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## National Service Criminal History Checks Enforcement Update

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Office of Monitoring  
March 26, 2025

# National Service Criminal History Checks Enforcement Update

## Reduction of Cost-Based Disallowance Cap

Effective Tuesday, April 1, AmeriCorps is reducing the maximum amount of time for which costs are generally disallowed for National Service Criminal History Check noncompliance from six months to three months.

AmeriCorps enforces cost-based disallowance for certain noncompliance with criminal history check requirements, detailed in the [National Service Criminal History Check Manual](#). The costs disallowed are those associated with the individual's work or service during the period of noncompliance. AmeriCorps has generally capped the time period disallowed at six months of costs, with discretion to disallow more than six months. AmeriCorps will now generally cap disallowed costs at three months of costs, with discretion to disallow more than three months.

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### Why is AmeriCorps making this change?

Considering data available from agency oversight activities, we have not found evidence that a longer period of disallowance and corresponding higher disallowance amounts translate to improved grantee understanding of requirements or improved execution of the requirements. This change is intended to better right-size this enforcement action to maintain an incentive for compliance or early self-correction without being so large as to undermine or threaten the continued existence of the programs being funded. We will continue measures to support grantee compliance and beneficiary safety, including ongoing training and technical assistance, supporting grantees' use of the agency-approved vendor, and a new opportunity for grantees to request AmeriCorps staff review their applicable policies, described below.

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### How will this change be implemented?

AmeriCorps Office of Audit and Debt Resolution will process criminal history check disallowances received before Tuesday, April 1, with the six-month cap in effect at that time. The Office of Audit and Debt Resolution will apply the new amount to criminal history check related disallowances it receives beginning Tuesday, April 1. This includes disallowances for noncompliance identified during Payment Integrity testing, Office of Monitoring compliance reviews, Office of Inspector General audits and investigations,

single audits, and repayment notifications received from prime grantees, such as State Commissions, enforcing with subgrantees. See below for guidance specific to prime grantee enforcement for subgrantee noncompliance.

We will update applicable guidance materials on our [website](#) and [Litmos](#) on Tuesday, April 1. These include the *National Service Criminal History Check Manual, Awardee Guide to National Service Criminal History Check Enforcement of Cost-Based Disallowance*, and disallowance summary workbooks.

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## Additional Support Opportunity for Grantees

From Office of Monitoring compliance reviews, we observe higher rates of compliance among grantees with National Service Criminal History Check policies. However, even those with policies may have significant noncompliance due to not following their policies or their policies being incomplete or inaccurate. We encourage grantees to assess their policies using the criteria listed in question 09.01.02 of [AmeriCorps' Uniform Monitoring Package](#).

In addition, grantees may now [submit a request](#) for AmeriCorps staff to review their National Service Criminal History Check policies against these criteria and provide recommendations for improvement outside of a formal monitoring activity. This voluntary review is intended to support grantees' development of policies and procedures that align with [regulatory requirements](#). It will not directly result in the identification of noncompliance or cost-based disallowance. However, this policy review does not prevent AmeriCorps from enforcing disallowance for noncompliance identified during future oversight activities.

[Preview Form Questions and Request Policy Recommendations](#)

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## Guidance for Prime Grantee Enforcement for Subgrantees

Prime grantees with subgrantees, such as State Commissions, implement cost-based disallowance for criminal history check noncompliance identified in subgrantees. AmeriCorps Office of Audit and Debt Resolution will process subgrantee disallowances for *repayment* received from prime grantees before Tuesday, April 1 with the six-month cap in effect at that time. Prime grantees may apply the new amount to any subgrantee disallowance enforcement that *has not yet been completed at the prime or subgrantee level as of Tuesday, April 1*.

How this change takes effect in prime grantee enforcement depends on whether the pending disallowance is resolved through repayment or offset. The following enforcement actions are considered completed at the prime or subgrantee level if they occurred before Tuesday, April 1. These actions should not be adjusted:

- An offset has already been executed in financial records.
- A subgrantee has already been reimbursed at a reduced rate for a time period where noncompliance was identified.
- The prime grantee has already notified AmeriCorps Office of Audit and Debt Resolution of subgrantee disallowance for repayment.

Detailed examples are presented below.

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### Offset Examples:

- A prime grantee identified subgrantee noncompliance resulting in disallowance. Disallowance was calculated based on the six-month cap. The subgrantee completed an offset in their financial records to replace the disallowed amount with allowable costs before Tuesday, April 1. This enforcement action is completed at the subgrantee level and should not be adjusted.
- A prime grantee identified subgrantee noncompliance resulting in disallowance. As of Tuesday, April 1, the subgrantee has not yet completed an offset in their financial records to replace the disallowed amount with allowable costs. This enforcement action is not yet completed at the subgrantee level; the subgrantee may calculate the disallowance using the three-month cap before finalizing the offset.

Repayment Examples:

- A prime grantee identified subgrantee noncompliance resulting in disallowance. The disallowance will be resolved through repayment, and disallowance was calculated based on the six-month cap. The prime grantee notified AmeriCorps Office of Audit and Debt Resolution before Tuesday, April 1, of disallowance to be resolved by repayment. AmeriCorps has not yet issued a debt letter. For the purposes of this change, this enforcement action is considered completed at the prime grantee level. Since notice was received before the disallowance change, AmeriCorps will process the disallowance with the six-month cap.
- A prime grantee identified subgrantee noncompliance resulting in disallowance. The disallowance will be resolved through repayment. As of Tuesday, April 1, the prime grantee has not yet notified AmeriCorps Office of Audit and Debt Resolution of the disallowance to be resolved by repayment. The prime grantee may calculate the disallowance using the three-month cap before sending the repayment notice to AmeriCorps.

If you are a prime grantee in the process of implementing disallowance for a subgrantee and you have questions about how this change affects you, you may contact [chc@americorps.gov](mailto:chc@americorps.gov) with your portfolio manager.



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