes for funding are flexible and are not intended to prohibit the submission of applications at a different time, if warranted.

If applicable, refer to the OJP Invitation Letter for information on the maximum amount of funds OJP expects to award, and the expected period of performance for an award.

All awards are subject to the availability of appropriated funds, and to any modifications or additional requirements that may be imposed by law.

The grant period is up to 36 months, but will not exceed the fiscal year of the award plus the following three fiscal years. Allowable expenses may be covered retroactively to the date of the incident. Please be aware that the project period may not align with the grant award date since the award may be made in a different fiscal year from the date of the incident. The grant period is calculated beginning in the fiscal year the grant is awarded, not the date of the incident, but the project period begins when funding for expenses is requested. For example, if there is a mass violence incident on September 18, 2017 but a grant is awarded in FY 2018, the grant period will begin in FY 2018 but the project period would begin on September 18, 2017 if an organization sought to be reimbursed for expenses on the date of the incident. Because this is considered emergency funding, OVC encourages organizations to apply for AEAP funding as expeditiously as is practical.

OVC will work with the grantee to close the award and deobligate unused grant funds. Within 90 days of the project end date, the grantee must submit a final progress report and financial report. Upon submission of both reports, OVC staff will submit the grant closeout to the Office of the Chief Financial Officer (OCFO) and any unused grant funds will be deobligated.

Grant Extensions and Continuations

If award funds are not expended by the end of the grant period, they must be returned to OVC and deobligated in accordance with the applicable provisions of the *DOJ Grants Financial Guide* (the [Financial Guide](#)) and 34 U.S.C. § 20101(e). Requests for extensions to the original project period (not to exceed the fiscal year of award plus three) will be considered on a case-by-case basis and approved only where justified and necessary to accomplish the purpose(s) of the AEAP grant. A grant adjustment is required to change the grant period, such as an extension of the project period (no-cost extension). The grantee must request an extension at least 30 calendar days prior to the project end date.

Type of Award

OVC expects that it will make any award from this Invitation to Apply in the form of a grant.

Note: If appropriate (within applicable legal constraints), the type of instrument to be used for a particular award(s) may be changed at the time award decisions are made.

Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities¹) must, as described in the Part 200 Uniform Requirements² as set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that [the recipient (and any subrecipient)] is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor [the recipient’s (and any subrecipient’s)] compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or [the recipient (or any subrecipient)] considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

To help ensure that applicants understand the applicable administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in DOJ Grants Financial Management Online Training, available at <https://ojpfgm.webfirst.com/>. (This training is required for all OJP award recipients.)

Also, applicants should be aware that OJP collects information from applicants on their financial management and systems of internal controls (among other information) which is used to make award decisions. Under [Section III. Application and Submission Information](#), applicants may access and review the OJP Financial Management and System of Internal Controls Questionnaire (<https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf>) that OJP requires **all** applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

¹ For purposes of this invitation, the phrase “pass-through entity” includes any recipient or subrecipient that provides a subaward (subgrant) to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards can be found in [Section III, 3. Budget and Associated Documentation](#) of this solicitation.

² The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.

Budget Information

AEAP funding is supplemental and cannot supplant existing resources. As such, funding cannot be used for costs such as existing staffing and facilities; however, AEAP funding may be used to hire **additional** staff—either to work on the mass violence or domestic terrorism incident or backfill an existing employee who is supporting the victims of a mass violence or domestic terrorism incident on an ongoing basis. AEAP funds may also pay overtime costs for staff or secure additional office space and supplies if it can be demonstrated that existing resources cannot sufficiently support the needs of these victims while adequately supporting victims of other crimes. All funding requests must be tied to the incident and be victim-related. AEAP funding cannot be used to pay for property damage or loss. Additionally, AEAP funds cannot be used for routine police or first responder activities but may be used to support overtime victim service activities such as death notifications; showing/explaining the crime scene to the family; law enforcement-based victim advocates; possibly some crime scene cleanup; and additional security at a memorial service or funeral when there is an ongoing threat.

