



**COPS**

COMMUNITY ORIENTED POLICING SERVICES  
U.S. DEPARTMENT OF JUSTICE

# 2009 COPS Tribal Resources Grant Program Grant Owner's Manual

U.S. Department of Justice  
Office of Community Oriented Policing Services

[www.cops.usdoj.gov](http://www.cops.usdoj.gov)



# 2009 COPS Tribal Resources Grant Program Grant Owner's Manual

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This manual was created to assist COPS Tribal Resources Grant Program grantees with the administrative and financial matters associated with the grant.

For more information about your Tribal Resources Grant Program grant, please contact your COPS Grant Program Specialist. If you do not know the name or telephone number of your COPS Grant Program Specialist, please contact the COPS Office Response Center at 800.421.6770.



U.S. Department of Justice  
Office of Community Oriented Policing Services  
1100 Vermont Avenue, N.W.  
Washington, DC 20530  
(For overnight delivery, please use 20005 as the ZIP Code)

COPS Online: [www.cops.usdoj.gov](http://www.cops.usdoj.gov)

October 2009



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# Getting Started



## Getting Started

Congratulations on receiving a grant from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). The 2009 COPS Tribal Resources Grant Program (TRGP) provides funding directly to Federally Recognized Tribal jurisdictions with established law enforcement agencies. TRGP was designed to expand the implementation of community policing and meet the most serious needs of law enforcement in tribal communities through a broadened comprehensive program.

The 2009 COPS Tribal Resources Grant Program consists of two types of grants. TRGP-Hiring grants are for entry-level salaries and benefits for newly-hired or rehired career law enforcement officers. These grants were awarded from applications originally submitted by tribal agencies under the 2009 COPS Hiring Recovery Program (CHRP). All officers hired under the TRGP-Hiring grant (or an equal number of veteran, locally-funded officers) must engage in community policing. TRGP-Equipment/Training (TRGP-ET) grants provide funding for background investigations, training, uniforms, basic issue equipment, technology, and vehicles for tribal law enforcement agencies.

This COPS TRGP Grant Owner's Manual will assist your agency with the administrative and financial matters associated with your grant. It was developed by the COPS Office to ensure that all COPS TRGP grantees clearly understand and meet the requirements of their grant. Please review this manual carefully, because a failure to follow grant requirements can have serious ramifications. Please do not hesitate to call the COPS Office Response Center at 800.421.6770 if you need assistance with the implementation of your grant.

Thank you for providing us with the opportunity to work in partnership with your community.



# **I. Grant Acceptance, Terms, and Conditions**



## I. GRANT ACCEPTANCE, TERMS, AND CONDITIONS

To officially accept and begin your Tribal Resources Grant Program grant, your agency must review, sign and return the original Award Document to:

U.S. Department of Justice  
Office of Community Oriented Policing Services (COPS)  
Attention: TRGP Control Desk  
1100 Vermont Avenue, N.W., 8th Floor  
Washington, DC 20530  
(For overnight delivery, please use 20005 as the ZIP Code)

Your agency will not be able to draw down grant funds until the COPS Office receives your original, signed Award Document. **Signatures on the Award Document must be original—photocopies, faxed copies, stamps, and/or electronic signatures will not be accepted.** For more information on drawing down grant funds, please see Section III, "Accessing Grant Funds."

### The Award Document

The Award Document is the document indicating your official grant funding amount, the grant number, the grant conditions, and the award start and end dates.

The Award Document is preprinted with your agency's law enforcement and government executives' names and addresses. If this information is incorrect or has changed, please complete the Change of Information (COI) form online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) through the Account Access option. If the law enforcement or government official has changed since the time of application, please have the current law enforcement executive and/or government executive for your agency sign the Award Document. **Please do not make corrections to the original Award Document (including the use of correction fluid). The COPS Office will not accept an altered Award Document.** Once you have reviewed your Award Document, please sign it, make a copy of the document for your records, and mail the original document (copies cannot be accepted) with original signatures back to the COPS Office within 90 days of the date shown on the award congratulatory letter.

The award start date indicated on the Award Document means that your agency may be reimbursed for any allowable costs incurred on or after this date. The duration of the TRGP-Equipment/Training (ET) award is two years (24 months) and the duration of the TRGP-Hiring award is three years (36 months).

Your grant number is in the following format: 2009-HEWX-0000 for TRGP-ET awards and 2009-HHWX-0000 for TRGP-Hiring awards. The COPS Office tracks grant information based upon this number. Therefore, it is important to have your agency's grant number (and/or your agency's ORI number) readily available when corresponding with the COPS Office.

Your ORI number begins with your state abbreviation followed by five numbers and/or letters (e.g., VA00000). This number is assigned by the Federal Bureau of Investigation (FBI) for use in tracking information for the Uniform Crime Report (UCR). The COPS Office tracks programmatic grant information based upon this ORI number. If your agency does not have an ORI number assigned by the FBI, the COPS





Office assigns a non-official ORI code to use as an agency identifier (in such cases, the last two digits will be "ZZ"). If you have any questions regarding your grant, please refer to your grant award number or your agency's ORI number when you contact the COPS Office.

Your OJP vendor number, in most circumstances, is your agency's nine-digit federal tax identification number assigned to you by the Internal Revenue Service. If your OJP vendor number differs from your tax identification number, the OJP vendor number is only to be used for administrative purposes in connection with this grant program, and should not be used for Internal Revenue Service purposes.

## **Grant Conditions**

The grant conditions are listed on your agency's Award Document. By accepting this grant, you are obtaining federal funds from the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS Office). As part of that agreement, your agency acknowledges that it will comply with these conditions (and, if applicable, additional special conditions specific to your agency). The section that follows describes in detail each of the award conditions, their rationale, and their implications. It also addresses many frequently asked questions. If you have additional questions concerning any of these grant conditions, please contact your COPS Grant Program Specialist at 800.421.6770.

In limited circumstances, your award may be subject to special conditions that prevent your agency from drawing down or accessing grant funds until the special conditions are satisfied as determined by the COPS Office. Any special conditions will be included with your award package. However, if you have questions about the special conditions, please call your COPS Grant Program Specialist at 800.421.6770.

### ***Reasons for Grant Conditions***

The requirements of your grant are established within:

- The Public Safety Partnership and Community Policing Act of 1994 which established the COPS Office.
- Applicable rules, regulations and policies issued by the U.S. Department of Justice, Office of Management and Budget (OMB), the Government Accountability Office (GAO), and the United States Treasury.
- The specific Tribal Resources Grant Program programmatic requirements established by the COPS Office.

A list of source documents for this booklet is provided in Appendix A. You may request copies of any source reference document from:

**Office of Administration, Publication Unit  
New Executive Office Building, Room G 236  
Washington, DC 20503**

COPS-specific documents may be requested directly from the COPS Office.



### **Review of Grant Conditions**

By signing the Award Document to accept this Tribal Resources Grant Program grant, your agency agrees to abide by the following grant conditions:

## **1. GRANT OWNER'S MANUAL**

*The grantee agrees to comply with the terms and conditions in this 2009 COPS Tribal Resources Grant Program Grant Owner's Manual; COPS statute (42 U.S.C. §. 3796dd, et seq.); 28 C.F.R. Part 66 or 28 C.F.R. Part 70 as applicable (governing administrative requirements for grants and cooperative agreements); 2 C.F.R. Part 225 (OMB Circular A-87), 2 C.F.R. Part 220 (OMB Circular A-21), 2 C.F.R. Part 230 (OMB Circular A-122) and 48 C.F.R. Part 31.000 et seq. (FAR 31.2) as applicable (governing cost principles); OMB Circular A-133 (governing audits); applicable representations made in the grant application; and all other applicable program requirements, laws, orders, regulations, or circulars.*

### **Why This Condition:**

This manual has been designed to inform you of the requirements, laws, regulations, and policies that apply to your grant. Your agency will be responsible for the information and rules contained in this manual and for implementing your grant in compliance with the applicable terms, conditions, and regulations. More detailed guidance regarding any particular grant requirement or your agency's specific circumstances can be requested through your COPS Grant Program Specialist.

### **What You Should Do:**

Please read the entire Grant Owner's Manual carefully prior to signing the grant Award Document. If you have any questions, please contact your COPS Grant Program Specialist. When accepting your grant award, you should ensure that the proper reporting and financial systems are in place to satisfy the grant requirements.

## **2. ASSURANCES AND CERTIFICATIONS**

*The grantee acknowledges its agreement to comply with the Assurances and Certifications forms that were submitted as part of its original grant application.*

### **Why This Condition:**

Although the COPS Office has made every effort to simplify the process of applying for and receiving grants, several provisions of federal law require us to seek your assurances and certification regarding certain matters. Most of the assurances and certifications apply to all federal grant programs.

### **What You Should Do:**

Applicants to COPS grant programs are required to sign and submit the Assurances and Certifications forms at the time of application. Signing these documents assures the COPS Office that you have read, understand, and accept the grant terms and conditions outlined in the Assurances and Certifications. Your agency is required to keep the Assurances and Certifications forms containing the original signatures of the law enforcement executive and government executive named on the COPS Application Attachment to the SF-424. The original signed forms must be furnished



upon request. Please read these documents carefully as signatures on these documents are treated as a material representation of fact upon which reliance will be placed when the U.S. Department of Justice determines whether to award the covered grant. Additional copies of the Assurances and Certifications forms are contained in Appendix B of this manual. If you have any questions about them, please contact your COPS Grant Program Specialist at 800.421.6770.

### 3. ALLOWABLE COSTS

*The funding under this project is for the payment of approved costs to meet the most serious needs of law enforcement in tribal communities. The allowable costs for which your agency's grant has been approved are limited to those listed on the Financial Clearance Memorandum, which is included in your agency's award packet. The Financial Clearance Memorandum specifies the costs that your agency is allowed to fund with your TRGP grant. It also describes any costs which have been disallowed after review of your proposed budget. **Your agency may not use TRGP grant funds for any costs that are not identified as allowable in the Financial Clearance Memorandum.***

#### **Why This Condition:**

Funding under **TRGP-Equipment/Training** grants is for the purchase of equipment, technology, training, uniforms, and other items approved by the COPS Office as reflected in the Financial Clearance Memorandum (FCM). The COPS Tribal Resources Grant Program funds the purchase of items that have a link to the implementation or enhancement of community policing initiatives in your agency. To be eligible for payment under this grant, the purchase of approved items must be made after the grant award start date and comply with the guidelines described in Section III, "Accessing Grant Funds," of this manual. Section IV, "Financial Record Maintenance," outlines the types of records you must keep to document that you followed this grant condition. Purchases must also reflect the costs that were approved as shown in the Financial Clearance Memorandum.

**COPS TRGP-Hiring** funds may only be used to pay for entry-level salaries and fringe benefits for 36 months for career law enforcement officers hired and/or rehired on or after the award start date. Officers previously employed by your agency may be rehired using TRGP-Hiring funds, but grant funding must be limited to paying your agency's entry-level salary and fringe benefits; any costs higher than entry-level must be paid by your agency with local funds.

TRGP-Hiring funds may also be used to pay the approved entry-level salaries and fringe benefits of newly hired officer recruits while they are in basic academy training prior to swearing them in, if it is your agency's standard practice to pay recruits while in training.

#### **What You Should Do:**

All grantees should keep and maintain the most recent, approved version of your application for this grant program, which will contain the approved costs for this grant. Refer to your Financial Clearance Memorandum and Final Funding Memorandum for the list of approved allowable costs. As long as funds are spent during the grant period on the approved salaries/benefits (as applicable), equipment, technology, training, or other costs that were documented in your application's budget summary and were approved through the issuance of the Financial Clearance Memorandum, this grant condition will be satisfied.



Salaries covered by TRGP-Hiring must be based on your agency's standard entry-level salary and fringe benefits package under the laws or rules that govern hiring by your agency. Salary and fringe benefit payments must be based on payroll records supported by time and attendance records or their equivalent. Examples of the types of records your agency must keep to document allowable costs are described in Section IV of this manual. Any additional costs above the approved entry-level salaries and fringe benefits are the responsibility of the grantee agency. Civilian positions, overtime, training, weapons, communication equipment and vehicles cannot be funded with your TRGP-Hiring grant.

