



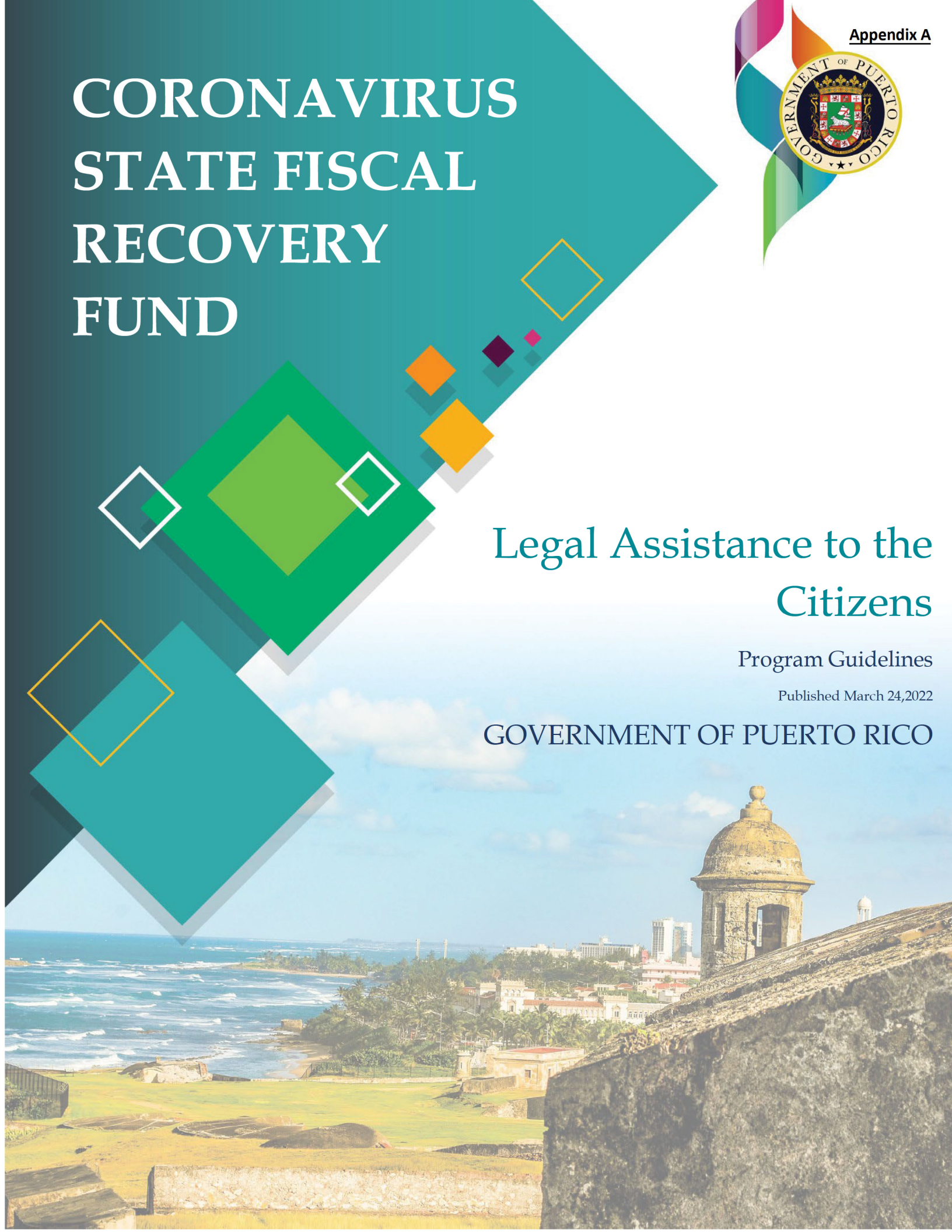
# CORONAVIRUS STATE FISCAL RECOVERY FUND

## Legal Assistance to the Citizens

Program Guidelines

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GOVERNMENT OF PUERTO RICO



## Table of Contents

Program Overview .....	3
Background .....	3
Program Description .....	3
Points of Contact.....	4
Eligibility Criteria .....	4
Allowable Expenditures .....	4
Ineligible Expenditures.....	4
Process Overview .....	5
Compliance .....	6
Reporting Requirements.....	6

## Program Overview

### Background

Since March of 2020, Puerto Rico, like most jurisdictions in the United States and countries around the world, has experienced an unprecedented emergency caused by the Coronavirus Disease 2019 (“COVID-19”) pandemic. To slow the spread of the disease and ensure stability of its healthcare system, the Government of Puerto Rico has implemented measures to address the emergency. On March 12, 2020, the Government of Puerto Rico issued Administrative Bulletin OE-2020-020 through which formally declared a state of emergency due to the imminent impact of the coronavirus in Puerto Rico.

