

**OJJDP FY 2025 Title II Formula Grants Program
Waiver Requirements for Pass-Through
(Subawards)**
(Submit in [JustGrants](#))

Beginning in FY 2024, states seeking to waive the pass-through requirement were required to submit a new request with their FY 2024 application to coincide with Year 1 of the new 3-year state plan. If the state's request was approved, the waiver applies to awards for the duration of the 3-year state plan period (FY 2024 through FY 2026), and it is not necessary for a state to submit a waiver renewal request in FY 2025.

The Juvenile Justice and Delinquency Prevention Act (JJDP) at 34 U.S.C. § 11133(a)(5) requires states to expend at least 66 and 2/3 percent of Formula Grants Program funds that they receive in each year, unless waived at the discretion of the OJJDP Administrator—through programs of units of local government, local private agencies, and eligible Indian Tribes, or combination thereof, to the extent such programs are consistent with the 3-year state plan, except that direct funding of any local private agency by a state shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof, and agrees to attempt to comply with the core requirements applicable to the detention and confinement of juveniles.

The request for a waiver should be attached to the state's Title II Formula Grants Program application in the form of a letter addressed to the OJJDP Acting Administrator, who will review requests for exceptions to this requirement. The requesting state must meet all the following criteria prior to review or approval:

- a. Demonstrate, by comparing state and local expenditures for the preceding fiscal year, that the services for delinquent or other youth are organized primarily on a statewide basis.
- b. Demonstrate consultation with units of local government in the state, either directly or through organizations representing such units, regarding the proposed waiver.
- c. Demonstrate consultation with other state agencies that bear the primary financial burden for juvenile justice.
- d. Receive approval of the request by the State Advisory Group.

For further information or clarification, contact your OJJDP Program Manager.