Cost Sharing or Match Requirement

The application need not propose to provide any amount of match. However, if a successful application proposes a voluntary match amount, and OJP approves the budget, the total match amount incorporated into the approved budget becomes mandatory and subject to audit.

Pre-Agreement Costs (also known as Pre-Award Costs)

Pre-Agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the federal award.

OJP does **not** typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving pre-agreement costs, the applicant may contact the point of contact identified in the OJP Invitation Letter for requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for pre-agreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

Limitation on Use of Award Funds for Employee Compensation; Waiver

With respect to any award of more than \$250,000, a recipient may not use federal funds to pay total cash compensation (salary plus cash bonuses) to any employee of the recipient at a rate that exceeds 110 percent of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year.³ The 2018 salary table for SES employees is available at the Office of Personnel Management website at <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/18Tables/exec/html/ES.aspx>. Note: A recipient may compensate an employee at a greater rate, provided the amount in excess of this compensation limitation is paid with non-federal funds. (Non-federal funds used for any such additional compensation will not be considered matching funds, where match requirements apply.) If only

³ OJP does not apply this limitation on the use of award funds to the nonprofit organizations listed at Appendix VIII to 2 C.F.R. Part 200.

a portion of an employee's time is charged to an OJP award, the maximum allowable compensation is equal to the percentage of time worked times the maximum salary limitation.

The Assistant Attorney General for OJP may exercise discretion to waive, on an individual basis, this limitation on compensation rates allowable under an award. An applicant that requests a waiver should include a detailed justification in the budget narrative of its application. An applicant that does not submit a waiver request and justification with its application should anticipate that OJP will require the applicant to adjust and resubmit the budget.

The justification should address, in the context of the work the individual would do under the award, the particular qualifications and expertise of the individual, the uniqueness of a service the individual will provide, the individual's specific knowledge of the proposed program or project, and a statement that explains whether and how the individual's salary under the award would be commensurate with the regular and customary rate for an individual with his/her qualifications and expertise, and for the work he/she would do under the award.

Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at

www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

Costs Associated with Language Assistance (if applicable)

If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services, where appropriate.

For additional information, see the "Civil Rights Compliance" section under "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

III. Application and Submission Information

What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

NOTE: OJP has combined the Budget Detail Worksheet and Budget Narrative in a single document collectively referred to as the Budget Detail Worksheet. See “Budget Information and Associated Documentation” below for more information about the Budget Detail Worksheet and where it can be accessed.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.

Please review the “Note on File Names and File Types” under [How to Apply](#) to be sure the application is submitted in the permitted format.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. GMS takes information from the applicant’s profile to populate the fields on this form. When selecting “type of applicant,” if the applicant is a for-profit entity, select “For-Profit Organization” or “Small Business” (as applicable).

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. On the SF-424, current OJP award recipients, when completing the field for “Legal Name”, should use the same legal name that appears on the prior year award document which is also the legal name stored in OJP’s financial system. Also these applicants should enter the Employer Identification Number (EIN) exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice (GAN) updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter its official legal name, its address, its EIN, and its Data Universal Numbering System (DUNS) number. A new applicant entity should attach official legal documents to its application (e.g., articles of incorporation, 501(c)(3) status documentation, organizational letterhead, etc.) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the How to Apply section for more information on SAM and DUNS numbers.

Intergovernmental Review: This funding opportunity **is not** subject to [Executive Order 12372](#). (In completing the SF-424, an applicant is to answer question 19 by selecting the response that the “Program is not covered by E.O. 12372.”)

2. Program Narrative

The following sections should be included as part of the program narrative. If the program narrative fails to comply with these length-related restrictions, OVC may consider such noncompliance in final award decisions.

