

U.S. Department of Justice
Office of Justice Programs
Office for Victims of Crime

ANTITERRORISM AND EMERGENCY ASSISTANCE PROGRAM



Office for Victims of Crime

Application deadline: Open

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Antiterrorism and Emergency Assistance Program

I. Introduction

The Office for Victims of Crime (OVC) is pleased to provide this Application for the Antiterrorism and Emergency Assistance Program. OVC developed this Application to assist applicants seeking financial assistance, training, and technical assistance.

II. Background

The threat of terrorism and criminal mass violence against Americans, both in the United States and abroad, has increased in recent years. Such acts leave victims with serious physical and emotional wounds and challenge government officials and communities to respond immediately with appropriate resources. Victim assistance and compensation providers face the daunting task of coordinating effective and timely responses, providing information and assistance to victims, and working closely with other agencies and victim service organizations.

Following the bombing of the federal office building in Oklahoma City on April 19, 1995, Congress amended the Victims of Crime Act of 1984 to authorize the OVC Director to provide support to jurisdictions and assistance to victims of terrorism and mass violence crimes using moneys that were deposited into the Crime Victims Fund and set aside for the Antiterrorism Emergency Reserve. Funding from the Reserve has been used to provide support to the victims of the Oklahoma City bombing, the bombing of Pan Am Flight 103, the bombing of the U.S. embassies in Kenya and Tanzania, the two cases of mass violence resulting from school shootings in

Oregon and Colorado, and the September 11, 2001, terrorist attacks on America, among others.

This program has been designed to provide timely assistance to jurisdictions to address victim needs in the **aftermath** of an act of terrorism or mass violence. We hope you will never need to access this funding, but if you do, OVC stands ready to help.

This Application may be used to apply for funds for only two situations:

- To compensate and assist victims of terrorism and mass violence that occur within the United States.
- To assist victims of terrorism and mass violence that occur outside the United States.

The funds available through this Application may supplement other resources and services available to jurisdictions responding to acts of terrorism or mass violence. Specifically, Antiterrorism and Emergency Assistance Program support may be granted if any of the following circumstances exist:

- The jurisdiction cannot adequately provide needed services with its existing resources.
- The provision of services and assistance to terrorism or mass violence victims by the jurisdiction will result in **undue financial hardship** on the jurisdiction, impairing its ability to respond to general population crime victims in a comprehensive and timely manner.

- A response by the jurisdiction will impede its ability to respond to other victims of crime.

For additional information, please contact the Office for Victims of Crime (OVC) at 202-307-5983, or visit the OVC Web site at www.ojp.usdoj.gov/ovc and select “Grants and Funding.”

III. Authority

Funding and other assistance is authorized by the Victims of Crime Act of 1984 [42 U.S.C. §10601], as amended by the Antiterrorism and Effective Death Penalty Act of 1996, the Omnibus Consolidated Appropriations Act of 1997, the Victims of Trafficking and Violence Protection Act of 2000, and the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT).

IV. Eligible Applicants

Applicants eligible for funding include state victim assistance and victim compensation programs; public agencies including federal, state, and local governments; and victim service and nongovernmental organizations.

In cases within the United States, applications will be accepted only from the jurisdiction in which the crime occurred unless a 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.

Note: OVC does not provide funding to

foreign or domestic organizations operating for the purpose of engaging in any significant political or lobbying activities, nor to individual crime victims, except OVC does provide compensation benefits to individuals when international terrorism occurs outside the United States. [Regulations for this program are pending approval.]

V. Eligible Recipients

In cases of **terrorism abroad**, eligible recipients include victims who are nationals of the United States or officers or employees of the United States Government as defined in section III. B. 11. of the final Antiterrorism and Emergency Guidelines for Terrorism and Mass Violence Crimes. Unless otherwise indicated, these individuals are generally eligible for assistance from federally funded victim assistance programs as well as reimbursement for qualified expenses associated with their victimization in an incident of terrorism occurring outside the United States.

In cases of **terrorism and mass violence within the United States**, eligible recipients for assistance and services include victims as defined in section III. B. 12. of the final Antiterrorism and Emergency Guidelines for Terrorism and Mass Violence Crimes. In addition, because of the nature of terrorist incidents, the term victim will also include individuals who are likely to suffer traumatic effects from the incident, such as people who were in direct proximity to the crime and emergency responders.