During the state of emergency, Puerto Rico suffered great loss of life and severe economic hardships which have impacted a Commonwealth still reeling from natural disaster. Puerto Rico lost over 2,500 citizens, tourism dwindled with hotel registrations falling 95% from February to April 2020, and ~460,000 residents of Puerto Rico experienced unemployment, twice the previous number of unemployed individuals. Despite these hardships, Puerto Rico persevered, and with over 2,600,000 doses of COVID-19 vaccines administered, Puerto Rico is positioned to emerge from the COVID-19 pandemic.

To help Puerto Rico emerge from the COVID-19 pandemic, Congress passed the American Rescue Plan Act of 2021 (“ARP Act”), and the President signed it into law on March 11, 2021. To assist state governments with addressing the lingering public health emergency while targeting areas and industries in needs of economic development, the ARP Act established the Coronavirus State and Local Fiscal Recovery Fund, which provides \$350 billion in direct assistance to states, territories, counties, metropolitan cities, tribal governments, and non-entitlement units of local governments. As part of the Coronavirus State and Local Fiscal Recovery Fund, Puerto Rico received \$2.47 billion under the Coronavirus State Fiscal Recovery Fund (“CSFRF”).

To ensure the expeditious processing of apportioned funds from the CARES Act, the Government of Puerto Rico established the Disbursement Oversight Committee, consisting of the Secretary of the Department of the Treasury, the Director of the Office of Management and Budget (OGP), and the Executive Director of the Puerto Rico Fiscal Agency and Financial Advisory Authority (AAFAF). The Committee was created on May 15, 2020, by means of Executive Order No. 2020-040, and on May 7, 2021, by means of Executive Order No. 2021-034, the Governor of Puerto Rico extended the Committee’s oversight to include CSFRF.

### Program Description

On August 3, 2021, Governor Pedro Pierluisi announced a Legal Assistance to the Citizens program (Program) which makes up to \$15 million in CSFRF funds available to provide resources to facilitate access to justice, improve witness protection services, and provide improvements to the victim shelters. Of this allocation, \$6 million is available to the Sociedad para Asistencia Legal de Puerto Rico (SAL), \$3 million is available for the update of the Property Registry and \$6 million is available for repairs to the witness protection shelters.

This initiative aims to ensure access to legal solutions not to only improve outcomes for those who would seek assistance, but as a measure to save public dollars in the long term, by preventing problems like homelessness or health issues, that can be extremely costly and harmful to individuals and the public.

Disbursement of Program funds will be subject to the strictest standards to ensure compliance with federal regulations and best practices. Therefore, each request for disbursement will be duly documented and subject to control and audit.

## Points of Contact

The Program will be administered by the Coronavirus Relief Fund Disbursement Oversight Committee (Committee) in conjunction with the Sociedad para Asistencia Legal de Puerto Rico (SAL), Puerto Rico Department of Justice (“DJ”) and AAFAF.

## Eligibility Criteria

Eligible Applicants must meet all the following criteria:

- Be the Shelter for the Protection of Victims and Witnesses (“DJ”), *Registro de la Propiedad* (“DJ”) or *Sociedad para Asistencia Legal de Puerto Rico* (“SAL”);
- Commit to abiding by the Program’s terms and conditions; and
- Agree to return the Program funds, if it is determined that they did not comply with any of the Program eligibility requirements, or if the Program funds were not spent on eligible expenses by December 31, 2024.

## Allowable Expenditures

Allowable expenses under this award must be:

- Necessary expenses related to facilitating access to legal services provided by *Sociedad para Asistencia Legal de Puerto Rico* (SAL).
- Complete reconstruction costs of the crime witnesses' shelter not covered by FEMA.
- Necessary expenses related to the digitalization of documents in the Property Registry.
- Allowable Expenses as described above must be those incurred during the period that begins on March 3, 2021 and ends on December 31, 2024.

For further guidance, please refer to the [Guidance](#) published by the U.S. Treasury and the [Frequently Asked Questions](#).

### *Other CSFRF Programs*

In addition to the Program detailed above, the Governor allocated funds for additional programs to address the public health emergency, ensure continuity of government services, address negative economic impact, provide premium pay, invest in water, sewer, and broadband infrastructure, and provide for provision of government services (up to lost revenue). Please visit [AAFAF website](#) for additional information about these programs.

