

# COVID-19 Emergency Expenses in Prisons

## *CORONAVIRUS RELIEF FUND*

### Program Guidelines

Published August 28, 2020

GOVERNMENT OF PUERTO RICO



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## PROGRAM GUIDELINES

### Program Overview

#### Background

In response to the sudden decline in economic output following the Coronavirus disease 2019 (COVID-19) outbreak, Congress signed the Coronavirus Aid, Relief, and Economic Security (CARES) Act into law on March 27, 2020. The CARES Act established the Coronavirus Relief Fund (CRF), which provides \$150 billion in direct assistance for domestic governments, territories, and tribal areas to disburse in accordance with its provisions.

To ensure the expeditious processing of apportioned funds from the CARES Act, the Government of Puerto Rico established the Disbursement Oversight Committee, consisting of a representative of the Secretary of the Department of the Treasury, a representative of the Director of the Office of Management and Budget (OGP), and a representative of the Puerto Rico Fiscal Agency and Financial Advisory Authority (AAFAF).

#### Program Description

On May 14, 2020, Governor Wanda Vázquez Garced announced the COVID-19 Emergency Expenses in Prisons program (Program), which makes up to \$10 million in immediate CRF funds available to cover non-budgeted expenses in the prisons of the Department of Correction and Rehabilitation related to the COVID-19 emergency. This includes protection and disinfection equipment, masks, gloves, tests, as well as other expenses related to isolation of personnel or inmates, among others.

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 supervised by the Disbursement Oversight Committee and administered by the Department of Corrections and Rehabilitation and OGP.

#### Eligibility Criteria

Eligible Fund Recipients must meet all the following criteria:

- Be a Department of Correction and Rehabilitation prison;
- Have incurred or planned necessary expenditures related to the COVID-19 emergency and maintain documentation that reliably demonstrates the expenses;
- Commit to abiding by the terms and conditions of the Program, including requests for documentation and auditing requests;
- Agree to return the funds, if it is determined that they did not comply with any of the Program eligibility requirements or if the funds were not spent on eligible expenses by December 30, 2020; and
- Agree that while receipt of other funds for COVID-19 related assistance does not preclude a Recipient from receiving funds under the Program, only expenses that, 1) have not been covered or reimbursed, and 2) will not be covered in the future, by other state, federal, or private programs.

### *Other CRF Programs*

In addition to the Program detailed above, the Governor allocated funds for additional programs to address both government needs (mainly associated with attending to the public health emergency and continuing government operations) and those of the private sector, which has been severely affected by interruption of operations. Please visit <http://www.aafaf.pr.gov/covid-19-resource-center/> for additional information about these programs.

### Allowable Expenditures

Allowable expenses under this award include, but are not limited to:

- Expenses necessarily incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), including protection and disinfection equipment, masks, gloves, tests, as well as other expenses related to isolation of personnel or inmates;
- Expenses not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government;  
and
- Expenses incurred during the period that begins on March 1, 2020 and ends on December 30, 2020.

For further guidance please refer to the Guidance published by the U.S. Treasury at <https://home.treasury.gov/policy-issues/cares/state-and-local-governments> and the Frequently Asked Questions published by the U.S. Treasury at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>.

### Ineligible Expenditures

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

- Necessary expenses that have been covered or reimbursed, or that will be covered in the future, by other state, federal, or programs that the Recipient may have, including funds received through the CARES Act's Public Health and Social Services Emergency Fund;
- Expenses arising from an improper procurement process, as well as those that are deemed unreasonable or fraudulent;  
and
- 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 at <https://home.treasury.gov/policy-issues/cares/state-and-local-governments> and the Frequently Asked Questions published by the U.S. Treasury at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>.

## Process Overview

The following is intended to outline the process by which funds from the CRF will be distributed to Recipients of the Program.

June 1, 2020	Request period opens and requests must be filed by PP system with signed certification
Funds Expended	Request period closes
June 1 – Funds Expended	Requests reviewed and approved by the Program
June 2020 – December 2020	Recipient submits Use of Funds Report by the 15 <sup>th</sup> day of each month for the prior month
August 31, 2020	Recipient submits Use of Funds Report and Expenses Evidence for the period of March 1, 2020 through July 31, 2020 to AAFAF
December 30, 2020	Deadline for Award Funds to be used by Recipient
January 31, 2021	Recipient submits Funds Report and Expenses Evidence to AAFAF
February 1 – April 30, 2021	Program audits Use of Funds for compliance, to the Federal Program and AAFAF guidelines, and pursues recovery of funds if applicable
May 1, 2021	Program closes

### Requests

Requests will be submitted electronically along with a signed certification using the Request processing portal (<http://ogp.pr.gov/Pages/Procesamiento-de-Planteamientos.aspx>) administered by the Puerto Rico OGP. Applicants should submit requests under the **PP Form-CRF 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 at <http://www.aafaf.pr.gov/covid-19-resource-center/>.

The Program will open for Requests on June 1, 2020 and will remain open until funds are expended. All submissions will be accepted based on the time of submission and evaluated in accordance with criteria set forth by the Program.

### Evaluation

Request decisions will be evaluated for completeness and eligibility, and final determinations will be made by a representative of the Department of Corrections and Rehabilitations and OGP.

Funding award decisions will be supervised by the Disbursement Oversight Committee (Committee). Each Request will be evaluated, and Program funds allocated using a standard of necessity.

The Committee will certify Requests as they are submitted.

### Award and Funding

Applicants will be notified via electronic mail and receive an approval letter of funding decisions. Subsequent funding opportunities (including expansion of eligible institutions and use of funds) will be determined based on availability of funds remaining after completion of initial awards.

### Compliance

Any recipient that receives Program funds will be required to submit monthly financial reports using the template provided by the Program. Additionally, recipients that receive Program funds will be required to submit a comprehensive mid-point financial reconciliation report on August 31, 2020 and a comprehensive final financial reconciliation report before January 31, 2021 detailing the use of Program

funds. Recipients may additionally be required, upon request, to show proof of payment and submit other required documentation.

Any recipient of Program funds will be required to retain evidence of eligible expenses for a period of ten (10) years. Furthermore, by accepting CRF funds the recipient is 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 funds.