VI. Types of Assistance

Five types of assistance are available from OVC to respond to terrorism and mass violence:

A. Crisis Response Grant

(emergency/short-term, up to 9 months). Funding to help rebuild adaptive capacities, decrease stressors, and reduce symptoms of trauma immediately following a terrorism or mass violence incident.

B. Consequence Management Grant

(ongoing/longer-term, up to 18 months). Funding to help victims adapt to the trauma event and to restore the victims' sense of equilibrium.

C. Criminal Justice Support Grant

(ongoing, longer-term, up to 36 months). Funding to help facilitate victim participation in an investigation and prosecution related to an act of terrorism or mass violence.

D. Crime Victim Compensation Grant

(available at any time). Funding to reimburse victims for out-of-pocket expenses related to an act of terrorism or mass violence. Emergency Reserve dollars may not be used to cover property loss or damage.

E. Training and Technical Assistance

Funding to assist in identifying resources, assessing needs, coordinating services to victims, and developing strategies for responding to an act of terrorism or mass violence.

Note: Jurisdictions are not limited to receiving only one type of assistance. Funding may be awarded for each type of

assistance available. A separate application must be submitted for each. If applications are submitted by different agencies or organizations for different types of assistance, coordination among the applicants is required.

VII. Eligible Criminal Event

A. Mass Violence occurring within or outside the United States. The term "mass violence" is not defined in VOCA or any statute amending VOCA, nor is it defined in the U.S. Criminal Code. Thus, OVC has developed a working definition of this term. For the purposes of the Antiterrorism and Emergency Assistance Program, the term "mass violence" means an intentional violent criminal act for which a formal investigation has been opened by the Federal Bureau of Investigation or other law enforcement agency and which results in physical, emotional, or psychological injury to a sufficiently large number of people so as to significantly increase the burden of victim assistance and compensation for the responding jurisdiction, as determined by the OVC Director.

B. Terrorism occurring within the United States. For the purposes of the Antiterrorism and Emergency Assistance Program, "terrorism occurring within the United States" is defined by the term "domestic terrorism" found in 18 U.S.C. §2331, as amended. (As of the publication of these Guidelines, 18 U.S.C. §2331 reads as follows: "'domestic terrorism' means activities that-- (A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State, (B) appear to be intended -- (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government

by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination or kidnaping; and (C) occur primarily within the territorial jurisdiction of the United States.” [18 U.S.C. §2331])

C. Terrorism occurring outside the United States. The term “international terrorism” is being used to signify terrorism outside the United States. (As of the publication of these Guidelines, 18 U.S.C. §2331 reads as follows: “‘international terrorism’ means activities that ... (A) involve violent acts or acts dangerous to human life that violate the criminal laws of the United States or of any State, or that would be a criminal violation if committed within the jurisdiction of the United States or of any State; (B) appear to be intended ... (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by assassination or kidnaping; and (C) occur primarily outside the territorial jurisdiction of the United States, or transcend national boundaries in terms of the means by which they are accomplished, the person they appear intended to intimidate or coerce, or the locale in which their perpetrators operate or seek asylum ...” [18 U.S.C. §2331])

VIII. Allowable Activities

This section outlines the range of services that OVC will support for terrorism and mass violence victims. The services and assistance identified are intended to complement services that are available from other agencies and organizations as well as provide a base level of assistance for terrorism and mass violence victims.

Funding for services and other support may include activities that are deemed *necessary and essential* for the provision of services and are not limited to assistance categories below. In addition, a limited amount of available funding, as agreed upon by OVC and the applicant, may be used for administrative purposes deemed *necessary and essential* to the delivery of services and assistance to victims.

Crisis Response Assistance

- Crisis counseling
- Intervention with employers & creditors
- Child & dependent care
- Assistance securing compensation
- Emergency food, housing & clothing
- Toll-free telephone lines
- Emergency travel & transportation
- Needs assessment (limited)
- Outreach, awareness & education
- Automated telephone services
- Coordination

Consequence Management Assistance

- Counseling & group therapy
- Intervention with employers & creditors
- Information Web sites for victims
- Rehabilitation expenses
- Emergency travel & transportation
- Vocational rehabilitation
- Automated telephone services
- Temporary housing, per diem & relocation
- Needs assessment (expanded)
- Coordination
- Outreach, awareness & education

Criminal Justice Support Assistance

- Victim identification
- Information & referral coordination

- Case briefings
- Outreach, awareness & education
- Counseling
- Advocacy
- Needs assessment
- Victim information (printed & electronic)
- Automated telephone services
- Travel to trial/criminal justice proceedings
- Criminal justice notification
- Assistance with Victim Impact Statement
- Closed-circuit monitoring of trial

Crime Victim Compensation Assistance

- Telephone expenses
- Autopsy, refrigeration & transport of body
- Insurance copayments
- Outpatient mental health treatment/therapy services, rehabilitation & physical therapy, diagnostic examinations, prosthetic devices, eyeglasses
- Outreach, awareness & education
- Emergency travel/transportation costs
- Medical expenses (nonmedical attendant)

Note: Allowable activities in one category may be necessary and authorized in another funding category.