### **For TRGP-Equipment/Training Grants**

#### ***A. Allowable Costs: Background Investigations***

Based on the Final Funding Memorandum, grantees may have been awarded funding for background investigations for newly hired officer positions or for COPS-funded positions from previous grants that had not yet been filled if other funding (state, local, or Bureau of Indian Affairs (BIA)) was not budgeted for the background investigations. Background investigations must be completed before expenses incurred in connection with such investigations can be reimbursed. Funded background investigations may not be initiated prior to the official award start date of the grant period.

#### ***B. Allowable Costs: Training***

Based on the Final Funding Memorandum, grantees may have been awarded funding for otherwise unfunded expenses associated with sending recruits to a state academy that will train and certify tribal police officers, to the BIA's Indian Police Academy in Artesia, New Mexico, or to basic training from an established academy that trains Indian police officers, such as the Navajo Nation's academy. Basic law enforcement training is encouraged for existing police officers who have not received basic law enforcement training, depending on the needs of your department and the availability of funding. Grant funding may only be used for one cycle of basic training per officer. The grantee agency will be responsible for any additional costs associated with an officer not completing basic training on the first attempt.

TRGP funds may also have been awarded for community policing and problem-solving training; specialized law enforcement training in such topics as counterterrorism, family violence, and crime prevention and detection; and training related to Indian Country jurisdictional issues. Only requests for training by recognized training providers such as the Federal Law Enforcement Training Center, the FBI, and the BIA's Indian Police Academy, a state police academy, COPS Regional Community Policing Institutes or a tribal community college were considered. In addition, funding may be used to attend training conferences such as the National Native American Law Enforcement Association's annual training conference, or any COPS-sponsored conference.

Funding for community policing or other law enforcement training will only cover travel, lodging, and per diem for each representative to and from the training site (if training is conducted more than 50 miles from your agency headquarters). State academy training costs include training instruction fees, academy tuition, course fees, textbooks, manuals, supplies, and travel in connection with training (transportation, lodging, per diem, etc.) if the training is located more than 50



miles from the job site. If your state academy does not charge for the training, your department will be reimbursed only for travel in connection with training. Departments that send their officers to the BIA Indian Police Academy will be reimbursed for travel costs only, as there is no cost for tuition at the BIA Indian Police Academy for tribal officers.

TRGP funds may pay for computer training for systems, hardware, or software that grantees already own, but may not be utilizing to their fullest extent because of a lack of training. Agencies were required to demonstrate that the training enhances law enforcement activities, particularly in support of community policing. TRGP funding may be used only for training costs not already funded in the applicant's budget with state, local, or BIA funds.

Funding for computer training may cover the cost of instruction and costs for instructor travel, lodging, per diem, and other expenses, as funding permits. In addition, TRGP funding may be used for offsite training required to increase tribal capacity to operate a crime information gathering system compatible with the FBI Uniform Crime Reporting System.

### ***C. Allowable Costs: Uniforms and Basic Issue Equipment***

- Batons and baton holders
- Bicycle helmets
- Bulletproof vests\*\*/Body armor
- Dress uniforms (dress coat, dress shirts, dress pants, ties)
- Standard uniforms (uniform shirts, trousers, ties, belts)
- Footwear (dress shoes, athletic shoes, boots)
- Gas masks
- Gun belts and belt accessories
- Handcuffs and cases/holders
- Hats/caps/gloves
- Hazmat suits
- Holsters
- Identification badge(s)/other insignia (nameplates, etc.)
- Manuals, reference books, notebooks, etc.
- Other miscellaneous items issued to police recruits (e.g., flashlights, templates, and whistles)
- Other standard issue apparel/uniform accessories (subject to approval)
- Outerwear (raincoat, coat, jacket, reflective vest)
- Pepper spray and holders
- Portable/mobile radios and holders
- Primary issue handguns
- Rescue equipment (first aid kits, diving gear, flotation devices, etc.).

\*\* Any bulletproof vest purchased under TRGP must meet National Institute of Justice standards, as shown on the list of acceptable vests included in Appendix C of this manual.



#### ***D. Allowable Costs: Technology***

- Automated booking systems
- Automated fingerprint identification systems
- Breathalyzers
- Cell phones (no airtime minutes allowed)
- Communication systems including narrow band upgrade equipment
- Computer Aided Dispatch (CAD) systems/Dispatch systems
- Computer hardware
- Computer software
- Crime mapping software
- Global Positioning Systems (GPS)
- Hardware/software upgrades
- In-car video cameras
- Interoperable communications technology
- Mobile data computers/laptops/terminals
- National Crime Information Center (NCIC) systems
- National Incident-Based Reporting System (NIBRS)/UCR compliant crime data systems
- Night vision equipment
- Records Management Systems (RMS)
- Satellite phones

#### ***E. Allowable Costs: Police Vehicles***

Allowable items include police cars, basic vehicle accessory packages, and special conveyances such as sport utility vehicles, bicycles, motorcycles, snowmobiles, and ATVs based on demonstrated need.

#### **For TRGP-Hiring Grants**

The Financial Clearance Memorandum, included in your award package, specifies the amount of COPS TRGP-Hiring funds awarded to your agency for officer salaries and approved benefits. Please note that the salary and benefit costs requested in your original application may have been updated or corrected from the original version submitted to COPS. You should carefully review your Final Funding Memorandum (FFM), which is also included in your award package. The FFM contains the final officer salary and fringe benefit categories and amounts for which your agency was approved. You will note that some costs may have been adjusted or removed. Your agency may only be reimbursed for the approved cost categories that are documented within the FFM, up to the amounts specified in the Financial Clearance Memorandum. Your agency may not use TRGP funds for any costs that are not identified as allowable in the Final Funding Memorandum.

Only actual allowable costs incurred during the grant award period will be eligible for reimbursement and drawdown. If your agency experiences any cost savings over the course of the grant (for example, your grant application overestimated the total entry-level officer salary and fringe benefits package), your agency may not use that excess funding to extend the length of the grant beyond 36 months. Any



funds remaining after an agency has drawn down for the costs of salaries and fringe benefits incurred during the 36-month funding period for each awarded position will be deobligated during the closeout process, and should not be spent by your agency.

### **The Equal Employment Opportunity Plan**

All recipients of funding from the COPS Office must comply with the federal regulations pertaining to the development and implementation of an Equal Employment Opportunity Plan, or EEOP (28 C.F.R. Part 42 subpart E). Indian tribes are exempt from the EEOP requirement. However, your organization must complete Section A of the EEOP Certification Form, which explains that your organization is eligible for this exemption, and then return the form to the Office for Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice, 810 7th Street, N.W., Washington, DC 20531. The Certification Form can be found at [www.ojp.usdoj.gov/about/ocr/eeop.htm](http://www.ojp.usdoj.gov/about/ocr/eeop.htm). Recipients that are exempt from the EEOP requirement are still responsible for complying with all applicable federal civil rights laws that prohibit recipients from discriminating in employment or in the delivery of services or benefits.

**Please be advised that grantees may not use COPS funding for the same item or service also funded by an Office of Justice Programs (OJP) award.**

## **4. SUPPLEMENTING, NOT SUPPLANTING**

*State, local, and tribal governments must use TRGP funds to supplement, and not supplant, state, local, or Bureau of Indian Affairs funds that are already committed or otherwise would have been committed for grant purposes (hiring, training, purchases, and/or activities) during the grant period. In other words, grantees may not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that would have been dedicated to the COPS-funded item(s) in the absence of the COPS grant.*

### **Why This Condition:**

The COPS statute non-supplanting requirement mandates that grant funds may not be used to replace state or local funds (or, for tribal grantees, Bureau of Indian Affairs funds) that would, in the absence of federal aid, be made available for the grant purposes. Instead, TRGP grant funds must be used to increase the total amount of funds that would otherwise be made available for hiring and/or rehiring law enforcement officers and for purchasing equipment/training.

### **What You Should Do:**

#### **TRGP-Hiring**

As applied to hiring awards, grant recipients may not reduce their sworn officer budget just to take advantage of the TRGP grant award. TRGP grant funds must be used to hire (on or after the award start date) one or more additional, new full-time career law enforcement officer positions, beyond the number of officer positions that would be hired or employed by the grantee with local funds in the absence of the grant. Unless authorized in writing by the COPS Office, grant funds may not be applied to the salary or benefits of an officer hired prior to your TRGP award start date. Any budget cuts must be for fiscal reasons unrelated to the receipt of TRGP grant funds to avoid a violation of the non-supplanting requirement.



- Grant recipients may not reduce their locally-funded number of sworn officer positions during the three-year TRGP grant period as a direct result of receiving the TRGP funding to pay for additional officers. Reductions in locally-funded sworn officer positions that occur for reasons unrelated to the TRGP funding—such as city-wide budget cuts, for example—do not violate the non-supplanting requirement, but recipients must maintain documentation demonstrating the date(s) and reason(s) for the budget cuts to prove that they were unrelated to the receipt of TRGP grant funding in the event of an audit, monitoring site visit, or other form of grant compliance review.
- Under TRGP, the non-supplanting requirement means that a grant recipient receiving TRGP grant funds to hire a new officer position, including filling an existing officer vacancy that is no longer funded in the recipient's local budget, must hire the additional position on or after the official grant award start date, above its current budgeted (funded) level of sworn officer positions.
- The non-supplanting requirement also means that a grant recipient that receives TRGP funds to rehire an officer who had already been laid off at the time of application as a result of state, local, or tribal budget cuts, must rehire the officer on or after the official grant award start date. The grant recipient must maintain documentation in its TRGP grant file showing the date that the position was laid off and rehired.
- In addition, the non-supplanting requirement means that a grant recipient that receives TRGP grant funds to rehire an officer who was, at the time of application, scheduled to be laid off on a future date as a result of state, local, or tribal budget cuts, must continue to fund the officer with its own funds through the grant award start date until the date of the scheduled lay-off. [For example, if the award start date is July 1 and the lay-off is scheduled for November 1, then the COPS funds may not be used to fund the officer until November 1, the date of the scheduled lay-off.] Your agency must have identified the date(s) of the scheduled lay-offs and the number of officers to be laid off in its application. Grant recipients must maintain documentation showing the date(s) and reason(s) for the lay-offs, the number of officers laid off, the number of officers rehired, and the dates the officers were rehired. [Please note that as long as your agency can document that the lay-offs would occur on the identified dates if the TRGP grant funds were not available, it may transfer the officers to the TRGP funding on or immediately after the date of the lay-off without formally completing the administrative steps associated with a lay-off for each individual officer.]
- In addition, grantees may not reallocate state, local or Bureau of Indian Affairs funds from one area within the law enforcement budget to another as a result of applying for or receiving TRGP funds. For example, grantees who have budgeted funds to pay for ten new, additional officer positions or rehire officers may not reallocate those funds to pay for any other law enforcement cost as a result of applying for or receiving TRGP funds for additional officer positions.

Documentation that may be used to prove that scheduled lay-offs or budget cuts are occurring for local economic reasons that are unrelated to the availability of TRGP grant funds may include (but are not limited to) council or departmental meeting minutes, memoranda, notices, or orders discussing the lay-offs; notices provided to the individual officers regarding the date(s) of the lay-offs; and/or budget documents ordering departmental and/or jurisdiction-wide budget cuts. These records must be maintained with your agency's TRGP grant records during the grant period and for three years following the official closeout of the TRGP grant in the event of an audit, monitoring, or other evaluation of your grant compliance.





### **TRGP-Equipment/Training**

As applied to training and equipment awards, grantees may not use TRGP funding for any item such as a vehicle or officer training if that item or cost was otherwise budgeted with tribal, state, local, or Bureau of Indian Affairs funds, or committed to the grantee's budget. TRGP funds may not be used to purchase any items prior to the official grant award start date.

## **5. EXTENSIONS**

*Your agency may request an extension of the grant award period to receive additional time to implement your grant program. Such extensions do not provide additional funding. Only those grantees that can provide a reasonable justification for delays will be granted no-cost extensions. **Extension requests must be received prior to the end date of the award, as extension requests received after an award has expired will be approved only under very limited circumstances.***

### **Why This Condition:**

Under federal regulations, requests to extend the grant award period require prior written approval from the COPS Office. Without an approved extension, your agency is not permitted to draw down federal funding for costs incurred beyond the official grant award end date. However, if justified, the COPS Office seeks to accommodate reasonable requests for no-cost time extensions to fully implement the COPS grant.

