2017 COPS Office Community Policing Development Program (CPD)

Award Owner's Manual

2017 COPS Office Community Policing Development Program (CPD) Award Owner's Manual

This manual was created to assist COPS Office Community Policing Development Program (CPD) recipients with the administrative and financial matters associated with their award.

For more information about your CPD award, please contact your COPS Office Program Manager. If you do not know the name or telephone number of your COPS Office Program Manager, please contact the COPS Office Response Center at 800-421-6770.

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Office of Community Oriented Policing Services
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Visit the COPS Office online: **www.cops.usdoj.gov**
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Getting Started

Congratulations on receiving an award from the US Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS Office). The 2017 COPS Office Community Policing Development Program(CPD) awards provide funding to advance the practice of community policing in law enforcement agencies through training and technical assistance, the development of innovative community policing strategies, applied research, guidebooks, and best practices that are national in scope. According to the COPS Office, community policing is a philosophy that promotes organizational strategies that 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. For a complete definition, please see the appendices in this manual addressing "Community policing defined."

This CPD Award Owner's Manual will assist your agency with the administrative and financial matters associated with your award. It was developed to ensure that all CPD award recipients are able to clearly understand and meet the requirements of their award. Please review this manual carefully because failure to follow award requirements can have serious ramifications. Please do not hesitate to call your COPS Office Program Manager through the COPS Office Response Center at 800-421-6770 if you need assistance with the implementation of your award.

Thank you for providing us with the opportunity to work in partnership with you on this important project.

I. Award Acceptance, Terms, and Conditions

To officially accept and begin your COPS Office CPD Program award, your agency must access **https://portal.cops.usdoj.gov**, to log in, review, and electronically sign the award document with the award terms and conditions; the financial clearance memorandum and, if applicable, the cooperative agreement that is incorporated by reference into the award document; and, if applicable, the special award conditions or high risk conditions in the award document supplement within 90 days of the date shown on the award congratulatory letter.

Your agency will **not** be able to draw down award funds until the COPS Office receives your signed award document. For more information on drawing down award funds, please see the section titled "Accessing Award Funds" in this manual.

The award document

The award document is the document indicating your official award funding amount, the award number, the award terms and conditions, and the award start and end dates. Please note that if your award includes a cooperative agreement, it is incorporated by reference into the award document and that by signing the award document, your agency has entered into the cooperative agreement with the COPS Office and agrees to abide by all the requirements in the cooperative agreement.

The award document is preprinted with your agency's law enforcement and government executives' names and addresses. For non–law enforcement agencies (institutions of higher education, private organizations, etc.), the authorized officials are the programmatic and financial officials who have the ultimate signatory authority to sign contracts on behalf of your organization. If this information is incorrect or has changed, please update your "Agency Contacts" online at **https://portal.cops.usdoj.gov**. If the law enforcement or government official has changed since the time of application, please have the current law enforcement executive or government executive for your agency sign the award document. Be sure to familiarize yourself with all terms, conditions, and requirements of your award before signing the award document. To officially accept your award, please electronically sign the award document within 90 days of the date shown on the award congratulatory letter. Print and retain a copy of all pages of the award document, award terms and conditions, the Financial Clearance Memorandum (FCM), and, if applicable, the cooperative agreement and the award document supplement for your records.

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 your CPD award is listed on your award document.

Your award number is in the following format: 2017-XXXX-XXXX for Fiscal Year (FY) 2017 awards. The COPS Office tracks award information based upon this number. Therefore, it is important to have your agency's award number (or your agency's ORI number) readily available when corresponding with the COPS Office.

Your originating agency identifier (ORI) number begins with your state abbreviation followed by five numbers 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 award information based upon this ORI number. If your agency does not have an ORI number assigned by the FBI, the COPS Office assigns a

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

Your Office of Justice Programs (OJP) vendor number, in most circumstances, is your agency's nine- or thirteen-digit federal tax identification number assigned to you by the Internal Revenue Service (IRS). 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 program, and should not be used for IRS purposes.

Award terms and conditions

The award terms and conditions are listed on your agency's award document. By accepting this award, you are obtaining federal funds from the COPS Office. As part of that agreement, your agency acknowledges that it will comply with these terms and conditions (and, if applicable, any additional special or high risk conditions specific to your agency). The section that follows describes, in detail, all of the award conditions, their rationales, and their implications. It also addresses many frequently asked questions. If you have additional questions concerning any of these award conditions, please contact your COPS Office Program Manager or call the COPS Office Response Center at 800-421-6770.

