



Guide to Post-Award Requirements for the Tribal Reimbursement Program

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

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Post-Award Requirements for Tribal Reimbursement Award Recipients

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

Violence Against Women Act Non-Discrimination Provision

The Violence Against Women Act (VAWA), as amended, prohibits OVW recipients from excluding, denying benefits to, or discriminating against any person on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, or disability in any program or activity funded in whole or in part by OVW (34 U.S.C. § 12291(b)(13)). Recipients may provide sex-segregated or sex-specific programming if doing so is necessary to the essential operation of a program, so long as the recipient provides comparable services to those who cannot be provided with the sex-segregated or sex-specific programming. For more information about how DOJ interprets the non-discrimination provision in VAWA, see [Frequently Asked Questions on the Non-Discrimination Grant Condition in the Violence Against Women Act of 2013](#).

Civil Rights Compliance

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

Compliance with Title VI of the Civil Rights Act of 1964, which prohibits recipients from discriminating on the basis of national origin in the delivery of services or benefits, entails taking reasonable steps to ensure that persons who are limited in their English proficiency (LEP) because of their national origin have meaningful access to their programs and activities. An LEP person is one whose first language is not English and who has a limited ability to read, write, speak, or understand English. To assist recipients in meeting their obligation to serve LEP persons, DOJ has published a number of resources, including a language access assessment and planning tool, which are available at https://www.lep.gov/guidance/guidance_DOJ_Guidance.html. Additional resources are available at <http://ojp.gov/about/ocr/lep.htm>.

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

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

Office of Justice Programs

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

Audit Reporting Requirements

Any non-federal entity that expends \$750,000 or more during the non-federal entity's fiscal year in federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of 2 C.F.R. Part 200, Subpart F- Audit Requirements. This audit report must be submitted to the **Federal Audit Clearinghouse** within nine months after the close of the fiscal year during the term of the award.

Non-Supplanting of Federal, State, and Local Funds

Recipients must use federal funds to supplement and not replace (supplant) any other federal, state, and local funds appropriated for the same purpose.

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

Remedies for Noncompliance or for Materially False Statements

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

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

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

Reporting Potential Fraud, Waste, Abuse, and Similar Misconduct

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

<https://oig.justice.gov/hotline/contact-grants.htm> (select “Submit Report Online”)
or: U.S. Department of Justice

Office of the Inspector General
Investigations Division
ATTN: Fraud Detection Office
950 Pennsylvania Avenue, N.W.
Washington, DC 20530
(202) 616-9881 (fax to DOJ OIG Fraud Detection Office)

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

Suspension or Termination of Funding

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

1. Failing to comply substantially with applicable laws, regulations, and/or the terms and conditions of the award or relevant solicitation.
2. Filing a false certification in the application or other report or document.

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

Federal Funding Accountability and Transparency Act of 2006 (FFATA)

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

1. The name of the entity receiving the award.
2. The amount of the award.
3. Information on the award including the transaction type, funding agency, the North American Industry Classification System code or Assistance Listing number (where applicable), program source, and an award title descriptive of the purpose of each funding action.
4. The location of the entity receiving the award and primary location of performance under the award, including the city, state, congressional district, and country.
5. A unique identifier of the entity receiving the award and of the parent entity of the recipient, should the entity be owned by another entity.
6. Any other relevant information specified by OMB.

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

General Appropriations Law Restrictions

The federal appropriations statutes that provide (among many other things) the funds that OVW awards include various restrictions on how the appropriated funds may be used. These restrictions, which often appear in sets of "General Provisions," typically do not relate to a particular program, or even to a particular agency such as OVW. Rather, they are wide-ranging, "cross-cutting" restrictions. For more information on the general appropriations-law restrictions applicable to OVW awards each fiscal year, visit <https://www.justice.gov/ovw/award-conditions> and click on "Award Condition: General appropriations-law restrictions on use of federal award funds" under each fiscal year.