### **What You Should Do:**

The COPS Office will contact your agency during the last quarter of the grant award period to determine whether a no-cost time extension is needed. Requests to extend the grant award period must be received by the COPS Office before the official grant award end date. Failure to submit a request for a no-cost time extension by the end date may result in the immediate deobligation of any remaining grant funds.

## **6. MODIFICATIONS**

*Occasionally, a change in an agency's fiscal or law enforcement situation necessitates a change in its TRGP award. Grant modifications under TRGP are evaluated on a case-by-case basis. All modification requests must be approved, in writing, by the COPS Office prior to their implementation. In addition, please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds.*

### **Why This Condition:**

The COPS Office realizes that agencies may need to reprogram grant funds. Acceptable examples of such award modifications include purchasing additional equipment using cost-savings from approved items, or purchasing a different type of equipment due to changing needs. For TRGP-Hiring grants, examples of modifications include changing the number of officers awarded, or the salaries and benefits of funded positions. Under federal regulations, you may expend grant funds only as approved in the Financial Clearance Memorandum. Any requests to change or alter grant awards require written approval from the COPS Office prior to their implementation. Without prior written approval, you must continue to implement your grant as it was originally awarded and accepted by your agency. Please be advised that reprogramming requests for unallowable costs will not be approved (e.g., construction, indirect costs, etc.).



### **What You Should Do:**

If you wish to modify your grant award, you are required to submit your plan in writing to the COPS Office for approval. Grantees must request a modification to the award by submitting a letter on official letterhead that includes:

- ORI number
- Grant number
- Details of the original award
- A description of the proposed changes, including each new item proposed for purchase, its purpose, and how it relates to the overall project
- Revised budget worksheets that reflect all changes.

Please contact your Grant Program Specialist for Modified Budget Detail Worksheets and further direction on any additional requirements that may apply to your modification request. The COPS Office will then evaluate your request and notify your agency, in writing, of our decision.

## **7. EVALUATIONS**

*The COPS Office may conduct monitoring or sponsor national evaluations of the COPS Tribal Resources Grant Program. The grantee agrees to cooperate with the monitors and evaluators.*

### **Why This Condition:**

The Public Safety Partnership and Community Policing Act of 1994 states that evaluations of the program may be carried out or commissioned by the Attorney General for the furtherance of the purposes of the Act. The COPS Office conducts evaluations to determine what programs are working, how programs may be improved, and why certain programs are more successful than others. Specifically, the COPS Office may assess the way in which your agency implements its grant. In some jurisdictions, COPS staff or evaluators may study the effectiveness of funded programs, projects, and activities. Evaluators may collect information about the programs' effect on crime, victims of crime, and the quality of life in communities. In addition, they may ask questions about the challenges encountered during project implementation, how residents feel about community policing and how police feel about their work. This information will be useful to other communities and police agencies across the country.

### **What You Should Do:**

When evaluations are undertaken, you may be contacted in writing with specific requests for information. In general, evaluators may need to speak with individuals in your agency or department, observe activities, and obtain written reports about and from your agency or department. You will be asked to facilitate any site visits and information-gathering activities. In addition, you will be asked to provide accurate and timely information about your grant activities. You should fully comply with any requests made regarding these evaluations.



## 8. REPORTS

*To assist the COPS Office in the monitoring of your award, your agency will be responsible for submitting periodic programmatic progress reports and quarterly financial reports.*

### **Why This Condition:**

The Public Safety Partnership and Community Policing Act of 1994 and other federal regulations and policies require that financial assistance provided by the federal government be monitored carefully to ensure the proper use of federal funds. In addition, the COPS Office seeks to document, on a continuing basis, the progress of our programs and grantees.

### **What You Should Do:**

This grant condition is designed to make your agency aware of reporting requirements associated with TRGP grants. These reports are discussed in greater detail in Section VI, "Reports," of this manual. All reports should be submitted within the deadlines given to avoid suspension or possible termination of grant funds or other remedial actions.

## 9. GRANT MONITORING ACTIVITIES

*Federal law requires that law enforcement agencies receiving federal funding from the COPS Office must be monitored to ensure compliance with their grant conditions and other applicable statutory regulations. The COPS Office is also interested in tracking the progress of our programs and the advancement of community policing. Both aspects of grant implementation—compliance and programmatic benefits—are part of the monitoring process coordinated by the U.S. Department of Justice. Grant monitoring activities conducted by the COPS Office include site visits, office-based grant reviews, alleged noncompliance reviews, financial and program reporting, and audit resolution. As a COPS grantee, you agree to cooperate with and respond to any requests for information pertaining to your grant.*

### **Why This Condition:**

The Public Safety Partnership and Community Policing Act of 1994 states that each grant program must contain a monitoring component. The COPS Office actively monitors how grantees are adhering to COPS grant requirements and develops the best technical assistance based on this feedback.

### **What You Should Do:**

Your agency may be required to accommodate routine and non-routine efforts by the COPS Office, or an entity designated by COPS, to examine your agency's use of federal funds, both programmatically and financially. The most common ways are:

1. **Site Visits** - The COPS Office conducts grantee site visits to ensure compliance with grant terms and conditions. These visits also provide firsthand observation of the grantee's community policing strategies. Promising practices identified during site visits are documented and may be shared with the law enforcement community. Technical assistance and follow-up are conducted to address potential and actual vulnerabilities. The purpose of site visits is therefore three-fold: review community policing activities, ensure grantee compliance, and provide service and technical assistance. If selected, you will be notified



in writing in advance of any on-site review of your COPS grants. This review is generally performed over a one or more day period and also provides an opportunity for agency representatives to seek assistance on any grant implementation issues. Your agency will be notified in writing of the results and any action required to remedy identified grant violations.

2. Office-Based Grant Reviews (OBGRs) - Certain grants are selected for a review conducted at the COPS Office. If selected, your agency will be contacted at the start of this review and our staff will work with your agency to correct any grant problems or deficiencies through telephone, fax and/or written correspondence with your agency.
3. Complaints - The COPS Office responds to complaints from citizens, labor associations, media, and other sources. Written complaints or allegations are reviewed by the COPS Office Grant Monitoring Division, and may result in a review of your agency's grants to determine compliance with grant conditions.

Grantees are responsible for remedying any grant noncompliance that is identified through these or other monitoring or auditing activities. Remedies for noncompliance may include, but are not limited to: suspending grant funding, repaying misused grant funds, voluntary withdrawal from or involuntary termination of remaining grant funds, and bars from receiving future COPS grants. To avoid findings of noncompliance, grantees are strongly encouraged to contact the COPS Office at any time during the life of a COPS grant with questions concerning grant requirements and also to maintain all relevant documentation that may demonstrate grant compliance. For more information, please contact the COPS Office Grant Monitoring Division at 800.421.6770 or at [ask.Cops@usdoj.gov](mailto:ask.Cops@usdoj.gov).

## 10. COMMUNITY POLICING

*Community policing activities to be initiated or enhanced by your agency were identified and described in your grant application. All equipment, technology, training, and/or sworn officer positions awarded under the TRGP grant must be linked to the implementation or enhancement of community policing.*

The COPS Office defines community policing as a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. TRGP grants must be used to initiate or enhance community policing activities. All newly hired, additional or rehired officers (or an equal number of redeployed veteran officers) funded under TRGP-Hiring grants must engage in community policing activities.

### **Why This Condition:**

COPS grants are designed to increase community policing capacity and crime prevention efforts. This is achieved through problem-solving tactics and community policing partnerships. It enhances police professionalism by providing officers with the skills and motivation to act in innovative ways to solve community crime-related problems. Your organization may be monitored or audited to ensure that it is initiating or enhancing community policing in accordance with your proposed plan. The COPS Office may also use this information to understand the needs of the field, and potentially provide for training, technical assistance, problem solving and community policing implementation tools.



**What You Should Do:**

Community policing activities to be implemented or enhanced by your agency were identified in your grant application. Your community policing needs may change during the life of your grant, and minor changes to this plan may be made without prior approval of the COPS Office. If your agency's community policing plan changes significantly, however, you must submit those changes in writing to the COPS Office for approval. Changes are "significant" if they deviate from the range of possible community policing activities identified and approved in the original community policing plan submitted with your application.

**11. CONTRACTS WITH OTHER JURISDICTIONS AND GRANT BENEFITS**

*Equipment, technology, training, vehicles, and/or sworn law enforcement officer positions awarded may only be used for law enforcement activities or services that exclusively benefit your agency and the population that it serves. The items or positions funded under the TRGP grant cannot be utilized by other agencies unless the items or positions would exclusively benefit the population that your agency serves.*

**Why This Condition:**

The TRGP grant program was created under a Congressional appropriation specifically designated for tribal law enforcement agencies to improve public safety in Indian communities.

**What You Should Do:**

Your law enforcement agency should avoid any agreements with other jurisdictions to share officer positions, or other awarded equipment, technology, and/or vehicles, unless the agreement complies with the requirement that COPS-funded officer positions or other items must exclusively benefit the grantee service population. For example, if your jurisdiction has both a tribal police department and a Bureau of Indian Affairs department, items funded under the grant might be able to be utilized by the BIA department as long as this would result in an exclusive benefit to the population that you serve. You may not, however, allow officers, equipment, technology, or vehicles funded under the grant to be utilized by any agency or transferred to any agency that does not exclusively benefit the population that you serve. For example, you cannot, during the grant term, loan two of your awarded computers to a neighboring county's sheriff's department. Before you enter into any agreement with another law enforcement agency, you should contact your COPS Grant Program Specialist at 800.421.6770 for additional guidance.

**12. FALSE STATEMENTS**

*False statements or claims made in connection with COPS grants may result in fines, imprisonment, or debarment from participating in federal grants or contracts, and/or any other remedy available by law.*

**Why This Condition:**

This condition advises recipients of the consequences of submitting false claims or statements on applications, financial and programmatic reports, or other grant documents.



### **What You Should Do:**

Ensure that all documentation related to your agency's receipt and use of grant funding (grant applications, progress reports, Financial Status Reports, etc.) is true and accurate.

**FOR TRGP-HIRING GRANTS ONLY** (See condition #13 - Retention and #14 - Employment Eligibility)

## **13. RETENTION (for Hiring grants only)**

*At the time of grant application, your agency committed to retaining all sworn officer positions awarded under TRGP with state and/or local funds for a minimum of 12 months following the conclusion of 36 months of federal funding for each position, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the grant. Your agency cannot satisfy the retention requirement by using TRGP-funded positions to fill locally-funded vacancies resulting from attrition.*

### **Why This Condition:**

The retention requirement ensures that the increased officer staffing level under TRGP continues with state and/or local funds for a minimum of 12 months after federal funding ends.

### **What You Should Do:**

At the time of grant application, your agency was required to affirm that it plans to retain all sworn officer positions awarded under TRGP and identify the planned source(s) of retention funding. Your agency committed to retaining each awarded position for at least 12 months following the conclusion of 36 months of federal funding for that position. The retention period begins for an awarded officer position once that position has completed the 36-month implementation period. If an agency is awarded several officer positions, the retention period for each individual officer position begins upon completion of 36 months of funding for that position (not based on the cumulative grant award end date).

The retained TRGP-funded position(s) must be added to your agency's law enforcement budget with state and/or local funds at the conclusion of grant funding, over and above the number of locally-funded sworn officer positions that would have existed in the absence of the grant. Absorbing TRGP-funded positions through attrition (rather than adding the extra positions to your budget with additional funding) does not meet the retention requirement.

Your agency should maintain documentation demonstrating when the 36-month grant funding period expired for each awarded position and that each retained position was above and beyond the number of officer positions that your agency would have otherwise funded with state and/or local funds. We understand that your agency's identified source(s) of retention funding may change during the life of the grant, so your agency should maintain documentation of any changes in the event of an audit, monitoring, or other evaluation of your grant compliance.



