



ADMINISTRATION FOR
CHILDREN & FAMILIES

SUPPLEMENTAL TERMS and CONDITIONS

The **General Terms and Conditions** apply to all non-discretionary programs. These Supplemental Terms and Conditions are additional requirements applicable to the program named above.

By acceptance of awards for this program, the recipient agrees to comply with the requirements included in both the General and Supplemental Terms and Conditions for this program.

Office of Family Violence Prevention and Services (OFVPS)

**FAMILY VIOLENCE PREVENTION AND SERVICES /
DOMESTIC VIOLENCE SHELTER AND SUPPORTIVE SERVICES
(STATES AND TRIBES)**

Assistance Listing No. 93.671

APPLICABLE LEGISLATION, STATUTE, REGULATIONS

1. The administration of this program is subject to sections 301 to 309 of the Family Violence Prevention and Services Act (FVPSA, [P.L. 98-457](#)).
2. The program is codified at [42 U.S.C. §10401 et seq](#) (specifically [42 U.S.C. §10411](#)).
3. The program-specific implementing regulations are located at [45 CFR Part 1370](#).
 - a. Purpose of FVPSA Grant Programs 45 CFR §1370.1
 - b. Additional requirements for State and Tribal Grants 45 CFR §1370.10
 - c. Confidentiality Requirements 45 CFR § 1370.4
 - d. Additional Non-Discrimination Requirements 45 CFR § 1370.5
 - e. Evaluation and Reporting Requirements 45 CFR § 1370.6
4. Additional program requirements include:
 - a. The Notice of Funding Opportunity (NOFO) found at <https://www.acf.hhs.gov/fysb/grant-funding/fvpsa-standing-notice-funding-opportunity-tribes-tribalorganizations>
5. As applicable to insular areas identified under 45 CFR §97.11, all of [45 CFR Part 97](#) – Consolidation of Grants applies to this program.

6. The Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards is located under [45 CFR Part 75](#). In accordance with 45 CFR §75.101 Applicability and 45 CFR §1370.3, this program must comply with 45 CFR Part 75 in its entirety. No exceptions are identified.
7. Additional applicable regulations and requirements can be found in the [General Terms and Conditions for Non-discretionary: Formula, Block Grant, and Entitlement Awards](#).

COST SHARING OR MATCHING (NON-FEDERAL SHARE) OF PROGRAM FUNDING

States

8. According to 42 U.S.C. §10406(c)(4), no grant shall be made to any entity other than a state or tribe unless the entity agrees that, with respect to the cost to be incurred by the entity in carrying out the program or project for which the grant is awarded, the entity will make available (directly or through donations from public or private entities) non-federal contributions in an amount that is not less than \$1 for every \$5 of federal funds provided under the grant. The non-federal contributions required may be in cash or in kind.
9. *Administrative Cost:* According to 42 U.S.C. §10406(b)(1), each State may not use more than 5 percent of grant funds for State administrative costs.
10. Federal funds shall be used to supplement not supplant other Federal, State, tribal, and local public funds expended to provide services and activities that promote the objectives of this program. See 42 U.S.C. §10406(c)(6).

Tribes

11. As defined in 42 U.S.C. 10402(5), Tribes are exempt from the match requirement under the FVPSA. Tribes are not required to provide match under this award (see 42 U.S.C. 10406(c)(4)).

Tribal organizations (as defined by [25 U.S.C. §5304](#)) are not exempt and must provide match.

The determination of whether the match is exempt or required for a tribal consortium depends on the entities that comprise or make up the consortium. Tribal consortium is “a partnership between one or more tribes (including qualifying Alaska Native villages and entities) that authorizes a single tribal organization or nonprofit organization to submit an application and administer the FVPSA grant funds on their behalf. A tribal consortium may also consist of a group of tribal organizations or nonprofit organizations”. A tribal consortium comprised of a group of tribes is exempt from providing a match, and a tribal consortium comprised of a group of tribal organizations or nonprofit organizations is required to provide a match.

FINANCIAL REPORTING

12. The OMB approved Financial Reporting form for this program is the SF-425 Federal Financial Report.

- a. This report is submitted annually and must be submitted no later than December 30, 90 days following the end of each Federal Fiscal year. Two SF-425 reports must be submitted for each award: an interim report covering year one of the project period and a final report (cumulative) covering the entire project period. See general T&C for Electronic Submission guidance.
13. Funding (project) period and obligation period. In accordance with 42 U.S.C. §10405(e), this program has a 2-year project/obligation period starting the first day of the Federal Fiscal Year, October 1, for which funds were awarded and ending the last day of the following Federal Fiscal Year, September 30. According to 42 USC 10405(e), any Federal funds not obligated by the end of the respective obligation period “shall be made available to the Secretary for discretionary activities under section 10414”.
 14. Liquidation period. In accordance with 45 CFR §75.309(b), all obligated Federal funds awarded under this program must be liquidated no later than 90 days after the end of the funding/obligation period. Any Federal funds not liquidated by December 30 of the third fiscal year succeeding the fiscal year in which the grant was awarded will be recouped by this Department.

PROGRAM REPORTING

15. The OMB approved Program Report Form (0970-0280) for this program is: <https://www.acf.hhs.gov/ofvps/form/performance-progress-report-form-state-and-tribal-fvpsa-grantees>. According to 45 CFR §1370.6, each entity receiving a grant or contract under the program must submit a FVPSA performance report as required by the Secretary. The performance report shall describe the activities that have been carried out, contain an evaluation of the effectiveness of such activities, and provide such additional information as required by the Secretary.
16. Insular Areas. Territories that consolidate FVPSA funds with other HHS funds, per 45 CFR Part 97, are not required to submit the annual FVPSA performance progress reports and programmatic assurances. However, if FVPSA funds are not consolidated, the reports are required for these entities.

PROPERTY REPORTING

17. The OMB approved property reporting is the following:
 - a. Real Property Reports (SF-429s). The SF-429 Real Property forms are not applicable to this program. Purchase, construction, and major renovation are not an allowable activity or expenditure under this grant.
 - b. Tangible Property Report (SF-428s). The SF-428 Tangible Personal Property forms must be submitted as described in the General Terms and Conditions.

EFFECTIVE PERIOD

18. These program-specific Supplemental Terms and Conditions are effective on the date

shown in the footer at the bottom of the page and will remain in effect until updated. They will be updated and reissued only as needed whenever a new program-specific statute, regulation or other requirement is enacted or whenever any of the applicable existing Federal statutes, regulations, policies, procedures, or restrictions is amended, revised, altered, or repealed.

POINT OF CONTACT

19. Points of contact for additional information or questions concerning either the operation of the program or related financial or grant matters may be found on the Notice of Award and online at: <https://www.acf.hhs.gov/ofvps/programs/fvpsa/fvpsa-regional-contact-list>