In limited circumstances, your award may be subject to special conditions that prevent your agency from drawing down or accessing award funds until the special conditions are satisfied as determined by the COPS Office. Any special or high risk conditions will be included in the award document supplement. However, if you have questions about the special or high risk conditions, please contact your assigned COPS Office Program Manager.

Reasons for award terms and conditions

The requirements of your CPD award are established within

- the Public Safety Partnership and Community Policing Act of 1994, which established the COPS Office;
- the applicable rules, regulations and policies issued by the US Department of Justice, Office of Management and Budget (OMB), the Government Accountability Office (GAO), and the United States Treasury;
- the specific CPD programmatic requirements established by the COPS Office.

A list of source documents for this manual is provided in the appendices. You may request copies of any source reference document from

Office of Administration, Publication Unit
New Executive Office Building
725 17th Street NW, Room G 236
Washington, D.C. 20503

COPS Office–specific documents may be requested directly from the COPS Office by calling your COPS Office Program Manager.

Review of award terms and conditions

By signing the Award Document to accept this Community Policing Development Program (CPD) award, your agency agrees to abide by the following award terms and conditions:

1. Award Owner's Manual

Condition:

The recipient agrees to comply with the terms and conditions in the applicable 2017 COPS Office Program Award Owner's Manual; COPS Office statute (42 U.S.C. §. 3796dd, et seq.); the requirements of 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) as adopted by the US Department of Justice in 2 C.F.R. § 2800.101; 48 C.F.R. Part 31 (FAR Part 31) as applicable (Contract Cost Principles and Procedures); the Cooperative Agreement as applicable; representations made in the 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 award. Your agency will be responsible for the information and rules contained in this manual and for implementing your award in compliance with the applicable terms, conditions, and regulations. Please note that in accordance with 2 C.F.R. § 200.101(c), the COPS Office applies 2 C.F.R. Subparts A through E to for-profit (or commercial) entities. More detailed guidance regarding any particular award requirement or your agency's specific circumstances can be requested through your COPS Office Program Manager.

What you should do:

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

2. Assurances and Certifications

Condition:

The recipient acknowledges its agreement to comply with the Assurances and Certifications forms that were signed as part of its application.

Why this condition:

Although the COPS Office has made every effort to simplify the process of applying for and receiving awards, several provisions of federal law require us to obtain the recipient's Assurances and Certifications regarding certain matters. Most of the Assurances and Certifications apply to all federal award programs.

What you should do:

Applicants to COPS Office award programs are required to sign the Assurances and Certifications forms at the time of application. Signing these documents assures the COPS Office that you have read, understood, and accepted the award terms and conditions outlined in the Assurances and Certifications. Please read these documents carefully,

because signatures on these documents are treated as a material representation of fact upon which reliance will be placed when the US Department of Justice determines whether to fund the covered award. Additional copies of the Assurances and Certifications forms are contained in the appendices of this manual. If you have any questions about the Assurances and Certifications, please contact your assigned COPS Office Program Manager via the COPS Office Response Center at 800-421-6770.

3. Allowable Costs

Condition:

The funding under this award is for the payment of approved costs for CPD purposes. The allowable costs approved for your agency's award are limited to those listed in the Financial Clearance Memorandum (FCM), which is included in your agency's award package. The FCM specifies the costs that your agency is allowed to fund with your award. It also describes any costs that were disallowed after review of your proposed budget. The recipient may not earn or keep any profit resulting from this award unless expressly authorized in writing by the COPS Office. Your agency may not use award funds for any costs not identified as allowable in the FCM.

Why this condition:

CPD funding may only be used to pay for items and services approved by the COPS Office as reflected in the Financial Clearance Memorandum (FCM). FY 2017 CPD funds must be used to advance the practice of community policing in law enforcement agencies through training and technical assistance, the development of innovative community policing strategies, applied research, guidebooks, and best practices that are national in scope. Please note that in accordance with 2 C.F.R. § 200.101(c), the COPS Office applies the cost principles set forth in 2 C.F.R. Part 200, Subpart E to for-profit (or commercial) entities instead of the Federal Acquisition Regulation (FAR) at 48 C.F.R. Subpart 31.2. In addition, in accordance with 2 C.F.R. § 200.400(g), the recipient may not earn or keep profit as a result of this award unless expressly authorized by the specific terms and conditions of your award.