Please note that your agency is required to retain the officer position(s) awarded under TRGP and not the specific officer(s) hired to fill the grant position(s). If a position funded by TRGP becomes vacant during the retention period, your agency is required to take active and timely steps consistent with your agency's hiring policies and procedures to fill the position with a new officer to complete the remainder of the 12-month retention period. Your agency should maintain documentation demonstrating that you did not delay filling the position and that the steps your agency took to fill the position were consistent with your hiring policies and procedures.

At the conclusion of federal funding, agencies that fail to retain the sworn officer positions awarded under TRGP may be ineligible to receive future COPS grants for a period of one to three years. If your agency is unable to retain any of the awarded officer positions, you should contact your COPS Grant Program Specialist for further review.

## **14. EMPLOYMENT ELIGIBILITY (For Hiring grants only)**

*The grantee agrees to complete and keep on file, as appropriate, a Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9). This form is to be used by recipients of federal funds to verify that persons are eligible to work in the United States.*

### **Why This Condition:**

Under federal immigration law, all employers are required to take certain steps to ensure that persons that are hired are legally permitted to work in the United States. The Bureau of Citizenship and Immigration Services Employment Eligibility Verification Form (I-9) outlines the types of documents that an employer should review to confirm that a new hire is eligible for employment.

### **What You Should Do:**

You do not need to submit any documentation to the COPS Office to satisfy this condition. Rather, you should complete and maintain the I-9 forms for all new employees under the guidelines set forth by the Bureau of Citizenship and Immigration Services. For further information about this requirement, you may contact the Bureau's Office of Business Liaison at 800.357.2099 or the National Customer Service Center at 800.375.5283.

**FOR TRGP-EQUIPMENT/TRAINING GRANTS ONLY** (See conditions #13 – Criminal Intelligence Systems and #14 – Sole Source Justification)

## **13. CRIMINAL INTELLIGENCE SYSTEMS (For Equipment/Training Grants Only)**

*Grantees using TRGP funds to operate an interjurisdictional criminal intelligence system must comply with operating principles of 28 C.F.R. Part 23. The grantee acknowledges that it has completed, signed and submitted with its grant application the relevant Special Condition certifying its compliance with 28 C.F.R. Part 23.*



### **Why This Condition:**

If your agency receives funding for equipment or technology that will be used to operate an interjurisdictional criminal intelligence system, you must comply with the operating principles found at 28 C.F.R. Part 23. An “interjurisdictional criminal intelligence system” is generally defined as a system which receives, stores, analyzes, and exchanges or disseminates data regarding ongoing pre-arrest criminal activities (examples of such activities include, but are not limited to, loan sharking, drug or stolen property trafficking, gambling, extortion, smuggling, bribery, and public corruption) and shares this data with other law enforcement jurisdictions. 28 C.F.R. Part 23 contains operating principles for these interjurisdictional criminal intelligence systems which protect individual privacy and constitutional rights.

If your agency will use TRGP grant funds simply to operate a single agency database (or other unrelated forms of technology) and will not share criminal intelligence data with other jurisdictions, 28 C.F.R. Part 23 does not apply to this grant.

### **What You Should Do:**

All COPS grant recipients were required to agree to the Criminal Intelligence Systems/28 C.F.R. Part 23 Compliance Special Condition as part of their application proposal so the COPS Office can track which agencies intend to use their grant funds to operate interjurisdictional criminal intelligence systems. If your agency intends to use grant funds to operate an interjurisdictional criminal intelligence system, you should have indicated this in your application and certified your agency’s agreement to comply with the operating principles found at 28 C.F.R. Part 23. Your agency now must comply with 28 C.F.R. Part 23 in operating the interjurisdictional criminal intelligence system funded through your COPS grant.

## **14. SOLE SOURCE JUSTIFICATION (For Equipment/ Training Grants Only)**

*Grantees who have been awarded funding for the procurement of an item (or group of items) or service in excess of \$100,000 and who plan to seek approval for use of a noncompetitive procurement process must provide a written sole source justification to the COPS Office for approval prior to obligating, expending, or drawing down grant funds for that item.*

### **Why This Condition:**

In general, grant recipients are required to procure funded items through open and free competition. However, in some instances, grantees may have already determined that competition is not feasible.

### **What You Should Do:**

If you have received an award for an item (or group of items) or service in excess of \$100,000 and have already determined that the award of a contract through a competitive process is infeasible, you must provide a written justification that explains why it is necessary to contract noncompetitively.





The initial determination that competition is not feasible can be made if one of the following circumstances exists:

1. The item (or group of items) or service is available only from a single source;
2. Public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; or
3. Competition is determined inadequate after solicitation of a number of sources.

The COPS Office will review your request and the supporting information that you provide and will make a determination as to whether or not an exception can be granted to the general rule regarding competition. If submitting a sole source justification request to the COPS Office, please use the format described in Section II, "Procurement Process."

## **What are the specific rules regarding termination of grant funding?**

The COPS Office has the right to sanction or terminate your agency's project when there is reason to believe that your agency:

- Is not substantially complying with the grant requirements or other applicable provisions of federal law;
- Is failing to make satisfactory progress toward the goals or strategies outlined in its application;
- Is not adhering to grant requirements or conditions;
- Is proposing substantial plan changes to the extent that, if originally submitted, would have resulted in the application being denied funding;
- Is not submitting financial or programmatic reports in a timely manner;
- Is filing false statements or certifications in connection with an application, periodic report, or other grant-related documents; and/or
- Is providing other good cause for sanctions or termination as determined by the COPS Office.

In these instances, the COPS Office may:

- Temporarily withhold payments pending correction of the situation by your agency;
- Disallow all or part of the cost of the activity or action not in compliance;
- Wholly or partly suspend or terminate your grant;
- Require that some or all of the grant funds be remitted to the U.S. Department of Justice;
- Condition a future grant or elect not to provide future grant funds to your agency until appropriate actions are taken to ensure compliance;
- Withhold or bar your agency from obtaining future awards;
- Recommend civil or criminal enforcement by other agencies; and/or
- Take other remedies that may be legally available.

In the event that sanctions are imposed or your grant is terminated, your agency will be notified in writing of our decision and the reason(s) for that decision.



## **Accepting the Grant Award**

After you have reviewed the conditions of your Tribal Resources Grant Program award and your agency agrees with these conditions, you are ready to accept the award. The Director of the COPS Office has signed the Award Document indicating approval of your grant, an obligation of federal funds to your organization, and our commitment to the award. As stated at the beginning of this section, to officially begin your grant and draw down your funds, the **authorized officials** (see Section IX, "Glossary of Terms") must sign the Award Document and return the **original** document to:

**U.S. Department of Justice  
Office of Community Oriented Policing Services (COPS)  
Attention: TRGP Control Desk  
1100 Vermont Avenue, N.W., 8th Floor  
Washington, DC 20530  
(For overnight delivery, please use 20005 as the ZIP Code)**

Since COPS is required to maintain the original Award Document with original signatures in our files, faxed or altered copies of the Award Document cannot be accepted.

### ***Who should sign the Award Document for our agency?***

The "authorized officials" are the law enforcement and government executives who have ultimate and final responsibility for all programmatic and financial decisions regarding this grant as representatives of the legal grantee. COPS grants require that both the top law enforcement executive (e.g., Chief of Police, Director of Public Safety, or equivalent) and the top government executive (e.g., Tribal Chairman, President, Chief or equivalent) sign the Award Document. If one or both of these individuals have changed, please complete a Change of Information form online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) through the Account Access option. If you have any questions as to who should sign the award, please contact your jurisdiction's local legal advisor.

### ***When must the Award Document be returned?***

Please return the original signed Award Document within 90 days of the date on the award congratulatory letter. Grant funds will not be released until we have received your agency's original signed Award Document, your budget has received final clearance, and any other relevant grant conditions particular to your agency have been satisfied. Failure to submit your signed Award Document within the 90-day award acceptance period may result in your grant award being withdrawn and the funds deobligated without additional notification. If your agency requires an extension for accepting the award beyond the 90-day acceptance timeframe, please submit a written request to your COPS Grant Program Specialist. Be sure to explain the circumstances that prevent your agency from returning the Award Document within the 90-day period, and identify the date by which the Award Document will be signed and mailed to the COPS Office. The COPS Office will review such requests on a case-by-case basis. The COPS Office reserves the right to deny requests to extend the 90-day award acceptance period.



## II. Procurement Process



## II. PROCUREMENT PROCESS (For TRGP-Equipment/ Training Grants Only)

In general, grant recipients are required to procure funded items through open and free competition when feasible. For the purchase of equipment, technology or services under a COPS grant award, grant recipients must follow their own policies and procedures on procurement as long as those requirements conform to the federal procurement requirements set forth in 28 C.F.R. § 66.36 and 28 C.F.R. § 70 (as applicable).

As described in Grant Condition #14 for Equipment/Training grants, grantees will be required to submit a sole source justification (SSJ) request if a competitive bidding will not be possible and the threshold of \$100,000 for goods or services to be procured through a sole source is met. The COPS Office will review your request and supporting information to determine whether an exception can be granted to the general rule of open competition. Written approval from the COPS Office for the use of a sole source must be received prior to purchasing items or services, obligating funding for a contract, or entering into a contract with grant funds. All grantees are expected to review and abide by 28 C.F.R. Part 66.36 Procurement (or 28 C.F.R. Part 70.40 - 70.48 for institutions of higher education, hospitals and other non-profit organizations) in determining if an SSJ must be completed. Please contact your COPS Grant Program Specialist at 800.421.6770 for further assistance with this federal regulation.

A sole source justification request should be submitted if a grant recipient determines that the award of a contract through a competitive process is infeasible, and if one or more of the following circumstances apply:

1. The item (or group of items) or service is available only from one source;
2. The public exigency or emergency for the item/service will not permit a delay resulting from competitive solicitation; or
3. Competition is determined inadequate after solicitation of a number of sources.

If your agency is submitting the written request for approval for a sole source justification, the documentation should follow the format provided below:

**Letterhead** – The sole source request must be signed and submitted on grantee department letterhead, and include the agency ORI and the grant number for which the approval is being sought. The request should also include the following information:

**Section I** – A brief description of the project, the amount to be designated for the sole source procurement, and the purpose of the contract.

**Section II** – a) An explanation as to why it is necessary to contract in a noncompetitive manner, and b) which one (or more) of the three circumstances identified on the following page applies to the procurement transaction. Include supporting information as identified on the following page under the applicable section(s).



1. If the item/service is available only from one source, please include the following:
  - Uniqueness of items/services to be procured from the proposed contractor or vendor (compatibility, patent issues, etc.)
  - How the agency determined that the item/service is only available from one source (e.g., market survey results, independent agency research, patented or proprietary system, etc.)
  - Explanation of need for contractor's expertise linked to the current project (e.g., knowledge of project management, responsiveness, experience of contractor personnel, prior work on earlier phases of project, etc.)
  - Any additional information that would support the case
2. If the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation, please include the following:
  - When the contractual coverage is required by your department and why
  - Impact on project if deadline/dates are not met
  - How long it would take an alternate contractor to reach the same required level of competence (equate to dollar amounts, if desired)
  - Any additional information that would support the case
3. If competition is determined inadequate after solicitation of a number of sources, please include the following:
  - Results of a market survey to determine competition availability; if no survey is conducted, please explain why not
  - Any additional information that would support the case

**Section III** – A declaration that this action/choice is in the best interest of the agency.

Failure to provide all of the necessary information will delay the processing of your request. Your agency will be contacted if any of the identified information is missing or if additional supporting information is required. If the COPS Office determines that the request does not meet the standards set forth above, the request will be denied.

Please be advised that conflicts of interest are prohibited under the procurement standards set forth in 28 C.F.R. Part 66 and 28 C.F.R. Part 70.

If you have any questions regarding the federal requirements that guide procurement procedures, please contact your COPS Grant Program Specialist at 800.421.6770.