The program narrative (not including the budget or appendices) should not exceed 30 single-spaced pages in 11-point (Times New Roman) font with 1-inch margins, and must include the following:

- A. Statement of the Problem, including—
 - 1. Type of crime and brief description of the criminal event, including where the incident occurred, and the impact of the crime.
 - 2. Identification of the lead law enforcement agency conducting the investigation and the lead prosecutor, if applicable.
 - 3. The actual or estimated number of direct and indirect victims⁴ affected by the crime, and, if applicable, detail the victims' needs.
 - 4. Description of the applicant's role in responding to the victims since the date of the incident.
 - 5. Description of victims' needs and how these needs were identified, including challenges or gaps in serving the victims (if any) and existing resources that supported victims of this incident.
 - 6. Description of services that this funding will support, how this funding will assist or impact victims, and how these efforts will complement services already in place or respond to an unmet need of this incident.
 - 7. The amount of funding requested and the timeframe for support (see page 5 for types of grants and associated timeframes).
 - 8. A description of outreach and coordination with other public and private entities during the process of preparing the grant to ensure a comprehensive approach to supporting victims and preclude possibly duplicative services.

- B. If requesting supplemental crime victim compensation funds, address the following:
 - 1. The projected number of compensation claims to be paid and the projected number of claimants to receive payments;
 - 2. The state's maximum award amount by category, such as medical, mental health services, lost wages, and funeral expenses; and
 - 3. A description of the range of expenses covered by the program and the amount of state funding available to cover victim claims.

- C. Project Design (if appropriate) and Implementation

- D. Capabilities and Competencies

- E. Plan for Collecting the Data Required for this Program/Project's Performance Measures

OJP will require a successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award (see "[General Information about Post-Federal Award Reporting Requirements](#)" in [Section V. Federal](#)

⁴ Direct victims are individuals who were killed or injured and witnesses or individuals who were in direct proximity to the crime. Indirect victims are generally family (or those bound by a familial-type relationship) of direct victims and law enforcement personnel, first responders, and/or others who interacted in a meaningful way with the direct victims or responded to the incident. Generally, except for those direct and indirect victims described above, individuals who were not within sight of the event, not in the same building, or those in the larger community are not considered victims for purposes of AEAP.

[Award Administration Information](#)). The performance data directly relate to the goals, objectives, and deliverables identified in the OJP Invitation Letter (if applicable) and below.

Applicants should visit OJP's performance measurement page at www.ojp.gov/performance to view the specific reporting requirements for this grant program.

The application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

Award recipients will be required to provide the relevant data by submitting quarterly performance metrics through OVC's online Performance Measurement Tool (PMT) located at <https://ovcpmt.ojp.gov/>.

For **Victim Assistance**:

- Victim Assistance – [Subgrant Award Report \(SAR\)](#)
- Victim Assistance – [Subgrantee Performance Measures Report](#)
- Victim Assistance – [Grantee Report](#)

For **Victim Compensation**:

- Applicants should examine the list of Victim Compensation performance measures at http://ovcpmt.ojp.gov/documents/OVC%20Victim%20Compensation%20Measure%20s_508.pdf.

Note on Project Evaluations

An applicant that proposes to use award funds to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute "research" for the purpose of applicable DOJ regulations for the protection of human subjects. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP's performance measure data reporting requirements, likely do not constitute "research." Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ definition of research that appears at 28 C.F.R. Part 46 ("Protection of Human Subjects").

Research, for the purpose of human subjects' protection for OJP-funded programs, is defined as "a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge." 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the "Research and the protection of human subjects" section of the [Requirements related to](#)

[Research](#)" web page of the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#)," available through the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. A prospective applicant whose application may propose a research or statistical component also should review the "Data Privacy and Confidentiality Requirements" section on that web page.