To be eligible for payment under this award, the purchase of approved items must be made on or after the award start date and comply with the guidelines described in the section "Accessing Award Funds" in this manual. The section "Financial Record Maintenance" outlines the types of records you must keep to document that you followed this award condition. Purchases must also reflect the costs that were approved in the FCM.

What you should do:

Refer to your FCM for the list of approved allowable cost categories. Listed below are the budget categories that may appear on your FCM. If your agency's operating budget categories differ from those approved in the FCM, your agency should maintain a cross-reference to clearly identify where the funds were budgeted. As long as funds are spent during the award period on project costs that were documented in your application's budget summary and approved by the COPS Office through the issuance of the FCM, this award condition will be satisfied. The award number should be indicated on all budgetary documentation including purchase orders, receipts, and other documentation. All recipients should keep and maintain the most recent, approved version of their 2017 CPD application for future reference.

Personnel (salaries and benefits)

Personnel expenses may be reimbursed for project activities that take place on or after the award start date. In addition, a position's salary must be reasonable for the services rendered and must be paid to a person appointed under the law or rules governing hiring by your agency. Salary payments must be based on payroll records. Time and attendance records or the equivalent must support payroll records. For recipients that are state, local, or tribal government entities, award-funded salary and benefit costs must supplement, not supplant (replace), locally funded personnel costs that would have been funded even in the absence of this award. If any civilian personnel are employed on a part-time or temporary basis, your agency must specify the percentage of time that each person is working solely on the project identified in your agency's CPD proposal. Fringe benefits may be paid if they are part of a reasonable compensation package offered to your employees. Particular items of fringe benefits must fall within the categories authorized by the COPS Office. Authorized fringe benefits include FICA, Social Security, health insurance, life insurance, vacation, sick leave, retirement, worker's compensation, and unemployment insurance.

Equipment/Technology

To be eligible for payment under this award, the purchase of equipment and technology must occur on or after the award start date, the items must be those specifically applied for and approved by the COPS Office, and they must meet the guidelines described in 2 C.F.R. Part 200, Subpart E – Cost Principles. For recipients that are state, local, or tribal government entities, award-funded equipment and technology must supplement, not supplant (replace), locally funded items that would have been funded even in the absence of this award. Funds currently budgeted or obligated for the purchase of equipment and technology may not be reallocated to other purposes or reimbursed upon receiving the CPD award. Agencies should establish practices to receive, label, inventory and track the location of all purchases made for award-funded equipment and/or technology.

Supplies

All supplies must be solely used for the project identified in your project proposal. Reimbursements for office supplies that are consumed by routine administrative purposes instead of project-related activities are prohibited. Items must meet the guidelines described in 2 C.F.R. Part 200, Subpart E – Cost Principles.

Travel/Training

Travel costs for transportation, lodging, subsistence, temporary dependent care, and related items are allowable under the CPD program with prior approval from the COPS Office. In accordance with 2 C.F.R. § 200.474, travel costs for official business directly related to the award will be reimbursed based upon the recipient's written travel reimbursement policies if the costs are reasonable and allocable under the project. In the absence of an acceptable written policy regarding travel costs, allowable rates and amounts established by the US General Services Administration (GSA) for the relevant geographic area will apply. The current GSA travel policy and per diem rates can be found at **www.gsa.gov**.

Allowable airfare costs will be reimbursed based upon the least expensive unrestricted accommodations class offered by commercial airlines—for example, lowest discount commercial airfare, the Federal Government contract airfare (if authorized and available), or standard coach airfare—unless otherwise authorized in advance by the COPS Office.

Temporary dependent care costs above and beyond regular dependent care that directly results from conference travels are allowable as long as the costs incurred (1) are a direct result of the individual's travel for the federal award; (2) are consistent with the recipient's documented travel policy for all entity travel; and (3) are only temporary during the travel period.

The CPD program will fund award-related travel costs for the recipient agency or other (nonrecipient) individuals to attend training and technical assistance conferences, seminars, or classes or to visit a site specified in the application. Allowable award-related travel costs that were included in the application have been approved by the COPS Office as part of the CPD award and final budget. Your agency should keep timely and accurate records of all travel expenses. If at any time these costs change, you should immediately contact your COPS Office Program Manager.