## III. Accessing Grant Funds



### III. ACCESSING GRANT FUNDS

This section provides answers to payment-related questions, including all the information needed to set up your payments. For assistance with financial management and grant administration, please contact the COPS Office Response Center at 800.421.6770 or visit our website at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

#### Payment Method

##### *What method of payment is used?*

There is currently one method of payment available for accessing federal grant funds—the Phone Activated Paperless Request System (PAPRS). PAPRS enables grantees to use their touch-tone telephone to request funds. Approved payment requests will be automatically scheduled for payment by the U.S. Treasury Department. The system also provides online information to grantees about the status of their requests.

If you do not have a touch-tone telephone, please contact the COPS Office Response Center at 800.421.6770. If you need to request a reprinted PAPRS package, please contact the Office of the Chief Financial Officer, Customer Service Center, Office of Justice Programs at 800.458.0786.

COPS grantees will be informed of any additional payment options that may become available during the grant life cycle.

#### Setting Up Your Account

##### *How do we set up a PAPRS account?*

If you are a new grantee to the COPS Office, you should receive a packet of financial documents shortly after COPS receives your original signed Award Document. This packet will contain all of the information that your agency needs to set up your payment method. You will receive a PAPRS user's manual under separate cover from the Office of the Chief Financial Officer, Office of Justice Programs (OJP). Once you receive your Office of Justice Programs vendor number (which may or may not be the same as your taxpayer identification number), please use your PIN and Grant ID numbers (included in the PAPRS package) and follow the directions in the user's manual to access your funds.

##### *How do we fill out the payment enrollment forms?*

Your agency will receive an Automated Clearing House (ACH) Vendor/ Miscellaneous Payment (SF-3881) enrollment form from OJP. **Prior to accessing your grant funds, your agency must mail the original form to:**

**Office of Justice Programs  
Office of the Chief Financial Officer  
810 7th Street, N.W.  
Washington, DC 20531**

Your agency must complete the "Payee/Company Information" section following the directions on the back of the form and also provide the grant number (printed on the Award Document). Next, your financial institution must complete the "Financial Institution Information" section and have the appropriate financial official sign the form.



If you are already a COPS grantee, you should already have filled out an ACH enrollment form. Therefore, your agency will not be required to submit a new ACH enrollment form for the newly awarded grant as long as your OJP vendor number has not changed. If you have any questions, please call the COPS Office Response Center at 800.421.6770.

### ***When should Financial Status Reports be filed?***

After your agency returns the signed Award Document to the COPS Office, under current regulations, you are required to submit quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269A). This report reflects the actual monies spent and unliquidated obligations incurred by your agency. You will not be able to make drawdowns from your grant account if the SF-269A for the most recent reporting quarter is not on file with the COPS Office by the deadline date. Grantees are encouraged to submit their SF-269A reports via the Internet at <https://www.cops.usdoj.gov>.

For more information on how to complete and where to submit your quarterly FSRs, see Section VI of this Grant Owner's Manual titled "Reports."

Please be advised that after December 31, 2009, the COPS Office plans to discontinue the use of the SF-269A and recipients will be required to use the government-wide Standard Form 425 (SF-425) Federal Financial Report. The COPS Office will notify grantees in advance of any changes to the quarterly Financial Status Report requirement. Until further notice, recipients should continue to submit their quarterly SF-269A.

*Filing the Financial Status Report identifies your federal and local expenditures made during that calendar quarter. However, to receive actual payment, you must request it through PAPRS.*

## **Additional Payment Questions**

### ***Can we receive advances?***

Yes. If you receive funds through electronic transfer, the period allowed is ten (10) days in advance. In general, the concept of "minimum cash on hand" applies to COPS grants. This concept requires that your agency request funds based upon immediate cash disbursement needs. You should time your request for payment to ensure that federal cash on hand is the minimum that you need.

There should be no excess federal grant funds on hand, except for advances not exceeding ten days, as noted above. The federal government has four basic rules regarding advances. Advances can be terminated if the grantee:

- Is unwilling or unable to attain project goals;
- Maintains excess cash on hand;
- Does not adhere to the terms and conditions of the grant; or
- Fails to submit reliable and/or timely reports.





### ***How often do we request reimbursement of costs?***

There are no limitations on how often your agency may request reimbursements. However, reimbursement is only for costs that were approved in the Financial Clearance Memorandum for this COPS grant. As a general guideline, most agencies request reimbursement on a monthly or quarterly basis.

### ***Can we earn interest on our grant funds?***

Your agency should minimize the time between your drawdown of grant funds and your payment of grant costs to avoid earning excess interest on your grant funds.

You must account for interest earned on advances of federal funds as follows:

- Local units of government may keep interest earned on all advances of federal funds up to \$100 per federal fiscal year in the aggregate. Interest earned in excess of \$100 must be remitted promptly, but at least quarterly, to the U.S. Department of Health and Human Services, Payment Management Systems, P.O. Box 6021, Rockville, MD 20852.
- Except as provided in 28 C.F.R. 70.22(l), nonprofit organizations may keep interest earned on all advances of federal funds up to \$250 per federal fiscal year in the aggregate. Interest earned in excess of \$250 must be remitted annually to the U.S. Department of Health and Human Services, Payment Management Systems, P.O. Box 6021, Rockville, MD 20852.
- State governments, including any agency or instrumentality of a state, should follow the provisions of the Intergovernmental Cooperation Act (31 U.S.C. 6501 et. seq.) pertaining to the disposition of interest earned on federal funds.

## **Matching Funds**

Under COPS TRGP, no local match is required. The COPS Office is funding 100 percent of the allowable items approved in your Financial Clearance Memorandum. Any agency desiring to contribute additional funds to this project is encouraged to do so.



## **IV. Financial Record Maintenance**



## IV. FINANCIAL RECORD MAINTENANCE

Your agency is required to establish and maintain accounting systems and financial records to accurately account for grant funds awarded and disbursed. These records must include both federal funds and any local funds contributed to this project.

### *What accounting systems are required?*

Your agency needs to establish and maintain accounting systems and financial records to accurately account for the funds awarded.

Your accounting system should:

- Present and itemize actual expenditures of funded items;
- Demonstrate that funds are spent in compliance with your grant conditions; and
- Be able to provide the necessary information for periodic financial review and audit.

### *What records must be kept?*

Your agency's fiscal control and accounting systems should enable you to make accurate, current and complete disclosure of the financial activity under your grant. Your accounting records should contain information showing expenditures under the grant and must be supported by items such as payroll records, time and attendance records, canceled checks, purchase orders, or similar documents.

Your agency must adequately safeguard grant funds and make sure that they are used for authorized purposes only. Your agency will be responsible for refunding any unallowable expenses.

### *How long must documents be kept?*

All financial records, including payroll, time and attendance records, canceled checks, purchase orders, and similar documents associated with your grant should be kept for at least three years from the date COPS officially closes the grant. If any litigation, claim, negotiation, audit or other action involving these records has been started before the end of the three-year period, the records should be kept until completion of the action. These records should be easily located and should be properly protected against fire or other damage. **Failure to maintain adequate records to document grant expenditures may result in a requirement to repay all federal funds that cannot be supported with appropriate records.**

Your agency should maintain records so that you can identify them by grant year or by fiscal year, whichever you find more convenient.

### *What if we have more than one grant?*

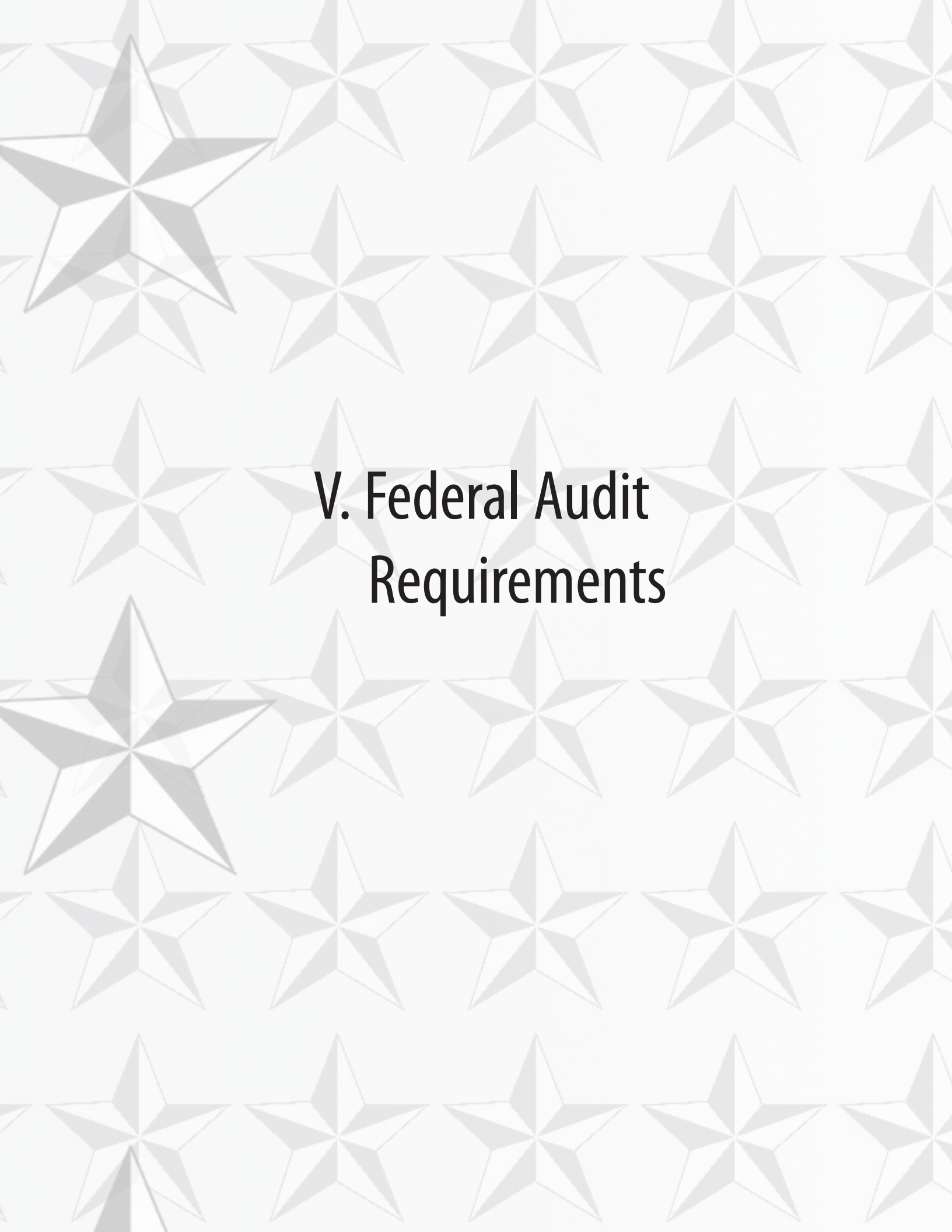
If your agency has more than one COPS grant or a grant from another federal agency, funds received under one project may not be used to support another project without specific written authorization from COPS, or in the case of a grant from another agency, from both awarding agencies. Your accounting systems and financial records must reflect expenditures for each project separately.



***Who may access our records?***

Authorized federal representatives, including representatives from the U.S. Department of Justice, the Comptroller General of the United States, the COPS Office, and any entity designated by the COPS Office may access these records for the purposes of conducting audits, site visits or other examinations.

**Records must be kept for at least three years from the date that the COPS Office has officially closed your agency's grant.**

The background of the slide features a repeating pattern of stylized, five-pointed stars. Each star is composed of several overlapping, semi-transparent shapes, creating a 3D effect. The stars are arranged in a grid-like pattern, with some stars appearing larger and more prominent than others, particularly on the left side of the slide. The overall color scheme is light gray and white.

## **V. Federal Audit Requirements**



## V. FEDERAL AUDIT REQUIREMENTS

In addition to oversight by the COPS Office, your grant may be subject to an audit by independent examiners. The two primary types of audit are Single Audit Act (SAA) audits and Department of Justice (DOJ) Office of the Inspector General (OIG) audits.

### *What are the regulations governing SAA requirements?*

The Single Audit Act of 1984 established uniform guidelines for state and local governments receiving federal financial assistance. The 1984 Act was amended in July 1996 and revised again June 27, 2003, and is effective for fiscal years after December 31, 2003, to reflect revised audit criteria and reporting requirements. The Office of Management and Budget Circular A-133 (OMB A-133), Audits of States, Local Governments and Non-Profit Organizations, provides additional guidelines regarding the implementation of SAA requirements.