3. Budget and Associated Documentation

The Budget Detail Worksheet and the Budget Narrative are now combined in a single document collectively referred to as the Budget Detail Worksheet. The Budget Detail Worksheet is a user-friendly, fillable, Microsoft Excel-based document designed to calculate totals. Additionally, the Excel workbook contains worksheets for multiple budget years that can be completed as necessary. **All applicants should use the Excel version when completing the proposed budget in an application, except in cases where the applicant does not have access to Microsoft Excel or experiences technical difficulties.** If an applicant does not have access to Microsoft Excel or experiences technical difficulties with the Excel version, then the applicant should use the 508-compliant accessible Adobe Portable Document Format (PDF) version.

Both versions of the Budget Detail Worksheet can be accessed at: <https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm>.

a. Budget Detail Worksheet

The Budget Detail Worksheet should provide the detailed computation for each budget line item, listing the total cost of each and showing how it was calculated by the applicant. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee paid with grant funds. The Budget Detail Worksheet should present a complete itemization of all proposed costs.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

b. Budget Narrative

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

An applicant should demonstrate in its budget narrative how it will maximize cost effectiveness of award expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary, or how technology and collaboration with outside organizations could be used to reduce costs, without compromising quality.

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As

with the Budget Detail Worksheet, the budget narrative should describe costs by year.

c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)

Applicants for OJP awards typically may propose to make *subawards*. Applicants also may propose to enter into procurement *contracts* under the award.

Whether an action – for federal grants administrative purposes – is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply – many of which are set by federal statutes and DOJ regulations; others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The rules determine much of what the written subaward agreement itself must require or provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <https://ojp.gov/training/training.htm>.

- [Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients.](#)
- [Checklist to Determine Subrecipient or Contractor Classification.](#)
- [Sole Source Justification Fact Sheet and Sole Source Review Checklist.](#)

In general, the central question is the relationship between what the third-party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a *subaward* for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other non-federal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a *subaward* or is instead a procurement *contract* under an award. The substance of the relationship should be given greater consideration than the form of agreement between the recipient and the outside entity.

1. Information on proposed subawards

A recipient of an OJP award may not make subawards (“subgrants”) unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward.

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the Program Narrative, Budget Detail Worksheet and Budget Narrative as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation, and is not approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award it seeks, the applicant should— (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and Budget Narrative.

2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that— for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317 - 200.326). The Budget Detail Worksheet and Budget Narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. All noncompetitive (sole source) procurement contracts must meet the OJP requirements outlined at <https://ojp.gov/training/subawards-procurement.htm>. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a non-competitive approach for the procurement. All proposed noncompetitive procurement contracts should be noted in the Budget Detail Worksheet and Budget Narrative. An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition.

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2 C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source Grant Adjustment Notice (GAN). Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

d. Pre-Agreement Costs

For information on pre-agreement costs, see [Section V. Federal Award Information](#).

4. Indirect Cost Rate Agreement (if applicable)

Indirect costs may be charged to an award only if:

- (a) The recipient has a current (unexpired), federally approved indirect cost rate; or
- (b) The recipient is eligible to use, and elects to use, the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements, as set out at 2 C.F.R. 200.414(f).

An applicant with a current (unexpired) federally approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant’s accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, please contact the Office of the Chief Financial Officer Customer Service Center at 800–458–0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at <http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf>.

Certain OJP recipients have the option of electing to use the “de minimis” indirect cost rate. An applicant that is eligible to use the “de minimis” rate that wishes to use the “de minimis” rate should attach written documentation to the application that advises OJP of both— (1) the applicant’s eligibility to use the “de minimis” rate, and (2) its election to do so. If an eligible applicant elects the “de minimis” rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The “de minimis” rate may no longer be used once an approved federally negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the “de minimis” rate.) For additional eligibility requirements please see Part 200 Uniform Requirements, as set out at [2 C.F.R. 200.414\(f\)](#).