## Ineligible Expenditures

Ineligible expenses will be determined by the Committee, the U.S. Department of the Treasury, the Office of Inspector General (OIG), and other regulatory bodies, and under this award include, but are not limited to:

- Payments to institutions that do not meet the Eligibility Criteria;
- Necessary expenses that have been covered or reimbursed, or that will be covered in the future, by other state or federal programs, including funds received through the CARES Act or from FEMA;
- Deposits into any pension funds or reserves;
- Offsetting a reduction in net tax revenue resulting from a change in law, regulation, or administrative interpretation during the covered period that reduces any tax; and
- Executive bonuses, debt refinancing, or other expenses that are determined to be unnecessary for continued operations in the COVID-19 environment.

For further guidance, please refer to the [Guidance](#) published by the U.S. Treasury and the [Frequently Asked Questions](#).

## Process Overview

The following is intended to outline the process by which funds from the CSFRF will be distributed under the Program.

August 3, 2021	Program Announced
January 19, 2022	Funds Advance to the Shelter for the Protection of Victims and Witnesses (DJ)
February 15, 2022	Funds Advance to the Property Registry (DJ)
March 30, 2022	Funds Advance to SAL
Funds Transferred – Funds Expended	Biweekly use of funds Reports for all projects
Funds Transferred – Funds Expended	Monthly Performance Reports
December 31, 2024	Deadline for funds to be used
January 2025 – February 2025	Program Audits and Compliance Review

### Requests

For the Property Registry and the Shelter for Victims and Witnesses requests will be submitted electronically using the [Agency Request](#) for Funding process along with the [request processing portal](#) administered by the Puerto Rico OGP. Applicants should submit requests under the PP Form-CSFRF Fund Request. Upon submission, Applicants will receive a confirmation via electronic mail. More information on forms, documents, and eligibility can be found on the [web](#).

For SAL, requests will be submitted electronically using the Agency Request for funding process. Once approved, the Puerto Rico Treasury Department will advance funds to SAL to carry out the projects outlined in the Resolution approving the funds.

More information on forms, documents, and eligibility can be found on the web at: [Coronavirus State and Local Fiscal Recovery Funds – AAFAP \(pr.gov\)](#).

### *Evaluation*

For all requests, decisions will be evaluated for completeness and eligibility, and final determinations will be made by representatives of AAFAF. Each Request will be evaluated, and Program funds allocated using a standard of necessity.

The Disbursement Oversight Committee will approve final funding award decisions.

### *Award and Funding*

Requestors will be notified via electronic mail of funding decisions. Subsequent funding opportunities (including expansion of eligible institutions and use of funds) will be determined based upon availability of funds remaining after completion of initial awards, and compliance with all the reporting requirements.

## Compliance

Any government entity receiving funds must adhere to the Uniform Guidance, 2 C.F.R § 200 (“Uniform Guidance”). This Uniform Guidance outlines the “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards”. Recipients and their personnel are responsible for reviewing, understanding, and applying the complete underlying legislation and guiding documents. For complete details on 2 CFR 200, visit the Electronic Code of Federal Regulations at [https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl). Topics included in the Uniform Guidance include, but are not limited to:

- Procurement standards and requirements
- Contract cost and price principles
- Bonding requirements
- Document retention and auditing provisions

Any government and non-government entity receiving Program funds will be required to retain use of funds records and supporting documentation for a period of five (5) years. Furthermore, by accepting CSFRF funds, government and non-government entities are required to certify proper and legal use of the funds and agrees to cooperate in any audit proceedings requested by the Government of Puerto Rico or other governing entity responsible for the compliant use of Program funds.

## Reporting Requirements

On an annual basis, the Government of Puerto Rico is required to submit a performance report detailing the progress and impact of the use of CSFRF funds. This Recovery Plan Performance Report will include descriptions of the projects funded and information on the performance indicators and objectives of each award, helping local residents understand how their governments are using the substantial resources provided by Coronavirus State and Local Fiscal Recovery Funds program.

The key output performance indicators for this Program include:

- Amount disbursed
- Number of individuals assisted
- Number of repairs to victim protection

The key outcome performance indicators for this Program include:

- Number of individuals assisted
- Number of victim protection shelters supported

To ensure timely reporting, the Government of Puerto Rico requires the Lead Agency to adhere to the following reporting frequency:

- On a weekly basis, the Puerto Rico Department of Treasury will provide a summary of all program disbursements to date.
- On a monthly basis, the lead agency will report the number of individuals assisted.
- On a monthly basis, the lead agency will report the number of victim protection shelters supported.

To ensure timely reporting, the Government of Puerto Rico requires the Recipients to adhere to the following reporting frequency:

- On a biweekly basis, the recipients will be required to submit financial reports using the reporting template provided by the program. Upon program close, recipients will be required to submit a comprehensive final financial reconciliation report detailing the use of program funds.

As reporting needs may change over time, the Program reserves the right to request additional data from the Lead Agency or Recipients at any time.