### *Who must have an SAA audit?*

Each non-federal entity that expends a total amount of federal awards equal to or in excess of \$500,000 in a fiscal year is required to have a Single Audit conducted, except when it elects to have a program-specific audit conducted. SAA audits are conducted annually unless a state or local government is required by constitution or statute, in effect on January 1, 1987, to undergo audits less frequently than annually. The primary objective of an SAA audit is to express opinions on the grantee's financial statements, internal controls, major and non-major grant programs, and compliance with government laws and regulations. Single Audits may also address specific compliance issues with respect to COPS grant requirements.

Failure to have an audit performed may result in sanctions imposed by federal agencies for noncompliance with Circular A-133. These sanctions could include withholding part of your federal award until a required audit is completed satisfactorily, withholding or disallowing unnecessary or unreasonable audit costs, or suspending your award until the audit is performed.

Your Single Audit Act reports **should not** be sent to the COPS Office. If the U.S. Department of Justice is your Cognizant Federal Agency (see Section IX, "Glossary of Terms"), they should be sent to the Federal Audit Clearinghouse at:

**Federal Audit Clearinghouse**  
**Bureau of Census**  
**1201 E. 10th Street**  
**Jeffersonville, IN 47132**

The U.S. Department of Justice, Office of Justice Programs (OJP) serves as the liaison between grantees and auditors in the conduct of SAA audits. Questions and comments regarding SAA audits may be directed to the COPS Office Response Center at 800.421.6770.

### *What is the role of the Office of the Inspector General (OIG)?*

The OIG is a separate component of the U.S. Department of Justice and is independent of the COPS Office. The primary objective of OIG audits is to assess compliance with grant conditions. OIG audits are designed to promote economy, efficiency, and effectiveness in the administration of grants by evaluating compliance with laws, regulations, policies, and procedures governing the operations encompassed in the scope of the audit.

### ***How are COPS grants selected for an OIG audit?***

The OIG may conduct a COPS grant audit in response to a referral that the OIG believes warrants further evaluation. The OIG also surveys DOJ agencies on an annual basis to solicit input on suggested audit areas for the upcoming fiscal year. In most instances, however, the OIG selects grants based on a number of factors, including the geographical distribution of grants awarded, award amount, population served, and type of grant (both active and expired). As such, the fact that your grant has been selected for an OIG audit is not necessarily indicative of a suspected concern or problem area.

The COPS Audit Liaison Division serves as the liaison between grantees and the OIG's Audit Division, which conducts the audit. After the OIG notifies COPS of upcoming audits to be conducted, the COPS Audit Liaison Division will send out a notification letter to the grantee outlining the scope of each audit and the anticipated audit timeframe. This notification letter also advises grantees of the supporting documentation required and information necessary for the OIG during their scheduled field work, and provides a COPS point of contact to address questions and concerns. If you have any questions regarding an OIG audit, please contact the COPS Audit Liaison Division at 800.421.6770. Questions and comments regarding the administration of your COPS grant, not specifically related to an audit, should be referred to your COPS Grant Program Specialist.

### **Typical Audit Findings**

The OIG has typically reported the following audit findings pertaining to grants as a result of lack of proper documentation, poor business practices, or inadequate accounting and record keeping systems:

- Unallowable costs – Grantee incurred costs which were not approved in the original budget, were in excess of the approved budget, or were charged to the grant after the expiration date and a grant extension was not obtained.
- Unsupported costs – Specific grant expenditures and reimbursements could not be supported, or grant expenditures were in excess of actual grant costs.
- Lack of complete/timely programmatic and financial reporting – Grantee failed to submit required programmatic and financial reports in a timely manner and/or had inadequate record keeping systems.
- Failure to retain – Grantee lacked documentation to support retention planning efforts during the grant period and/or failed to demonstrate an increase in the baseline of locally-funded sworn officer positions at the conclusion of the 36 months of federal funding, over and above what the grantee would have funded in absence of the grant.
- Supplanting – Grantee could not document efforts to backfill vacant local sworn officer positions, or grantee could not explain reductions in local law enforcement budget or in sworn officer positions during the grant award period.
- Lack of adequate community policing – Grantee had difficulty demonstrating community policing activities.
- Funds to better use – Funds could be used more efficiently based on management actions such as: a) reductions in outlays; b) deobligation of funds; c) withdrawal; d) costs not incurred by implementing recommended improvements; or e) any other savings which are specifically identified.



- Questioned costs – Costs that are questioned by the auditor because of an audit finding which resulted from a violation or possible violation of a provision of law, regulation, grant terms and conditions, or other document governing the use of federal funds; or because costs incurred appear unreasonable and do not reflect the actions a prudent person would take under the same circumstances; or because costs at the time of the audit are not supported by adequate documentation.

After the final OIG audit report has been issued, the COPS Audit Liaison Division will continue working as the liaison between your agency and the OIG to obtain closure on any audit findings. COPS will issue a closure letter once all audit recommendations have been closed by the OIG. You must keep all documentation related to the audit for a period of three years following the audit's closure.





# VI. Reports



## VI. REPORTS

Your agency will be required to submit quarterly Financial Status Reports as well as periodic program progress reports. Agencies that were awarded both a 2009 TRGP-Hiring grant and a TRGP-Equipment/Training grant should be prepared to track and report grant funding separately. In addition, funds from local sources or other agencies should be tracked separately from COPS to ensure accurate financial and programmatic reporting on a timely basis. Your agency should ensure that you have financial internal controls in place to monitor the use of TRGP funding and ensure that its use is consistent with the grant terms and conditions. Good practices in this area would include written accounting practices, an accounting system that tracks all drawdowns and grant expenditures, and the ability to track when grant-funded positions are filled or approved purchases are made. *Failure to submit complete reports, or submit them in a timely manner, may result in the suspension and possible termination of your agency's COPS grant funding or other remedial actions.*

### Financial Status Reports

Your agency is required to submit quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269A). This report reflects the actual federal monies spent, unliquidated obligations incurred, and the unobligated balance of federal funds.

Please be advised that after December 31, 2009, the COPS Office will discontinue the use of the SF-269A and recipients will be required to submit quarterly financial status reports within 30 days after the end of each calendar quarter using the government-wide Standard Form 425 (SF-425) Federal Financial Report. A final SF-425 will be due within 90 days after the end of the grant period. The COPS Office will notify grantees in advance of any changes to the quarterly financial status report requirement, including instructions on how to submit the new SF-425. Until further notice, recipients should continue to submit their quarterly SF-269A.

#### *How do we file Financial Status Reports?*

Under current regulations, the FSR is due at the COPS Office no later than 45 days following each calendar quarter. However, please be advised that the 45-day requirement will be shortened in the future. The COPS Office will notify grantees in advance of any changes to this reporting requirement. A chart showing the reporting quarter end dates and due dates under the current regulations is provided on the next page. Grantees are strongly encouraged to submit their SF-269A reports via the Internet at: <https://www.cops.usdoj.gov>.

**If you need assistance in completing the SF-269A properly, please contact the COPS Office Response Center at 800.421.6770, by e-mail at [AskCopsRC@usdoj.gov](mailto:AskCopsRC@usdoj.gov), or review the "Helpful Hints Guide for Completing a Financial Status Report" at [www.cops.usdoj.gov/files/RIC/publications/e020851\\_23.pdf](http://www.cops.usdoj.gov/files/RIC/publications/e020851_23.pdf).**

For your first SF-269A submission, use the chart below to determine when the most recent SF-269A reporting quarter ended and complete an SF-269A to cover the period from the award start date of your grant to that particular end date. You are required to submit an SF-269A even if you have not spent any money or incurred any costs during a reporting period. The due dates for online filing of SF-269As are the same as for the submission of paper copies. Under current regulations, the SF-269As must be submitted not later than 45 days after the last day of each reporting quarter as follows:

SF-269A Reporting Quarters	Date Due
01-01-YY to 03-31-YY	No later than 05-15-YY
04-01-YY to 06-30-YY	No later than 08-14-YY
07-01-YY to 09-30-YY	No later than 11-14-YY
10-01-YY to 12-31-YY	No later than 02-14-YY

**Example:**

If your award start date is 02-01-09 and the current date is 04-15-09, then your first SF-269A would be due no later than 05-15-09 and would cover the period 02-01-09 (award start date) through 03-31-09 (end of the most recent reporting quarter). This SF-269A must be on file with the COPS Office so that you can successfully complete a drawdown of funds through PAPRS.

The online SF-269A requires the same reporting information as the paper version. The use of this online application enables authorized users to view current and past SF-269As, and allows them to file or amend the SF-269A for the current quarter.

Grantees who do not submit SF-269As by the due date will be unable to draw down funds. The payment system contains a function which checks for SF-269A delinquency and will reject a drawdown attempt if the SF-269A is not up to date.

E-mail reminders will be sent prior to the SF-269A submission due date, and subsequent e-mail, fax, and/or hard copy reminders may be sent to the grantee should SF-269As be delinquent.

***How will grant funds be monitored?***

The COPS Office and designated representatives from the Office of the Chief Financial Officer, Office of Justice Programs monitor the financial aspects of your agency's grant through financial reports, meetings, telephone contacts, reports, audits, reviews of grant change requests and special request submissions. In specific cases, information may also be requested during an on-site visit.

**Program Progress Reports**

Program progress reports and a final closeout report will be required as requested by the COPS Office during the life of the grant. The COPS Office will notify the agency when the progress report is due and provide instructions for submission. The report may be submitted online or by phone by the grantee agency's representative.



***What kind of information will these reports require?***

These reports will request information about the status of your grant in terms of the purchase of equipment and services and hiring of personnel, as well as general information about your department.

***Do we need to request a progress report?***

No. The COPS Office will contact your agency at any time when progress reports are being requested.

**Contact Points to Obtain Technical Assistance and Report Violations**

Any alleged violations, serious irregularities, or acts that may result in the use of public funds in a manner inconsistent with the Public Safety Partnership and Community Policing Act of 1994 or the purposes of this grant must be reported to the U.S. Department of Justice. Furthermore, the COPS Office welcomes the opportunity to provide assistance regarding the implementation of grant provisions to help ensure that federal grant funds are spent responsibly. As such, the following contacts are provided to address noncompliance and technical assistance issues:

- If you suspect grant violations, you must promptly refer to the Office of the Inspector General (OIG) any credible evidence that a person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity or similar misconduct involving COPS grant funds. The OIG may be contacted at [OIG.hotline@usdoj.gov](mailto:OIG.hotline@usdoj.gov), <http://www.usdoj.gov/oig/FOIA/hotline.htm>, and 800.869.4499.
- If you suspect grant violations (*not* criminal in nature) related to the grant conditions listed in this manual, please contact the COPS Grant Monitoring Division at 202.514.9202.
- If you have any questions and/or need assistance regarding your grant, please contact your COPS Grant Program Specialist at 800.421.6770.



## **VII. When the Grant Period Has Ended**



## **VII. WHEN THE GRANT PERIOD HAS ENDED**

At the end of your agency's grant period, the COPS Office is responsible for the "closeout" of your grant. As part of this process, the COPS Office requires documentation demonstrating that your agency has met all of the programmatic and financial requirements of the grant. After the end of the grant period, your agency will be asked to submit a final Financial Status Report and any applicable final program reports.

### **Final Financial Status Report**

The final Financial Status Report (SF-269A) for your grant is due to the COPS Office no later than 90 days after the end of the grant period. The final report should reflect the total amount of federal expenditures and the amount of unobligated funds, if any. Additionally, it should reconcile with the amount of funds drawn down by your agency.

#### ***When should all of the grant monies be spent?***

Grant funds reflecting allowable project costs must be obligated before the end of the grant period. Obligated funds cover monies spent and expenses for all approved items in the Financial Clearance Memorandum that your agency has incurred but not yet paid. Your agency has up to 90 days after the end of the grant period to request reimbursement for funds obligated.