Contracts/Consultants

Compensation for individual consultant services procured under a COPS Office award must be reasonable, allocable in accordance with 2 C.F.R. Part 200, Subpart E—Cost Principles, and consistent with rates paid for similar services in the marketplace. Unless otherwise approved by the COPS Office, consultant rates will be based on the salary a consultant receives from his or her primary employer, as applicable, up to $650 per day. For consultant or contractor rates which exceed $650 per day, the COPS Office requires written justification if the consultants or contractors are hired through a noncompetitive bidding process, and recipients must receive COPS Office approval of those rates before drawing down award funds. Determinations of approval will be made on a case-by-case basis.

Other costs

Project-related expenditures that do not conform to any of the category descriptions specified above are included in the "other costs" section of your FCM. In addition, items that have a direct correlation to the overall success of a recipient's project objectives and are necessary for the project to reach full implementation will be considered on a case-by-case basis by the COPS Office.

For recipients that are state, local, or tribal government entities, requests may be made only for items or positions that are not otherwise budgeted with state, local, or Bureau of Indian Affairs (BIA) funds and would not be funded in the absence of the CPD award.

If at any time you are unsure if an item is considered allowable or unallowable, please contact your COPS Office Program Manager for further assistance.

Indirect costs

Indirect (facilities and administrative, or F&A) costs are costs incurred for a common or joint purpose that are not readily assignable to a particular project but are necessary to the operation of the agency and the performance of the project. Indirect costs are allowable for this program, but must adhere to the standards set forth in the applicable Office of Management and Budget (OMB) guidance as stated in 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) as adopted by the US Department of Justice in 2 C.F.R. § 2800.101. Examples of indirect costs include those incurred for facility operation and maintenance, depreciation, and administrative salaries.

Indirect cost rates are federally negotiated and approved rates that are based on audited and documented expenses approved to be included within an indirect cost rate. It is important that your agency carefully track and update its indirect cost rate during the COPS Office award period.

The recipient understands that if it submitted an expired indirect cost rate agreement at the time of application, it will be unable to recover federal funds for indirect costs until the COPS Office receives a current indirect cost rate agreement covering the award period. A special condition may be added to the award prohibiting the obligation, expenditure, or drawdown of funds for reimbursement for indirect costs until a current indirect cost rate has been approved by your cognizant federal agency and submitted to the COPS Office.

If your agency's approved indirect cost rate expires during the award period, a current approved rate must be submitted to the COPS Office in order to continue to draw down award funding for indirect costs. Your expired rate must be renegotiated or extended by your cognizant federal agency. An approved indirect cost rate may be extended one time for up to four years, and once the cognizant federal agency has approved your extension, you must abide by that rate for the agreed-upon time period. At the end of the extension period, you must renegotiate a new indirect cost rate. Your agency must advise the COPS Office in writing of any changes to your approved indirect cost rate during the award period and must request a budget modification with the COPS Office to reflect any rate change.

If your agency has never received a negotiated indirect cost rate, then you may request a de minimis indirect cost rate of 10 percent of modified total direct costs (MTDC). See 2 C.F.R. § 200.414(f).

In addition, if a provisional indirect cost rate is in effect at award closeout, your agency shall proceed with closeout, but you will need to complete an expenditure analysis upon receipt of the approved final indirect cost rate to determine if an adjustment is necessary. If your agency drew down excess COPS Office funding for indirect costs, then your agency must return the overpayment to the COPS Office and submit a revised Federal Financial Report (SF-425). If your agency incurred additional indirect costs, then your agency may request a budget modification if the award is still open and award funds are available. If your agency returns or draws down COPS Office funding, then your agency will need to submit a revised final Federal Financial Report (SF-425).

See the COPS Office website for a fact sheet on indirect costs:

https://cops.usdoj.gov/pdf/2017AwardDocs/cpd/Indirect_Cost_Rate_Fact_Sheet.pdf.

Please be advised that recipients may not use COPS Office funding for the same item or service also funded by another US Department of Justice award.

See also award condition on "Duplicative Funding."