5. Tribal Authorizing Resolution (if applicable)

A tribe, tribal organization, or third party that proposes to provide direct services or assistance to residents on tribal lands should include in its application a resolution, letter, affidavit, or other documentation, as appropriate, that demonstrates (as a legal matter) that the applicant has the requisite authorization from the tribe(s) to implement the proposed project on tribal lands. In those instances when an organization or consortium of tribes applies for an award on behalf of a tribe or multiple specific tribes, the application should

include appropriate legal documentation, as described above, from all tribes that would receive services or assistance under the award. A consortium of tribes for which existing consortium bylaws allow action without support from all tribes in the consortium (i.e., without an authorizing resolution or comparable legal documentation from each tribal governing body) may submit, instead, a copy of its consortium bylaws with the application.

6. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (Questionnaire) located at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. The Questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the pre-award risk assessment process.

The Questionnaire should only be completed by financial staff most familiar with the applicant's systems, policies, and procedures in order to ensure that the correct responses are recorded and submitted to OJP. The responses on the Questionnaire directly impact the pre-award risk assessment and should accurately reflect the applicant's financial management and internal control system at the time of the application. The pre-award risk assessment is only one of multiple factors and criteria used in determining funding. However, a pre-award risk assessment that indicates that an applicant poses a higher risk to OJP may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, withholding of award funds, or other additional award requirements.

Among other things, the form requires each applicant to disclose whether it currently is designated "high risk" by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant's past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk
- The date the applicant was designated high risk
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address)
- The reasons for the high-risk status, as set out by the federal awarding agency

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered "high-risk" by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of an award (including through the conditions that accompany the award document).

7. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form

Disclosure of Lobbying Activities (SF-LLL)

(<https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>). An applicant that does not expend any funds for lobbying activities is to enter “N/A” in the text boxes for item 10 (“a. Name and Address of Lobbying Registrant” and “b. Individuals Performing Services”).

8. Additional Attachments

a. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application being submitted to OJP, and (2) would cover any identical cost items outlined in the budget submitted to OJP as part of an application. The applicant is to disclose applications made directly to federal awarding agencies, and also applications for *subawards* of federal funds (e.g., applications to State agencies that will *subaward* (subgrant) federal funds).

OJP seeks this information to help avoid inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

- The federal or State funding agency
- The solicitation name/project name
- The point of contact information at the applicable federal or State funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/Email for Point of Contact at Federal or State Funding Agency
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health and Human Services/ Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant Legal Name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-

424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover any identical cost items outlined in the budget submitted as part of this application.”

b. Research and Evaluation Independence and Integrity (if applicable)

If an application proposes research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses both i. and ii. below.

- i. For purposes of the invited application, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
 - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest—whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients)—that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified—including through review of pertinent information on the principal investigator, any co-principal investigators, and any subrecipients—that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse’s work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project, if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt

on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

- ii. In addition, for purposes of the invited application , each applicant must address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
 - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant is also to include an explanation of the specific processes and procedures that the applicant has in place, or will put in place to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

c. Disclosure of Process Related to Executive Compensation (if applicable)

An applicant that is a nonprofit organization may be required to make certain disclosures relating to the processes it uses to determine the compensation of its officers, directors, trustees, and key employees.

Under certain circumstances, a nonprofit organization that provides unreasonably high compensation to certain persons may subject both the organization's managers and those who receive the compensation to additional federal taxes. A rebuttable presumption of the reasonableness of a nonprofit organization's compensation arrangements, however, may be

available if the nonprofit organization satisfied certain rules set out in Internal Revenue Service (IRS) regulations with regard to its compensation decisions.

Each applicant nonprofit organization must state at the time of its application (question 9c in the OJP Financial Management and System of Internal Controls Questionnaire located at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> and mentioned above) whether or not the applicant entity believes (or asserts) that it currently satisfies the requirements of 26 C.F.R. 53.4958-6 (which relate to establishing or invoking a rebuttable presumption of reasonableness of compensation of certain individuals and entities).

