FOR COMPLETION BY APPLICANT, FAITH-BASED ORGANIZATIONS

CERTIFICATE OF EXEMPTION*
FOR HIRING PRACTICES ON THE BASIS OF RELIGION

The Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), Title 42, United States Code, Section 3789d(c) states that "[n]o person in any State shall, on the ground of race, color, religion, national origin, or sex be excluded from participation in, be denied the benefits of, or be subject to discrimination under or denied employment in connection with any programs or activity funded in whole or part with funds made available under" the applicable grant program. Pursuant to Title 42, United States Code, Section 5672(b), recipients of funding under the Juvenile Justice and Delinquency Prevention Act (JJDPA) must comply with this nondiscrimination provision. Additionally, the Victims of Crime Act (VOCA), Title 42, United States Code, Section 10604(e), contains a similar nondiscrimination provision.

Title 42, United States Code, Section 2000bb-1(b) (part of the Religious Freedom Restoration Act of 1993, as amended) states that the federal government and other covered entities may not substantially burden a person's exercise of religion unless it can demonstrate that the burden "(1) is in furtherance of a compelling governmental interest; and (2) is the least restrictive means of furthering that compelling governmental interest." The U.S. Department of Justice has concluded that this provision is reasonably construed, on a case-by-case basis, to require that its funding agencies permit faith-based organizations applying for funding under the applicable program statutes both to receive federal funds and to continue considering religion when hiring staff even if the statute that authorizes the funding program generally forbids consideration of religion in employment decisions by grantees.

By signing and submitting the application for funding, the undersigned authorized official certifies to the following:

- The Applicant will offer all federally-funded services to all qualified beneficiaries without regard for the religious or non-religious beliefs of those individuals, consistent with the requirements of 28 C.F.R. Part 38, Equal Treatment for Faith-Based Organizations;

- Any activities of the Applicant that contain inherently religious content will be kept separate in time or location from any services supported by direct federal funding, and, if provided under such conditions, will be offered only on a voluntary basis, consistent with the requirements of 28 C.F.R. Part 38; and,

- The Applicant is a religious organization that sincerely believes that providing the services in question is an expression of its religious beliefs; that employing individuals of a particular religion is important to its religious exercise; and that having to abandon its religious hiring practice in order to receive the federal funding would substantially burden its religious exercise.

Applicants that are seeking federal financial assistance under the Safe Streets Act, VOCA, and JJDPA as well as an exemption to their prohibition against religious discrimination in hiring, must complete and retain an original, signed Certificate of Exemption for their records, certifying to the provisions set forth above, and then, must submit a copy of the signed Certificate of Exemption to the U.S. Department of Justice through the Grants Management System upon receipt of an award.

Name of certifying official	*Title/position*
Signature of certifying official	*Date*

* The U.S. Department of Justice reserves the right to revoke this exemption if there is good reason to question the FBOs truthfulness in completing this certification.