4. Supplementing, Not Supplanting

Condition:

State, local, and tribal government recipients must use award funds to supplement, and not supplant, state, local, or Bureau of Indian Affairs (BIA) funds that are already committed or otherwise would have been committed for award purposes (hiring, training, purchases, and/or activities) during the award period. In other words, state, local, and tribal government recipients may not use COPS Office funds to supplant (replace) state, local, or BIA funds that would have been dedicated to the COPS Office-funded item(s) in the absence of the COPS Office award (42 U.S.C. § 3796dd-3(a)).

Why this condition:

The COPS Office statutory nonsupplanting requirement mandates that award funds not be used to replace state or local funds (or, for tribal recipients, BIA funds) that would, in the absence of federal aid, be made available for the award purposes.

What you should do:

For state, local, and tribal recipients, CPD funds may not be used to pay for any item or cost funded under the award (equipment, personnel, training, etc.) if that item or cost was otherwise budgeted with state, local, or BIA funds. In addition, recipients may not reallocate state, local, or BIA funds from one area within the recipient's operating budget to another as a result of receiving CPD award funds. If you have questions concerning this award term and how it pertains to your project budget, please contact your COPS Office Program Manager.

5. Extensions

Condition:

Your agency may request an extension of the award period to receive additional time to implement your award program. Such extensions do not provide additional funding. Only those recipients 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.

Why this condition:

Under federal regulations, requests to extend the 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 award end date. When justified, the COPS Office will seek to accommodate reasonable requests for no-cost time extensions to fully implement the COPS Office award.

What you should do:

The COPS Office will contact your agency during the last quarter of the award period to determine whether a no-cost time extension is needed. Requests to extend the award period must be received by the COPS Office before the official award end date. Failure to submit a request for a no-cost time extension before the award end date may result in the immediate deobligation of any remaining award funds. Please note that the project period of performance will be extended, if necessary, until the deliverable is considered final. If the award is set to expire, prior to the final approval of the deliverable, a no-cost extension will be executed for a reasonable amount of time for the recipient to complete the final deliverable.

6. Modifications

Condition:

Award modifications under the CPD program are evaluated on a case-by-case basis in accordance with 2 C.F.R. § 200.308. For federal awards in excess of $150,000, any modification request involving the reallocation of funding between budget categories that exceed or are expected to exceed 10 percent (10%) of the total approved budget

requires prior written approval by the COPS Office. Regardless of the federal award amount or budget modification percentage, any reallocation of funding is limited to approved budget categories. In addition, any budget modification that changes the scope of the project requires prior written approval by the COPS Office.

Why this condition:

The COPS Office realizes that agencies may need to reprogram award 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. Under federal regulations, you are required to expend federal funds only as approved in the FCM. Requests to change or alter an award that meet certain threshold requirements must be submitted to the COPS Office for written approval, prior to their purchase or implementation. Without prior written approval, you must continue to implement your award as it was originally outlined and accepted by your agency. Reprogrammed funds must be allocated for items covered within the original scope of the award. Please be advised that reprogramming requests for unallowable costs will not be approved.

Your agency may reprogram its budget up to an aggregate (over the course of your project) of 10 percent of the total project cost without prior written approval from the COPS Office. However, you should notify your COPS Office Program Manager of any reprogramming that falls below the 10 percent threshold as well. For awards in excess of $150,000, any reprogramming of funds that totals an aggregate of 10 percent or more of the approved budget requires prior written approval from the COPS Office.

What you should do:

You are required to notify your COPS Office Program Manager if you determine that your agency will need to reprogram award funds. If your modification exceeds an aggregated (over the course of your project) 10 percent of your overall award, your agency must access **https://portal.cops.usdoj.gov**.

Please contact your COPS Office Program Manager for 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 of our decision in writing. Implementation of the modified award budget may begin following written approval from the COPS Office. Please note that modification approvals for active awards will be accompanied by a modified FCM reflecting the approved changes.

7. Evaluations

Condition:

The COPS Office may conduct monitoring or sponsor national evaluations of its award programs. The recipient 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 which 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 CPD award. COPS Office 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 award activities. You should fully comply with any requests made regarding these evaluations.

8. Reports/Performance Goals

Condition:

To assist the COPS Office in monitoring and tracking the performance of your award, your agency will be responsible for submitting quarterly programmatic progress reports that describe project activities during the reporting period and quarterly Federal Financial Reports using Standard Form 425 (SF-425). The progress report is used to track your agency's progress toward implementing community policing strategies and to collect data to gauge the effectiveness of increasing your agency's community policing capacity through COPS Office funding.