IX. Amount of Funding Available

The amount of funding awarded is decided on a case-by-case basis considering factors such as the availability of other resources (including VOCA formula grant dollars and funds generated through private fundraising), the severity of the impact, and the number of people suffering from

physical, emotional, and psychological injury. Requests for funding must identify all other federal and nonfederal contributions (cash or in-kind). If amounts awarded are not expended by the end of the grant period, they must be returned to OVC for deobligation in accordance with the applicable provisions of the *OJP Financial Guide* and Section 1402(e) of VOCA.

X. Grant Period

The grant period for Emergency Reserve support is negotiable within the parameters outlined in VOCA and the Final Program Guidelines. Because of the nature of this funding program, OVC will not provide long-term funding support for a single terrorist or mass violence incident, except for criminal justice grants when an investigation or prosecution is prolonged. If special circumstances exist, funding and other assistance may be provided for an extended period of time, as determined by the OVC Director based on acceptable justification supplied by the applicant.

XI. Applicant Requirements

Application Requirements for State Crime Victim Compensation Programs

Funding will be made available to state crime victim compensation programs in the form of grants. Requests for funding from State Crime Victim Compensation Programs may be made at anytime and should include (1) a description of the qualifying crime, (2) the projected number of claims to be paid and the projected number of claimants to receive payments, (3) the state’s maximum award amount by category, such as medical, mental health, lost wages, funeral, etc., and (4) a description of the range of expenses

covered by the program and the amount of state funding available to cover victim claims. This information should be included as a single file attachment. In addition, the SF 424, Application for Federal Assistance should be completed as part of the GMS process.

Application Requirements for All Other Eligible Applicants

All applicants seeking funding support are required to submit a *letter of request* containing the following information:

- Type of crime and description of the criminal event.
- Identification of the lead law enforcement agency conducting the investigation.
- Estimated number of victims affected by the crime.
- Description of the applicant's role in responding to the victim population since the date of the incident.
- Description of services that this funding will support and how these efforts will complement services already in place or will respond to an unmet need.
- The amount of funding requested and the timeframe for support.
- Description of outreach and coordination with other public and private entities during the process of preparing the request for assistance.

To Request Training and Technical Assistance Support

Requests for training and technical assistance *should not* be submitted via the GMS system. Applicants must submit a letter describing the nature of the problem, type of expertise or assistance needed, duration of assistance, and projected outcomes of the technical assistance or training. This letter may be faxed to OVC at 202-514-6383.

XII. How To Apply

The Office of Justice Programs (OJP) requires you to submit your application for funding through OJP's Grants Management System (GMS). Access through the Internet to this online application system will expedite and streamline the receipt, review, and processing of your request for funding. Final applications will be accepted only through our online application system. Call toll-free to receive technical assistance about online application processes: 1-888-549-9901. To use the GMS system, complete the following steps:

Step 1.

Go to www.ojp.usdoj.gov/fundopps.htm. An online **GMS Application Procedures Handbook** is available on this page. It links directly to OJP's Grants Management System, which will provide online "help" screens.

Step 2.

Select "**Logon directly to the Grants Management System (GMS)**" to apply for OJP grant funding.

Step 3.

If you have never used GMS, click on "**New**

User? Register Here” and follow the on-screen instructions to register with GMS. After you register, select the “OVC Antiterrorism and Emergency Assistance Program” application.

If you are not a new user and have a GMS password, click on “**Login.**” If your password has expired, you will receive an “Authentication Error” or “Unauthorized User” message. In this case, click on “Having Login Problems?” for assistance in updating your password.

Please note: Applicants must ensure that the information for the authorizing official and alternate contact is entered correctly. The authorizing official is the individual authorized to accept grant funds in your organization (e.g., executive director, attorney general, Governor). If the individual applying online is not the authorizing authority, that individual *must* list the authorizing official’s name and contact information where appropriate.