*Please be advised that 28 C.F.R. 66.50(c) requires grantees to submit final SF-269As and to draw down the final reimbursement for expended funds within 90 days after the expiration of the grant. In addition, be advised that failure to complete the drawdown of funds within the 90-day period following award expiration will result in the forfeiture of the remaining eligible balance.*

It is possible that your agency may have excess grant funds remaining in your account following the grant period due to an overestimate of item costs during the grant period. Your agency should review its records carefully to ensure that it draws down and expends only the amount required for actual costs incurred during the grant period. Any excess unobligated or unspent funds should remain in your account, and will be deobligated during the closeout process.

### **Final Program Progress (Closeout) Report**

After your grant period has ended, your agency may be sent a final progress or closeout report from the COPS Office and asked to complete it. This report will serve as your agency's final programmatic report on the grant, and the information your agency provides in this report will be used to make a final assessment of your grant progress.



## **Equipment Disposition (For Equipment/Training Grants Only)**

Each grantee must use any equipment funded through a COPS award for approved grant-related purposes and must retain the equipment for the life of the grant. After the conclusion of the grant period, property records must be maintained by the grantee. The records should include a description of the property; a serial number or other identification number; the source of the property; the name of the person or entity that holds the title; the acquisition date and cost of the property; the percentage of federal participation in the cost of the property; the location, use, and condition of the property; and any ultimate disposition data, including the date of disposal and sale price of the property. A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property.

When the grant has expired and original or replacement equipment obtained under the grant is no longer needed for the original project or for other activities currently or previously supported by a federal agency, disposition of the equipment shall be made as follows:

- Items of equipment with a current per-unit fair market value of less than \$5,000 may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.
- Items of equipment with a current per-unit fair market value in excess of \$5,000 may be retained or sold and the awarding agency shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's share of the equipment.

For more information, please see 28 C.F.R. Part 66.32 or 28 C.F.R. Part 70.34, as applicable.

## **Retention (For Hiring Grants Only)**

At the conclusion of 36 months of federal funding for each awarded officer position, your agency must implement its plan, submitted at the time of application, to retain the additional COPS-funded officer position(s) with state and/or local funds for a minimum of 12 months as required by Grant Condition #13 in this manual. If an agency is awarded several officer positions, the retention period for each individual officer position begins upon completion of 36 months of federal funding for each position (not based on the cumulative grant award end date). The additional officer positions should be added to your agency's law enforcement budget with state and/or local funds for at least 12 months, over and above the number of locally-funded officer positions that would have existed in the absence of the grant. If a position becomes vacant during the retention period, your agency must take active and timely steps consistent with its hiring policies and procedures to fill the position with a new, additional officer to complete the remainder of the 12-month retention period.

Absorbing TRGP-funded officers through attrition (rather than adding the extra positions to your budget with additional funding) does not meet the retention requirement.

If you have any questions regarding the retention requirement, please contact your COPS Grant Program Specialist at 800.421.6770 or via email at [AskCOPSRC@usdoj.gov](mailto:AskCOPSRC@usdoj.gov).



## VIII. Conclusion





## **VIII. CONCLUSION**

We hope that this manual has assisted you and your agency with your grant questions. We welcome and encourage any comments you have regarding the COPS Tribal Resources Grant Program and the materials we have developed for its administration. If you have specific comments regarding this manual, please send them to:

**U.S. Department of Justice  
Office of Community Oriented Policing Services (COPS)  
Attention: TRGP Control Desk  
1100 Vermont Avenue, N.W., 8th Floor  
Washington, DC 20530  
(For overnight delivery, please use 20005 as the ZIP Code)**

If you have any questions about your grant, please call your COPS Grant Program Specialist or the COPS Office Response Center at 800.421.6770.



## IX. Glossary of Terms

## IX. GLOSSARY OF TERMS

### **Allowable Costs**

Allowable costs are expenses that may be funded by this grant program. COPS TRGP provides funding for equipment, services, personnel, and other costs purchased or hired on or after the award start date. Upon review of your submitted budget, any unallowable costs were removed. The Financial Clearance Memorandum that was included in your award package outlined your allowable costs and noted any relevant revisions that were made to your original budget submission.

### **Audit**

This is work done by auditors, including both the Office of the Inspector General (OIG) and state or local auditors, to examine financial statements and to review: (a) compliance with laws and regulations; (b) economy and efficiency of operations; (c) effectiveness in achieving program results; and (d) allowability of costs claimed against the award.

### **Authorized Officials**

The authorized officials are the individuals in your organization who have final authority and responsibility for all programmatic and financial decisions regarding this grant award. At the time of application, your agency listed the law enforcement executive (usually the Chief of Police, Director of Public Safety, etc.) and the government executive (usually the Tribal Chief, Chairman, President, etc.) for your agency. These executives are listed on your Award Document and are understood to be your authorized officials. If any of the executive information is incorrect, please submit the correct information to the COPS Office by completing an official Change of Information form available online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

### **Award Start Date**

This is the date on or after which your agency is authorized to purchase or hire any allowable equipment, services, personnel, or other costs that were approved by the COPS Office. The award start date is found on your grant Award Document. *Grantees may not expend funds prior to this date without written approval from the COPS Office.*

### **Career Law Enforcement Officer**

The COPS statute defines a “career law enforcement officer” as a person hired on a permanent basis who is authorized by law, or by a state or local public agency, to engage in or oversee the prevention, detection, or investigation of violations of criminal laws.

### **Catalog of Federal Domestic Assistance (CFDA)**

The CFDA is an annual government-wide publication that contains a description and index of all forms of federal assistance. Each program is assigned a “CFDA number,” which is used by auditors to track grant revenues under the Single Audit Act. It is also used in participating states by State Single Points of Contact in conducting the required intergovernmental reviews under Executive Order 12372. The CFDA number for the COPS Tribal Resources Grant Program grant is 16.710.

### **Closeout**

This is the process in which the awarding agency, the COPS Office, determines that all applicable administrative actions and all required work and conditions of the award have been completed and met by the recipient and awarding agency.



### **Cognizant Federal Agency**

Your Cognizant Federal Agency is generally the federal agency that provides your agency with the most federal money. The Office of Management and Budget (OMB) may have already assigned your Cognizant Federal Agency to you. If this is the first federal grant that your organization has received, the U.S. Department of Justice (DOJ) is your Cognizant Federal Agency.

### **Community Oriented Policing**

Community policing is a philosophy that promotes organizational strategies, which support the systematic use of partnerships and problem-solving techniques, to proactively address the immediate conditions that give rise to public safety issues such as crime, social disorder, and fear of crime. All newly hired, additional or rehired officers (or an equal number of redeployed veteran officers) funded under COPS programs must engage in community policing activities.

### **COPS Finance Staff**

The COPS Finance Staff handles your agency's financial and budgetary needs related to this grant. A staff accountant has been assigned to your state and is available to answer any questions that you may have concerning the financial aspects of your grant. To identify your staff accountant, please call the COPS Office Response Center at 800.421.6770, or visit the COPS web site at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

### **COPS Office**

The Office of Community Oriented Policing Services (COPS) is the division of the U.S. Department of Justice that is the "grantor agency" for your grant. The COPS Office is responsible for assisting your agency with the administration and maintenance of your grant for the entire grant period. You can reach the COPS Office at 800.421.6770.

### **Data Universal Numbering System (DUNS) Number**

Since FY 2004, the Office of Management and Budget (OMB) has required all agencies applying for federal funding to obtain this number prior to application. The DUNS number is a unique nine-digit identification number that is assigned upon request to agencies by Dun & Bradstreet (D&B). This number will be used by the federal government to better track grant recipient information throughout the grant cycle and to provide consistent name and address data for electronic grant application systems. To obtain a DUNS number, visit the Dun & Bradstreet web site at [www.dnb.com](http://www.dnb.com) or call 866.705.5711.

### **Employer Identification Number (EIN) / OJP Vendor Number**

This number is usually your agency's nine-digit federal tax identification number as assigned to you by the Internal Revenue Service (IRS). Your accounting/bookkeeping department should have this number. In some cases, the EIN has been previously assigned to another agency within your jurisdiction. In this instance, a new vendor number will be assigned to you by the Office of the Chief Financial Officer. The newly assigned number is to be used for COPS administrative purposes only and should not be used for IRS purposes.

**Grant Monitoring Specialist**

Grant Monitoring Specialists are trained and available to assist you in addressing any compliance-related questions regarding your grant. Grant Monitoring Specialists plan and conduct site visits and office-based grant reviews. During the life of your grant, you may be randomly selected for a monitoring site visit to assess your compliance with the terms and agreements of the grant program, to review your community policing initiatives, and to provide technical and administrative support for your grant award. Please contact the COPS Office Response Center at 800.421.6770 if you have any compliance-related questions.

**Grant Number**

The grant number identifies your agency’s specific TRGP grant, and can be found on your grant Award Document. This number should be used as a reference when corresponding with the COPS Office. Your grant number is in the following format: 2009-HHWX-0000 for TRGP-Hiring grants and 2009-HEWX-0000 for TRGP-Equipment/ Training grants. The COPS Office tracks grant information based upon this number.

**Grant Program Specialist**

COPS Grant Program Specialists are trained to assist you with implementing and maintaining your grant. A Grant Program Specialist is assigned to your state, and is available to answer any questions that you may have concerning the administrative aspects of your grant. Your Grant Program Specialist can assist you with such matters as requesting an extension on your grant or modifying the grant award. To obtain the name and phone number of your Grant Program Specialist, please contact the COPS Office Response Center at 800.421.6770 or refer to the COPS website, [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

**Obligation of Funds**

The COPS Office obligates federal funds when the grant Award Document is signed by the COPS Director or his/her designated official. For the grantee, grant funds are obligated when monies are spent or orders are placed for approved items or incurring approved salaries and benefits under your grant. The term “encumbrance” is often used at the local and state levels to describe this type of transaction. Liquidated obligations are considered cash outlays or monies actually spent. Unliquidated obligations are obligations incurred and recorded but not yet paid (accrual basis of accounting) or not yet recorded and not yet paid (cash basis of accounting).

**Originating Agency Identifier (ORI) Number**

This number is assigned by the FBI, and it is your agency’s unique identifier. The first two letters are your state abbreviation, the next three numbers are your county’s code, and the final two numbers identify your jurisdiction within your county. If your agency does not have an ORI number assigned by the FBI, the COPS Office assigns a non-official ORI code to use as an agency identifier (in such cases, the last two digits will be “ZZ”). It can be found on your grant Award Document. When you contact the COPS Office with a question, please reference your ORI number (and/or your grant number).



### **The Public Safety Partnership and Community Policing Act of 1994**

The COPS Office is charged with fulfilling the mandates of this law. The purposes of the law are to:

- Increase the number of community policing officers on the beat
- Provide additional and more effective training to law enforcement officers to enhance their problem-solving, service, and other skills needed in interacting with members of the community
- Encourage the development and implementation of innovative programs to permit members of the community to assist law enforcement agencies in the prevention of crime
- Encourage the development of new technologies to assist law enforcement agencies in reorienting the emphasis of their activities from reacting to crime to preventing crime.

### **Supplanting**

For the purposes of your COPS grant, supplanting means replacing state, local, or Bureau of Indian Affairs funds which otherwise would have been spent on law enforcement purposes with federal COPS funds. State, local, and Indian tribal governments are prohibited from supplanting throughout the grant period. This means that your agency may not use COPS funds to pay for any equipment/technology, services, personnel, or other items which, in the absence of the COPS program, would otherwise have been funded with state and/or local funds, or funds supplied by the Bureau of Indian Affairs. COPS funds must instead be used to supplement, or increase, your law enforcement budget. For additional information on supplanting, please review Grant Condition #4 in this manual.



# Appendixes



## APPENDIXES

### Appendix A – List of Source Documents

#### A. Primary Sources

Public Safety Partnership and Community Policing Act of 1994, 42 U.S.C.