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 must 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 recipients.

What you should do:

This award condition is designed to make your agency aware of reporting requirements associated with CPD awards. Quarterly programmatic progress reports and a final programmatic closeout report must be submitted directly to the COPS Office through the "Account Access" tab on the COPS Office website at **https://cops.usdoj.gov**. Your agency is also required to submit quarterly Federal Financial Reports using Standard Form 425 (SF-425) within 30 days after the end of each calendar quarter. A final SF-425 will be due within 90 days after the end of the award period. This report reflects the actual cumulative federal expenditures incurred during the funding period, and the remaining unobligated balance of federal funds. Under federal regulations, your agency is not permitted to draw down federal funding for costs incurred after the official award end date; however, you will have a 90-day grace period after the award end date during which you can drawdown funds for eligible expenditures incurred before the award end date. Agencies with more than one delinquent programmatic or financial report submission per fiscal year may be subject to delays in receiving reimbursement for allowable expenses and may be required to receive technical assistance to improve compliance with reporting. These reports are discussed in greater detail in the section titled "Reports" in this manual. All reports should be submitted within the deadlines given to avoid suspension or possible termination of award funds or other remedial actions; failure to submit required reports may also impact future funding opportunities.

9. Award Monitoring Activities

Condition:

Federal law requires that recipients receiving federal funding from the COPS Office must be monitored to ensure compliance with their award 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 award implementation—compliance and programmatic benefits—are part of the monitoring process coordinated by the US Department of Justice. Award monitoring activities conducted by the COPS Office include site visits, office-based grant reviews, alleged noncompliance reviews, financial and programmatic reporting, and audit resolution. As a COPS Office award recipient, you agree to cooperate with and respond to any requests for information pertaining to your award.

Why this condition:

The Public Safety Partnership and Community Policing Act of 1994 states that each award program must contain a monitoring component. The COPS Office actively monitors how recipients are complying with COPS Office award requirements. In addition, the monitoring component provides customer service and technical assistance to help ensure recipients understand how to remain in compliance while implementing their awards.

What you should do:

Your agency may be required to accommodate routine and nonroutine efforts by the COPS Office, or an entity designated by the COPS Office, to examine your agency's use of federal funds both programmatically and financially. The four primary means of ensuring recipients' compliance with the terms and conditions of their awards are as follows:

1. **Site visits.** The COPS Office strategically selects award recipients based on a variety of risk factors to conduct site visits to ensure compliance with award terms and conditions. The purpose of site visits is threefold:
   i. To review for compliance with the terms and conditions of the award
   ii. To review the recipient's community policing strategies
   iii. To provide customer service and technical assistance

   If selected, recipients will be notified in writing in advance with detailed instructions for how to prepare for the review of their COPS Office awards. This review is generally performed over a period of one or more days. Recipients will have an opportunity to resolve any identified noncompliance issues while on-site or, if necessary, following the site visit. In addition, recipients will also have an opportunity to seek customer service and/or technical assistance on the implementation of their award.

2. **Enhanced Office-Based Grant Reviews (EOBGR).** In lieu of a site visit, awards may be selected for an EOBGR conducted at the COPS Office via teleconference or video conference. EOBGRs serve as an alternative for conducting award monitoring reviews in support of the COPS Office's overall award monitoring strategy. The purpose of the EOBGR is threefold:
   i. To review for compliance with the terms and conditions of the award
   ii. To review the recipient's community policing strategies
   iii. To provide customer service and technical assistance

If selected, the recipient will be notified in writing in advance of any EOBGR of its COPS Office awards. This review is generally performed over a one- to two-day period. Recipients will have an opportunity to resolve any identified noncompliance issues, if necessary, following the EOBGR interview. In addition, award recipients will also have an opportunity to seek customer service and/or technical assistance on the implementation of their award.