A nonprofit organization that states in the questionnaire that it believes (or asserts) that it has satisfied the requirements of 26 C.F.R. 53.4958-6 must then disclose, in an attachment to its application (to be titled "Disclosure of Process Related to Executive Compensation"), the process used by the applicant nonprofit organization to determine the compensation of its officers, directors, trustees, and key employees (together, "covered persons").

At a minimum, the disclosure must describe in pertinent detail: (1) the composition of the body that reviews and approves compensation arrangements for covered persons; (2) the methods and practices used by the applicant nonprofit organization to ensure that no individual with a conflict of interest participates as a member of the body that reviews and approves a compensation arrangement for a covered person; (3) the appropriate data as to comparability of compensation that is obtained in advance and relied upon by the body that reviews and approves compensation arrangements for covered persons; and (4) the written or electronic records that the applicant organization maintains as concurrent documentation of the decisions with respect to compensation of covered persons made by the body that reviews and approves such compensation arrangements, including records of deliberations and of the basis for decisions.

For purposes of the required disclosure, the following terms and phrases have the meanings set out by the IRS for use in connection with 26 C.F.R. 53.4958-6: officers, directors, trustees, key employees, compensation, conflict of interest, appropriate data as to comparability, adequate documentation, and concurrent documentation.

Applicant nonprofit organizations should note that following receipt of an appropriate request, OJP may be authorized or required by law to make information submitted to satisfy this requirement available for public inspection. Also, a recipient may be required to make a prompt supplemental disclosure after the award in certain circumstances (e.g., changes in the way the organization determines compensation).

Before You Apply

DOJ's AEAP Guidelines for Terrorism and Mass Violence Crimes requires that a Letter of Request be submitted that addresses the following information. This should be sent to OVC once an applicant has determined the extent and nature of the need but before a formal application is submitted, and should include a brief discussion of the following:

- The type of crime and description of the criminal event;
- The lead law enforcement agency conducting the investigation;
- Estimated number of victims affected by the crime, both direct and indirect;
- The applicant's role in responding to the victim population since the date of the incident;

- Services that this funding will support and how these efforts will either complement services already in place or respond to an unmet need;
- The amount of funding requested and the timeframe for support; and
- A description of outreach and coordination with other public and private entities during the process of preparing the request for assistance.

How to Apply

An applicant must submit its application through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Each applicant **must register in GMS for each specific funding opportunity**. Although the registration and submission deadlines are the same, OJP urges each applicant entity to register promptly, especially if this is the first time the applicant is using the system. Find complete instructions on how to register and submit an application in GMS at www.ojp.gov/gmscbt/. An applicant that experiences technical difficulties during this process may email GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), available 24 hours every day, 7 days a week, including on federal holidays. OJP recommends that each applicant **register promptly** to prevent delays in submitting an application package by the deadline.

Note on File Types: GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

Unique Entity Identifier (DUNS Number) and SAM

Every applicant entity must comply with all applicable SAM and unique entity identifier (currently, a DUNS number) requirements. SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. More detailed information about SAM and the DUNS number is in the numbered sections below.

If an applicant entity has not fully complied with the applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award, and may use that determination as a basis for making an award to a different applicant.

If the applicant entity already has an EIN, the SAM registration will take **up to two weeks to process**. If the entity 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**. For more information about EIN, visit <https://www.irs.gov/individuals/international-taxpayers/taxpayer-identification-numbers-tin>.

Applying as an Individual

An individual who wishes to apply in his/her personal capacity should search Grants.gov for funding opportunities for which individuals are eligible to apply. Use the Funding Opportunity Number (FON) to register. (An applicant applying as an individual must comply with all applicable Grants.gov individual registration requirements.)

Complete the registration form at <https://apply07.grants.gov/apply/IndCPRegister> to create a username and password for Grants.gov. (An applicant applying as an individual should complete all steps below except 1, 2 and 4.)

