

Match Waivers: Guam, American Samoa, CNMI

Local matching funds for the first \$200,000 of each grant may be waived for:

- Units of the Governments of the Territories of Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands
- Land Grant colleges in those islands, specifically American Samoa Community College, University of Guam, and Northern Marianas College.

Note that this waiver must be invoked at the time of preparation of the grant proposal and SF-424. It is also possible to request a subsequent revision of the grant invoking the waiver. However, the waiver does not apply retroactively to expired grants.

Source: <http://law.justia.com/codes/us/title48/48usc1469a.html>

TITLE 48--TERRITORIES AND INSULAR POSSESSIONS

CHAPTER 10--TERRITORIAL PROVISIONS OF A GENERAL NATURE

Sec. 1469a. Congressional declaration of policy respecting "Insular Areas"

In order to minimize the burden caused by existing application and reporting procedures for certain grant-in-aid programs available to the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Government of the Northern Mariana Islands (hereafter referred to as "Insular Areas") it is declared to be the policy of the Congress, notwithstanding any provision of law to the contrary, that:

(a) Any department or agency of the Government of the United States which administers any Act of Congress which specifically provides for making grants to any Insular Area under which payments received may be used by such Insular Area only for certain specified purposes (other than direct payments to classes of individuals) may, acting through appropriate administrative authorities of such department or agency, consolidate any or all grants made to such area for any fiscal year or years.

(b) Any consolidated grant for any insular area shall not be less than the sum of all grants which such area would otherwise be entitled to receive for such year.

(c) The funds received under a consolidated grant shall be expended in furtherance of the programs and purposes authorized for any of the grants which are being consolidated, which are authorized under any of the Acts administered by the department or agency making the grant, and which would be applicable to grants for such programs and purposes in the absence of the consolidation, but the Insular Areas shall determine the proportion of the funds granted which shall be allocated to such programs and purposes.

(d) Each department or agency making grants-in-aid shall, by regulations published in the Federal Register, provide the method by which any Insular Area may submit (i) a single application for a consolidated grant for any fiscal year period, but not more than one such application for a consolidated grant shall be required by any department or

agency unless notice of such requirement is transmitted to the appropriate committees of the United States Congress together with a complete explanation of the necessity for requiring such additional applications and (ii) a single report to such department or agency with respect to each such consolidated grant: Provided, That nothing in this paragraph shall preclude such department or agency from providing adequate procedures for accounting, auditing, evaluating, and reviewing any programs or activities receiving benefits from any consolidated grant. The administering authority of any department or agency, in its discretion, may (i) waive any requirement for matching funds otherwise required by law to be provided by the Insular Area involved and (ii) waive the requirement that any Insular Area submit an application or report in writing with respect to any consolidated grant.

(Pub. L. 95-134, title V, Sec. 501, Oct. 15, 1977, 91 Stat. 1164; Pub. L. 95-348, Sec. 9, Aug. 18, 1978, 92 Stat. 495.)

Amendment of Subsection (d)

Pub. L. 96-205, title VI, Sec. 601, Mar. 12, 1980, 94 Stat. 90, as amended Pub. L. 98-213, Sec. 6, Dec. 8, 1983, 97 Stat. 1460; Pub. L. 98-454, title VI, Sec. 601(b), Oct. 5, 1984, 98 Stat. 1736, provided that this section shall be applied with respect to the Department of the Interior by substituting "shall" for "may" in the last sentence of subsection (d), and adding the following sentence at the end of subsection (d):

"Notwithstanding any other provision of law, in the case of American Samoa, Guam, the Virgin Islands, and the Northern Mariana Islands any department or agency shall waive any requirement for local matching funds under \$200,000 (including in-kind contributions) required by law to be provided by American Samoa, Guam, the Virgin Islands, or the Northern Mariana Islands."