

**ATTACHMENT A-2
FEDERALLY FUNDED GRANTS**

The recipient certifies and assures that:

1. It will comply with all applicable Federal and State laws, statutes, regulations, requirements, guidelines, policies and procedures, including those promulgated by the New York State Office of Victim Services, governing the application for, acceptance and use of funds made available under this Federally-supported award including, but not limited to, the Victims of Crime Act of 1984 (VOCA); the VOCA *Final Program Guidelines*; Title 28 of the Code of Federal Regulations (28 CFR); the U.S. Department of Justice, Office of Justice Programs' Financial Guide and Office of Management and Budget (OMB) Circulars A-102, A-110, A-21, A-87, A-122, and A-133 as appropriate;
2. It will comply, and all its contractors will comply, with the nondiscrimination requirements of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 USC 3789(d), or Victims of Crime Act (as appropriate); Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Subtitle A, Title II of the Americans With Disabilities Act (ADA) (1990); Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Justice Non-Discrimination Regulations, 28 CFR Part 42, Subparts C, D, E, and G; and Department of Justice regulations on disability discrimination, 28 CFR Part 35 and Part 39;
3. In the event a Federal or State court, or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds of race, color, religion, national origin, sex or disability against a recipient of funds [i.e. the applicant], the applicant will forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs and will simultaneously notify the New York State Office of Victim Services, in writing, that such copy has been filed;
4. The funded program(s) will maintain information on victim services provided by race, national origin, sex, age, and handicap;
5. It will provide the Office for Civil Rights, Office of Justice Programs with an Equal Opportunity Plan, if required to maintain one, where the award is \$500,000 or more and will simultaneously notify the New York State Office of Victim Services, in writing, that such Plan has been filed;
6. It shall maintain such data and information, submit such report(s), and take such action(s) as may be necessary to comply with the equal employment opportunity requirements of Executive Law §15-A, "Participation by Minority Group Members and Women with Respect to State Contracts" and 9 N.Y.C.R.R. Subtitle N;

7. Pursuant to 23 USC 402, 403 and 29 USC 668, it will adopt and enforce on-the-job seat belt policies and programs for its employees and subcontractors when operating agency-owned, rented or personally owned vehicles;
8. It will comply with the provisions of the National Historic Preservation Act (NHPA) in connection with any proposed renovation work. Renovation work includes altering or otherwise improving the exterior or interior of a structure. Specifically, the applicant will establish and maintain adequate records for any proposed renovation work supported with either VOCA victim assistance funds or with support from any source as a prerequisite to accommodate the use of VOCA grant funds. If the structure is less than 50 years old and this fact is documented in the applicant's records, no further action is required. If any portion of the structure is 50 years or older, the organization is required to contact the New York State Office of Victim Services to provide information needed for the NHPA consultation process. This may include assisting the Office of Victim Services and the U.S. Department of Justice, Office of Justice Programs, Office for Victims of Crime to consult with the New York State Historic Preservation Officer and amending the proposed renovation work to avoid any potential adverse impact to an historic structure;
9. It will promptly notify the New York State Office of Victim Services of reporting errors, illegal acts or irregularities and of proposed and actual actions, if any, including conflicts of interest, falsification of records or reports, and misappropriation of funds or other assets;
10. It will not use awarded funds to supplant [i.e. replace] existing State or local funds which are otherwise available for allowable program activities and will, instead, use awarded funds to supplement existing State and local funds available for allowable program activities;
11. It will use appropriate accounting, auditing, recordkeeping and monitoring procedures to ensure adequate fiscal control, proper management and efficient disbursement of awarded funds;
12. It will maintain and report information in formats and at intervals as the New York State Office of Victim Services may require including, but not limited to, monthly reports on the accomplishment of program objectives; quarterly statistical reports on program activities, victims served and services provided; and quarterly fiscal reports on the expenditure of award funds and required matching contributions;
13. In satisfaction of matching requirements, it will report only cash and/or in-kind contributions received from non-federal sources (except as permitted in the OJP Financial Guide) and which are expended within the award period for the same uses as permitted for VOCA funds;
14. It will maintain adequate records to support the source(s), the amount(s) and the period(s) during which reported match are allocated;
15. It will maintain adequate documents to support award funding for reported salaries and services including, but not limited to, employment records, time and attendance records, personnel activity reports in a format prescribed by the New York State Office of Victim Services, and case files;