Registration and Submission Steps

All applicants should complete the following steps:

1. **Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply online at www.dnb.com. A DUNS number is usually received within 1-2 business days.

2. **Acquire or maintain registration with SAM.** All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. Applicants will need the authorizing official of the organization and an EIN. An applicant must be registered in SAM to successfully register in Grants.gov. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete (2 more weeks to acquire an EIN).

Information about SAM registration procedures can be accessed at www.sam.gov.

3. **Acquire a GMS username and password.** New users must create a GMS profile by selecting the "First Time User" link under the sign-in box of the [GMS](http://www.ojp.gov/gmscbt) home page. For more information on how to register in GMS, go to www.ojp.gov/gmscbt. Previously registered applicants should ensure, prior to applying, that the user profile information is up-to-date in GMS (including, but not limited to, address, legal name of agency and authorized representative) as this information is populated in any new application.
4. **Verify the SAM (formerly CCR) registration in GMS.** OJP requires each applicant to verify its SAM registration in GMS. Once logged into GMS, click the "CCR Claim" link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the "Funding Opportunities" link on the left side of the page. Select the appropriate OJP Bureau or Program Office and the Program/Project name associated with the invited application. See the OJP Invitation Letter (if applicable) and the title page of this Guidance for Invited Applications.
6. **Register by selecting the "Apply Online" button associated with the funding opportunity title.** The search results from step 5 will display the funding opportunity title along with the registration and application deadlines for this funding opportunity. Select the "Apply Online" button in the "Action" column to register for this funding opportunity and create an application in the system.

- 7. Follow the directions in GMS to submit an application consistent with this Guidance for Invited Applications.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, an applicant must wait for GMS approval before submitting an application. OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date.

Note: Application Versions

If an applicant submits multiple versions of the same application, OJP will review **only** the most recent system-validated version submitted.

Experiencing Unforeseen GMS Technical Issues

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must contact the [GMS Help Desk](#) or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> to report the technical issue and receive a tracking number. The applicant must email the OVC contact identified in the OJP Invitation Letter (if applicable) or the individual with whom you have been working **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant's email must describe the technical difficulties and must include a timeline of the applicant's submission efforts, the complete application, the applicant's DUNS number, and any GMS Help Desk or SAM tracking number(s).

Note: OJP does not automatically approve requests to submit a late application. After OJP reviews the applicant's request, and contacts the GMS Help Desk to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit their application.

The following conditions generally are insufficient to justify late submissions:

- Failure to register in SAM or GMS in sufficient time. (SAM registration and renewal can take as long as 10 business days to complete.)
- Failure to follow GMS instructions on how to register and apply as posted on the GMS website.
- Failure to follow each instruction in the OJP invitation letter (if applicable) or guidance.
- Technical issues with the applicant's computer or information technology environment, including firewalls.

IV. Application Review Information

Review Process

OJP is committed to ensuring a fair and open process for making awards. OVC reviews the application to make sure that the information presented is reasonable, understandable, measurable, achievable, and consistent with the OJP Invitation Letter and this Guidance for Invited Applications.

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP reviews information related to the degree of risk posed by applicants. Among other things, to help assess whether an applicant that has one or more prior federal awards has a satisfactory

record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award. In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the non-public segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; “FAPPIIS”).

Important note on FAPIIS: An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIIS, in its assessment of the risk posed by the applicant.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants for competitive awards. OJP takes into account information pertinent to matters such as—

1. Applicant financial stability and fiscal integrity;
2. Quality of the management systems of the applicant, and the applicant’s ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide;
3. Applicant’s history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), and awards from other federal agencies;
4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements; and
5. Applicant’s ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

V. Federal Award Administration Information

Federal Award Notices

Award notifications will be made following the grant’s approval. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authored representative. The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning and submission of the fully executed award document to OJP.