Step 4.

Complete the online application, including the three required file attachments. After submission of the finalized application, the online system will notify you that the application has been received and sent to OVC. The GMS system will provide an application identification number for future reference.

If you have any questions or need assistance applying online, contact the **GMS Hotline at 1-888-549-9901**, Monday – Friday, 7 a.m. to 9 p.m. (except federal holidays).

Organizations interested in submitting an application must complete required

application forms and related documents. Please use this checklist to ensure that your application is complete. Applicants must include all of the following information and completed forms to qualify for consideration:

***Application for Federal Assistance (SF-424).** This form is completed as part of the GMS process.

***Certification/Assurances.** Applicants will “sign off” on these certifications and assurances electronically through GMS.

***Budget Detail Worksheet.** This is submitted as a single file attachment. The file must include a Budget Detail Worksheet and a Budget Narrative. A sample Budget Detail Worksheet is available at www.ojp.usdoj.gov/ovc/fund/forms.htm.

***Letter of Request.** This is submitted as a single file attachment.

***Other Program Attachments.** Any additional information you would like to include should be submitted as a single file attachment.

XIII. Application Process and Turnaround Time

An application for funding or technical assistance should be submitted to the OVC Director as soon as practical following a terrorist or mass violence incident. It is OVC’s intention to provide rapid support to assist in a comprehensive, timely response to victims of terrorism or mass violence. Upon receipt of a request, an OVC staff person will review the request, contact the requesting agency to clarify any ambiguities, and make a recommendation to

the OVC Director. The applicant can expect to receive notification of OVC's determination within 5 business days or as soon as is practical. The applicant may be notified by telephone, Internet, or facsimile.

After the OVC Director determines to make funding available, the application will undergo a complete review, including examination and approval of the budget by the Office of the Comptroller. Funds will be available upon completion of the review, OVC's electronic notification of the award, and the applicant's electronic acceptance. After approval of the application, the award document and special conditions will be sent to the applicant for review and signature.

XIV. Request for Reconsideration

The OVC Director may deny a request for funding if the purposes for which funding is being sought fall outside the statutory authority for use of OVC funding, the applicant fails to document the need for federal assistance, funding is unavailable, or for other reasons deemed appropriate by the OVC Director.

Applicants may ask for reconsideration of the request based on additional information, a change in circumstances, or the withdrawal or termination of funding from other sources. Applicants should direct their requests for reconsideration to the OVC Director and include the basis for reconsideration of the initial request. The OVC Director will review the request and render a decision within 5 business days of the submission. The OVC Director may request additional information from the applicant or recommend alternative support from OVC or other sources such as training and technical assistance in lieu of direct

funding.

XV. Suspension and Termination

If, after notice, OVC finds that the recipient has failed to comply substantially with VOCA or relevant statutes amending VOCA, the *OJP Financial Guide*, the terms and conditions in the application or award document, the final Program Guidelines for the Antiterrorism and Emergency Assistance Program, or any implementing regulation or requirement, the OVC Director may suspend or terminate funding to the recipient agency and/or take other appropriate action. Under the procedures of 28 CFR Part 18, recipients may request a hearing on the justification for the suspension and/or termination of Antiterrorism and Emergency Assistance Program funding assistance.

XVI. Confidentiality and Privacy Requirements

Except as otherwise provided by federal law, no officer or employee of the Federal Government or recipient of funds under VOCA shall use or reveal any research or statistical information gathered 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.

Such information, and any copy of such information, shall be immune from legal process and shall not, without the consent of the person furnishing such information, be admitted as evidence or used for any purpose in any action, suit, or other judicial, legislative, or administrative proceeding. In addition to such research or statistical information, no other records identifiable to

a specific private person that are gathered by a recipient of VOCA funds for the purpose of providing victim assistance services as described in this guideline may be released without the specific written consent of that private person, except as otherwise provided by federal law, including, but not limited to, Department of Justice authority to access information for auditing, monitoring, or program oversight.

This is particularly important for victim service agencies that plan to develop victim databases containing specific victim information. These provisions are intended, among other things, to assure the confidentiality of information provided by victims to employees of VOCA-funded programs. There is nothing in VOCA or its legislative history to indicate that Congress intended to override or repeal, in effect, a state's existing law governing the disclosure of information that is supportive of VOCA's fundamental goal of helping crime victims.