16. It will comply with the audit reporting requirements of the Office of Management and Budget Circular A-133 (Revised June 24, 1997) "Audits of States, Local Governments and Non-Profit Organizations" and will provide copies of its audited financial statements and independent auditor's report(s) to the New York State Office of Victim Services for each of the applicant's fiscal years during which award funds are received and/or expended;
17. As a recipient of monies under the Victims of Crime Act, it will maintain the confidentiality of client-counselor information as required by Federal and State law and will not use or reveal any research or statistical information furnished under this program by any person and identifiable to any specific private person for any purpose other than the purpose for which such information was obtained in accordance with the Act;
18. It understands and agrees that funds received are to be expended only for the purposes and activities covered by the applicant's approved application and budget and that the grant may be terminated at any time by the New York State Office of Victim Services if the applicant fails to comply with the provisions of the Victims of Crime Act or any of the Certified Assurances listed above.
19. The recipient must promptly refer to the DOJ OIG any credible evidence that a principal, employee, agent, contractor, subgrantee, subcontractor, or other person has either 1) submitted a false claim for grant funds under the False Claims Act; or 2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving grant funds. Potential fraud, waste, abuse, or misconduct should be reported to the OIG by -mail:

Office of the Inspector General
U.S. Department of Justice
Investigations Division
950 Pennsylvania Avenue, N.W.
Room 4706
Washington, DC 20530

E-mail: oig.hotline@usdoj.gov

Hotline: (contact information in English and Spanish): (800) 869-4499 or hotline fax: (202) 616-9881

Additional information is available from the DOJ OIG website at www.usdoj.gov/oig.

20. Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or subaward to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.
21. It will use volunteers unless the state determines there is a compelling reason to waive this requirement. A "compelling reason" may be a statutory or contractual provision concerning liability or confidentiality of counselor/victim information, which bars the use of volunteers for certain positions, or the inability to recruit and maintain volunteers after a sustained and aggressive effort.

22. The recipient understands and agrees that any training or training materials developed or delivered with funding provided under this award must adhere to the OJP' for Grantees and Subgrantees, available at <http://www.ojp.usdoj>.
23. The Grantee authorizes Office for Victims of Crime (OVC) and/or the Office of the Chief Financial Officer (OCFO), and its representatives, access to and the right to examine all records, books, paper or documents related to the VOCA grant. The State will further ensure that all VOCA subgrantees will authorize representatives of OVC and OCFO access to and the right to examine all records, books, paper or documents related to the VOCA grant.
24. VOCA Requirements
- The recipient assures that the State and its subrecipients will comply with the conditions of the Victims of Crime Act (VOCA) of 1984, sections 1404(a)(2), and 1404(b)(1) and (2), 42 U.S.C. 10603(a)(2) and (b)(1) and (2) (and the applicable program guidelines and regulations), as required. Specifically, the State certifies that funds under this award will:
- a) be awarded only to eligible victim assistance organizations, 42 U.S.C. 10603(a)(2);
 - b) not be used to supplant State and local public funds that would otherwise be available for crime victim assistance, 42 USC. 10603(a)(2); and
 - c) be allocated in accordance with program guidelines or regulations implementing 42 U.S.C. 10603(a)(2)(A) and 42 U.S.C. 10603(a)(2)(B) to, at a minimum, assist victims in the following categories: sexual assault, child abuse, domestic violence, and underserved victims of violent crimes as identified by the State.
25. The recipient understands and agrees that it has a responsibility to monitor its subrecipients' compliance with applicable federal civil rights laws. The recipient agrees to submit written Methods of Administration (MOA) for ensuring subrecipients' compliance to the OJP's Office for Civil Rights at CivilRightsMOA@usdoj.gov within 90 days of receiving the grant award, and to make supporting documentation available for review upon request by OJP or any other authorized persons. The required elements of the MOA are set forth at http://www.ojp.usdoj.gov/funding/other_requirements.htm, under the heading "Civil Rights Compliance Specific to State Administering Agencies."
26. The recipient agrees to comply with all applicable laws, regulations, policies, and guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences, meetings, trainings, and other events, including the provision of food and/or beverages at such events, and costs of attendance at such events. Information on pertinent laws, regulations, policies, and guidance is available at www.ojp.gov/funding/confcost.htm.
27. The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this OJP award, and those award funds have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this OJP award, the recipient will promptly notify, in writing, the grant manager for

this OJP award, and, if so requested by OJP, seek a budget-modification or change-of-project-scope grant adjustment notice (GAN) to eliminate any inappropriate duplication of funding.

28. The recipient understands and agrees that award funds may not be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

29. The recipient understands and agrees that - (a) No award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography, and (b) Nothing in subsection (a) limits the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.