#### B. Secondary Sources

Code of Federal Regulations (CFR)/Office of Management and Budget (OMB):

4 CFR Parts 101-105, Department of Justice/Government Accountability Office, "Joint Federal Claims Collections Standards"

5 CFR Part 1320, "Controlling the Paperwork Burden on the Public"

5 CFR Part 151, "Political Activities of State and Local Officials or Employees"

28 CFR Part 23, "Criminal Intelligence Systems Operating Policies"

28 CFR Part 61, "Procedures for Implementing the National Environmental Policy Act"

28 CFR Part 66, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"

28 CFR Part 67, "Government-wide Requirements for Drug-Free Workplaces (Grants)"

28 CFR Part 69, "Government-wide New Restrictions on Lobbying"

28 CFR Part 70, "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations"

31 CFR Part 205, "Treasury Department Regulations Implementing for Cash Management Improvement Act of 1990"

2 CFR Part 220 (OMB Circular A-21), "Cost Principles for Educational Institutions"

OMB Circular A-33, "Audits of Educational Institutions"

2 CFR Part 225 (OMB Circular A-87), "Cost Principles for State and Local Governments"

2 CFR Part 230 (OMB Circular A-122), "Cost Principles for Non-Profit Organizations"

OMB Circular A-129, "Managing Federal Credit Programs"

OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations"

48 CFR Part 31.000, et seq. (FAR-31.2), "Cost Principles for Commercial Organizations"





Executive Orders:

Executive Order 12291, "Regulations"

Executive Order 12372, 28 CFR, Part 30 "Intergovernmental Review of Federal Programs"

Executive Order 12547, "Non-Procurement Debarments and Suspension"



## Appendix B – Assurances

Several provisions of federal law and policy apply to all grant programs. The Office of Community Oriented Policing Services needs to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at 800.421.6770.

By the applicant's authorized representative's signature, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal grant funds. In particular, the applicant assures us that:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.
  2. It will comply with the provisions of federal law, which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.
  3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.
  4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
  5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.
  6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of 28 CFR Part 66 and 28 CFR Part 70 (governing administrative requirements for grants and cooperative agreements); 2 CFR Part 225 (OMB Circular A-87), 2 CFR 220 (OMB Circular A-21), 2 CFR Part 230 (OMB Circular A-122) and 48 CFR Part 31.000, et seq. (FAR 31) (governing cost principles); OMB Circular A-133 (governing audits) and other applicable OMB circulars; the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 28 CFR Part 38.1; the current edition of the COPS Grant Monitoring Standards and Guidelines; the applicable COPS Grant Owner's Manuals; and with all other applicable program requirements, laws, orders, regulations, or circulars.
  7. If applicable, it will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.
  8. It will not, on the ground of race, color, religion, national origin, gender, disability or age, unlawfully exclude any person from participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789d); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); Title II, Subtitle A of the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101, et seq.); the Age Discrimination Act of 1975 (42 U.S.C. § 6101, et seq.); and Department of Justice Non-Discrimination Regulations contained in Title 28, Parts 35 and 42 (subparts C, D, E, G and I) of the Code of Federal Regulations.
- A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against the applicant after a due process hearing, it agrees to forward a copy of the finding to the Office for Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, D.C. 20531.
  - B. If your organization has received an award for \$500,000 or more and has 50 or more employees, then, it has to prepare an Equal Employment Opportunity Plan (EEOP) and submit it to the Office for Civil Rights ("OCR"), Office of Justice Programs, 810 7th Street, N.W., Washington, DC 20531, for review within 60 days of the notification of the award. If your organization received an award between \$25,000 and \$500,000 and has 50 or more employees, your organization still has to prepare an EEOP, but it does not have to submit the EEOP to OCR for review. Instead, your organization has to maintain the EEOP on file and make it available for review on request. In addition, your organization has to complete Section B of the Certification Form and return it to OCR. If your organization received an award for less than \$25,000; or if your organization has less than 50 employees, regardless of the amount of the award; or if your organization is a medical institution, educational institution, nonprofit organization or Indian tribe, then your organization is exempt from the EEOP requirement. However, your organization must complete Section A of the Certification Form and return it to OCR.
  9. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.
  10. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA.
  11. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.
  12. It will submit all surveys, interview protocols, and other information collections to the COPS Office for submission to the Office of Management and Budget for clearance under the Paperwork Reduction Act of 1995 if required.



- 13. It will comply with the Human Subjects Research Risk Protections requirements of 28 CFR Part 46 if any part of the funded project contains non-exempt research or statistical activities which involve human subjects and also with 28 CFR Part 22, requiring the safeguarding of individually identifiable information collected from research participants.
- 14. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.
- 15. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.
- 16. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of 12 months following expiration of the grant period.
- 17. It will not use any federal funding directly or indirectly to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law ratification, policy or appropriation whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy or appropriation as set forth in the Anti- Lobby Act, 18 U.S.C. 1913.
- 18. In the event that a portion of grant reimbursements are seized to pay off delinquent federal debts through the Treasury Offset Program or other debt collection process, it agrees to increase the non-federal share (or, if the awarded grant does not contain a cost sharing requirement, contribute a non-federal share) equal to the amount seized in order to fully implement the grant project.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

\_\_\_\_\_  
Signature of Law Enforcement Executive/Agency Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Government Executive/Financial Official

\_\_\_\_\_  
Date



## Appendix B – Certifications

### Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements; Coordination with Affected Agencies.

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your agency's certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 2 CFR Part 2867, "Nonprocurement Debarment and Suspension" 28 CFR Part 83 Government-Wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

#### 1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:

- A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions; and
- C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

#### 2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 CFR Part 2867, for prospective participants in primary covered transactions, as defined at 2 CFR Part 2867.20(a)-

- A. The applicant certifies that it and its principals:
  - (i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;
  - (ii) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery,

bribery, falsification or destruction of records, making false statements, tax evasion or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously and directly affects your present responsibility;

- (iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A)(ii) of this certification; and
  - (iv) Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default.
- B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application. Please check here  if an explanation is attached to this application.

#### 3. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, for grantees/recipients, as defined at 28 CFR Part 83.660 -

- A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:
  - (i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (ii) Establishing an on-going drug-free awareness program to inform employees about -
    - (a) The dangers of drug abuse in the workplace;
    - (b) The grantee's policy of maintaining a drug-free workplace;
    - (c) Any available drug counseling, rehabilitation and employee assistance programs; and
    - (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;
  - (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
  - (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -



- (a) Abide by the terms of the statement; and
- (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 1100 Vermont Ave., NW, Washington, D.C. 20530. Notice shall include the identification number(s) of each affected grant;
- (vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -
  - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;

- (vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v), and (vi).

**Grantee Agency Name and Address:**

- B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of performance (street address, city, county, state, zip code)

\_\_\_\_\_

\_\_\_\_\_

Check  if there are workplaces on file that are not identified here.

4. Coordination

The Public Safety Partnership and Community Policing Act of 1994 requires applicants to certify that there has been appropriate coordination with all agencies that may be affected by the applicant's grant proposal if approved. Affected agencies may include, among others, the Office of the United States Attorney, state or local prosecutors, or correctional agencies. The applicant certifies that there has been appropriate coordination with all affected agencies.

**Grantee Agency Name and Address:**

\_\_\_\_\_

\_\_\_\_\_

**Grantee IRS/ Vendor Number:** \_\_\_\_\_

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law.

I certify that the assurances provided are true and accurate to the best of my knowledge.

Elections or other selections of new officials will not relieve the grantee entity of its obligations under this grant.

Typed Name and Title of Law Enforcement Executive/Agency Executive:

\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Typed Name and Title of Government Executive/Financial Official:

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## **Appendix C: National Institute of Justice (NIJ) Bulletproof Vest Standards**

The following information was adapted from NIJ Guide 100-98, "Selection and Application Guide to Police Body Armor." The publication in its entirety may be requested from:

National Law Enforcement and Corrections Technology Center (NLECTC)  
2277 Research Boulevard  
Rockville, MD 20850  
800.248.2742

The publication may also be downloaded from the Center's website: [www.nlectc.org](http://www.nlectc.org).

"NIJ's policy on body armor has always been that preserving the life of the police officer is the sole criteria on which to judge body armor effectiveness. At present, an officer may select a garment that corresponds to an appropriate threat level and be confident that armor in compliance with NIJ's standard will defeat the stated threat level."

### **Type I (.22 LR; .38 Special)**

Type I body armor is light. This is the minimum level of protection every officer should have and the armor should be routinely worn at all times while on duty. Type I body armor was the armor issued during the NIJ demonstration project in the mid-1970's. Most agencies today, however, because of increasing threats, opt for a higher level of protection.

This armor protects against .22 Long Rifle High-Velocity lead bullets, with nominal masses of 2.6 g (40gr), impacting at a velocity of 320 m/s (1,050 ft/s) or less, and against .38 Special roundnose lead bullets, with nominal masses of 10.2 g (158 gr), impacting at a velocity of 259 m/s (850 ft/s) or less. It also provides protection against most other .25 and .32 caliber handgun rounds.

### **Type II-A (Lower Velocity .357 Magnum; 9mm)**

Type II-A body armor is well suited for full-time use by police departments, particularly those seeking protection for their officers from lower velocity .357 Magnum and 9mm ammunition.

This armor protects against .357 Magnum jacketed soft-point bullets, with nominal masses of 10.2 g (158 gr), impacting at a velocity of 381 m/s (1,250 ft/s) or less, and against 9mm full-metal jacketed bullets, with nominal masses of 8.0 g (124 gr), impacting at a velocity of 332 m/s (1,175 ft/s). It also protects against such threats as .45 Auto., .38 Special +P, and some other factory loads in caliber .357 Magnum and 9mm, as well as the Type I threats.

### **Type II (Higher Velocity .357 Magnum; 9mm)**

Type II body armor is heavier and more bulky than either Types I or II-A. It is worn full-time by officers seeking protection against higher velocity .357 Magnum and 9mm ammunition.

This armor protects against .357 Magnum jacketed soft-point bullets, with nominal masses of 10.2 g (158 gr), impacting at a velocity of 425 m/s (1,395 ft/s) or less, and against 9mm full-jacketed bullets, with nominal velocities of 358 m/s (1,175 ft/s). It also protects against most other factory loads in caliber .357 Magnum and 9mm, as well as the Type I and II-A threats.

### **Type III-A (.44 Magnum; Submachine Gun 9mm)**

Type III-A body armor provides the highest level of protection currently available from concealable body armor and is generally suitable for routine wear in many situations. However, departments located in hot, humid climates may need to evaluate the use of Type III-A armor carefully.

This armor protects against .44 Magnum lead semi-wadcutter bullets with gas checks, nominal masses of 15.55 g (240 gr), impacting at a velocity of 426 m/s (1,400 ft/s) or less. It also provides protection against most handgun threats, as well as the Type I, II-A and II threats.

### **Type III (High-powered Rifle)**

Type III body armor is clearly intended only for tactical situations when the threat warrants such protection, such as barricade confrontations involving sporting rifles.

This armor, normally of hard or semi-rigid construction, protects against 7.62 mm full-metal jacketed bullets (U.S. military designation M80), with nominal masses of 9.7 g (150 gr), impacting at a velocity of 838 m/s (2,750 ft/s) or less. It also provides protection against threats such as 223 Remington (5.56 mm FMJ), 30 Carbine FMJ, and 12-gauge rifled slug, as well as the Type I through III-A threats.

### **Type IV (Armor-piercing Rifle)**

Type IV body armor provides the highest level of protection currently available. Because this armor is intended to resist "armor piercing" bullets, it often uses ceramic materials. Such materials are brittle in nature and may provide only single-shot protection, since the ceramic tends to break up when struck. As with Type III armor, Type IV armor is clearly intended only for tactical situations when the threats warrant such protection.

This armor protects against .30-06 caliber armor-piercing bullets (U.S. military designation AMP2), with nominal masses of 10.8 g (166 gr), impacting at a velocity of 868 m/s (2,850 ft/s) or less. It also provides at least single-hit protection against the Type I through III threats.

### **Special Type**

A purchaser who has a special requirement for a level of protection other than one of the above standard threat levels should specify the exact test rounds and minimum impact velocities to be used and indicate that this standard shall govern in all other respects.



FOR MORE INFORMATION:

U.S. Department of Justice  
Office of Community Oriented Policing Services  
1100 Vermont Avenue, N.W.  
Washington, DC 20530

To obtain details on COPS programs, call the  
COPS Office Response Center at 800.421.6770

Visit COPS Online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