Administrative, National Policy, and Other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, and all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed in connection with award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#),” available in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds. (An applicant is not required to submit these documents as part of an application.)

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Certified Standard Assurances](#)

The web pages accessible through the “[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](#)” are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY 2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute or program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

General Information about Post-Federal Award Reporting Requirements

In addition to the deliverables identified in the OJP Invitation Letter (if applicable), an award recipient will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semiannual reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP website at <https://ojp.gov/funding/FAPIIS.htm>.

Data on performance measures. In addition to required reports, each award recipient also must provide data that measure the results of the work done under the award. To demonstrate

program progress and success, as well as to assist DOJ in fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, OJP will require any award recipient, post award, to provide performance data identified in the OJP Invitation Letter (if applicable) as part of regular progress reporting. Successful applicants will be required to access OJP's performance measurement page at www.ojp.gov/performance to view the specific reporting requirements for this grant program. (See page 16 of this document for links to Victim Assistance and Victim Compensation performance measures.)

VI. Federal Awarding Agency Contact(s)

For OJP contact(s), see the OJP Invitation Letter.

For contact information for GMS, see the title page of this Guidance for Invited Applications.

VII. Other Information

Freedom of Information Act and Privacy Act (5 U.S.C. §§ 552 and 552a)

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement sensitive information.

Provide Feedback to OJP

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this Guidance for Invited Applications, the application submission process, and/or the application review process. Feedback may be provided to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This email is for feedback and suggestions only. OJP **does not** send replies from this mailbox. A prospective applicant that has specific questions on any program or technical aspect of this invitation or guidance **must** use the appropriate telephone number or email listed in the OJP Invitation Letter (if applicable), or the individual with whom you have been working, to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please email your résumé to ojppeerreview@l-secb.com. (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

Appendix A: Application Checklist

FY 2018 Antiterrorism and Emergency Assistance Program For Crime Victim Compensation and Assistance

This application checklist has been created as an aid in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

- _____ Acquire a DUNS Number (see page 27)
- _____ Acquire or renew registration with SAM (see page 27)

To Register with GMS:

- _____ For new users, acquire a GMS username and password* (see page 27)
- _____ For existing users, check GMS username and password*
to ensure account access (see page 27)
- _____ Verify SAM registration in GMS (see page 27)
- _____ Search for correct funding opportunity in GMS (see page 27)
- _____ Register by selecting the "Apply Online" button associated with the funding opportunity
(see page 28)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting
available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm
(see page 13)
- _____ If experiencing technical difficulties in GMS, contact OVC (see page 2)

*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contacts designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official nor a designated point of contact associated with an award or application."

Overview of Post-Award Legal Requirements:

- _____ Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2018 Awards](https://ojp.gov/funding/index.htm)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

Eligibility Requirements: For eligibility information, see [the title page](#).

What an Application Should Include:

- _____ Application for Federal Assistance (SF-424) (see page 14)
- _____ Program Narrative (see page 14)
- _____ Budget Detail Worksheet (see page 17)
- _____ Budget Narrative (see page 17)
- _____ Information on Proposed Subawards and/or Proposed Procurement Contracts (if applicable) (see page 18)
- _____ Indirect Cost Rate Agreement (if applicable) (see page 20)
- _____ Tribal Authorizing Resolution (if applicable) (see page 20)
- _____ Financial Management and System of Internal Controls Questionnaire (see page 21)
- _____ Disclosure of Lobbying Activities ([SF-LLL](#)) (see page 21)

_____	Additional Attachments (if applicable)	
_____	Applicant Disclosure of Pending Applications	(see page 22)
_____	Research and Evaluation Independence and Integrity	(see page 23)
_____	Disclosure of Process Related to Executive Compensation	(see page 25)
_____	Timelines	(see page 14)
_____	Memoranda of Understanding	(see page 14)
_____	Résumés	(see page 14)
_____	Request and Justification for Employee Compensation; Waiver	(see page 12)