



DCJS

Virginia Department of Criminal Justice Services

EMERGENCY MATCH WAIVER REQUEST POLICY FOR VOCA SUBAWARDS

Policy Type: Grant

Responsible Office: Division of Programs and Services

Revision History: April 8, 2020; October 5, 2021

Effective Date: October 25, 2021

The policy of the Department of Criminal Justice Services is to encourage Victims of Crime Act (VOCA) subrecipients to meet matching requirements. DCJS Victims Services and Grants Management staff provide appropriate monitoring of compliance with matching requirements throughout the subaward period.

Match waivers, both in full and in part, may be requested in times of emergency or extenuating circumstances. Should a match waiver be requested in full or in part, the subrecipient must answer the following questions before a match waiver will be considered:

1. How is the grant currently being matched?
2. What extenuating circumstances exist that impede the organization's ability to partially or fully match the VOCA grant funds requested?
3. Has the organization considered all possible options for meeting the match with in-kind and cash sources that are not being used as match on another federal grant?
4. What methods has the organization used to consider all possible options for meeting the match requirements?
5. What steps does the organization plan to take in order to be able to meet the match requirement in the future?
6. If a match waiver is approved, does the organization anticipate this is a one-time request or are there extenuating circumstances that will require a waiver request next year?
7. How would the denial of a match waiver impact the VOCA project?
8. Would the program have to decline all or part of the grant award if a match waiver is not granted?

DCJS Emergency Match Waiver Request Policy

Match waiver requests should be submitted via email to the DCJS VOCA Administrator. The subrecipient's DCJS grant monitor should be included in the email. Victims Services and Grants Management staff will review all received match waiver requests and make recommendations for approval to the Division Director for Programs and Services. Match waivers, whether partial or full, must be well justified by the applicant. When deciding whether to approve a match waiver request, the following will be considered:

1. Practical and/or logistical obstacles to providing match (*e.g.*, emergency situations at the local, state, or national level that impact funding contributions or volunteer time, public agencies that do not engage in private fundraising and may have limitations on soliciting contributing funds)
2. Local resource constraints as a result of an emergency or extenuating circumstances (*e.g.*, rural community with limited local funding availability or volunteer capacity)

Once the grant is awarded and a match waiver is approved, the subrecipient will receive a match waiver determination notice. The subrecipient's grant monitor will retain a copy of the match waiver determination notice. Waivers are only applicable once a match waiver determination notice has been generated and are not retroactive. The match waiver determination notice will contain the following:

1. A brief description of the project/services provided by subrecipient;
2. The justification (consistent with the considerations under the applicable waiver guidance);
3. The original match amounts as listed in the subrecipient's award letter, scope of the waiver, and amount of match to be waived;
4. The DCJS approval of the waiver request for the reasons set out in the determination.

Waivers will only be applicable for the duration of the subrecipient's project and will not automatically be renewed if a new subaward is made in a subsequent subaward grant cycle.

DCJS will submit the match waiver spreadsheet, using the OVC template, to the United States Department of Justice, Office for Victims of Crime (OVC) via a Program Office Approval Grant Award Modification (GAM) in the JustGrants System no later than 120 days after the fiscal year end.

National Emergency Pandemic Local Match Waiver

The “VOCA Fix” Act (H.R. 1652 VOCA Fix to Sustain the Crime Victims Fund Act of 2021), section 3(b), provides the following: “Beginning on the date a national emergency is declared under the National Emergencies Act (50 U.S.C. § 1601 et seq.) with respect to a pandemic and ending on the date that is one year after the date of the end of such national emergency, SAAs shall issue waivers for any matching requirement, in its entirety, for all eligible crime victim assistance programs contracted to provide services at that time.” 34 U.S.C. 20103(a)(8). The national emergency with respect to the current pandemic began on March 1, 2020, and is ongoing as of September 2021.

Pursuant to this provision and OVC guidance dated September 20, 2021, DCJS will waive the local portion of unexpended match obligations for open subrecipient awards. Subrecipients will be notified of this in writing. The VOCA Administrator will then draft a match waiver determination notice for each impacted subrecipient. The subrecipient will receive the match waiver determination notice via email and the subrecipient’s grant monitor will retain a copy of the determination notice in the subgrantee file. The match waiver determination notice will contain the following:

1. A brief description of the project/services provided by subrecipient;
2. The justification for a waiver, consistent with OVC guidance;
3. The original match amounts as listed in the subrecipient’s award letter, scope of the waiver, and amount of match to be waived;
4. The DCJS approval of the waiver request.

DCJS will submit the match waiver spreadsheet, using the OVC template, to the United States Department of Justice, Office for Victims of Crime (OVC) via a Program Office Approval Grant Award Modification (GAM) in the JustGrants System no later than 120 days after the fiscal year end.

At the conclusion of the national emergency pandemic period, DCJS will honor all local match waivers granted during that period for the duration of the applicable subaward. New VOCA subawards made after the end of the pandemic period will no longer qualify for the National Emergency Pandemic Local Match Waiver and any subsequent match waiver requests will be considered under the DCJS Emergency Match Waiver Request Policy, as applicable.

Shannon Dion

Shannon Dion, Director
Virginia Department of Criminal Justice Services

Date