3. **Alleged Noncompliance Referral (ANCR).** An ANCR is an allegation of suspected noncompliance that originates from an internal source within the COPS Office or an external referral from one of many sources. Internal ANCRs generally originate from COPS Office Grants Administration Division, COPS Office Finance Division, or the COPS Office Legal Division, although any COPS Office component may refer a noncompliance issue to the ANCR. External noncompliance referrals may be received from anonymous complainants, media, citizens, law enforcement agencies, other Federal agencies, or other outside sources. On a case-by-case basis, COPS Office ANCR staff members determine the appropriate course of action to take to investigate complaints of alleged noncompliance. This may include phone or letter contact or a site visit by COPS Office staff or the OIG. Each ANCR referral is resolved as a violation or nonviolation based upon the preponderance of the supporting documentation or other facts to determine if the award recipient is in compliance or noncompliance.
4. **Audit liaison.** The OIG may conduct a random audit for any recipient of a COPS Office award. In the event your agency has undergone an OIG audit and there are audit recommendations (findings) resulting from noncompliance or poor accountability practices, the COPS Office Audit Liaison Section will work with your agency to resolve and close these recommendations. Remedies to close recommendations may include repayment of award funds, providing adequate documentation to demonstrate compliance, or providing proof of policies or procedures that were created or revised to directly address the causes for the noncompliance as a proactive preventative measure to avoid future noncompliance.

Recipients are responsible for remedying any award noncompliance that is identified during site visits, EOBGRs, and/or ANCRs. In addition, recipients are responsible for remedying noncompliance stemming from audit recommendations identified in audits of COPS Office awards conducted by the OIG and the Office of the Chief Financial Officer (OCFO). Remedies for noncompliance may include but are not limited to repayment of award funds for unallowable or unsupported costs, providing adequate documentation to demonstrate compliance, suspending active award funding, voluntary withdrawal from or involuntary termination of remaining award funds, or a restriction from receiving future COPS Office awards for a period of time. Under certain conditions, additional actions may include referral and placement on the US Department of Justice's High Risk List, which will include mandatory completion of the Office of Justice Programs Financial Management Training and being subject to increased monitoring of current and future awards while on the list. In the event of criminal misuse of award funds, recipients may also be subject to fines and imprisonment. To avoid findings of noncompliance, recipients are strongly encouraged to become familiar with the COPS Office Grant Monitoring Division's Grant Monitoring Standards and Guidelines and Award Owner's Manual for the year in which the award was made. Recipients should also contact their COPS Office Program Manager at any time during the life of a COPS Office award with questions concerning award conditions, terms, or requirements to seek guidance to avoid noncompliance. It is necessary for recipients to maintain all relevant documentation (administrative, financial, and programmatic) used to develop the application and implement the award that may be necessary or required to demonstrate award compliance. For more information, please contact the COPS Office Response Center at 800-421-6770 or at AskCopsRC@usdoj.gov.

10. Federal Civil Rights

Condition:

As a condition of receipt of federal financial assistance, you acknowledge and agree that you will not (and will require any subrecipient, contractors, successors, transferees, and assignees not to), on the grounds of race, color, religion, national origin, sex, or disability 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. You will also not discriminate in the delivery of benefits or services based on age. These civil rights requirements are found in the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789d); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101); Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681); and the corresponding US Department of Justice regulations implementing those statutes at 28 C.F.R. Part 42 (subparts C, D, E, G, and I). You also agree to comply with Executive Order 13279, as amended by Executive Order 13559, and the implementing regulations at 28 C.F.R Part 38, Partnerships With Faith-Based and Other Neighborhood Organizations, which requires equal treatment of religious organizations in the funding process and prohibits religious discrimination against beneficiaries.

Why this condition:

In establishing financial assistance programs, Congress linked the receipt of federal funding to compliance with federal civil rights laws. As a result, recipients are required to comply with the civil rights requirements found in the nondiscrimination provisions referenced above. A hold may be placed on your award if it is deemed that your agency is not in compliance with federal civil rights laws or is not cooperating with an ongoing federal civil rights investigation. If a hold is placed on your award, you will not be able to obligate or draw down federal funds under your agency's COPS Office award until you comply with federal civil rights laws or cooperate with any ongoing federal civil rights investigation.

What you should do:

Included with your award package is a memorandum from the Office for Civil Rights, Office of Justice Programs, US Department of Justice, which addresses the federal civil rights statutes and regulations applicable to your award. You should review this memorandum to understand your agency's civil rights responsibilities.

As a recipient of federal financial assistance from the COPS Office, you are required to comply with the applicable federal civil rights laws, to collect data and information sufficient to permit effective enforcement of such laws, and to cooperate with any federal civil rights investigation, which includes providing access to records, accounts, documents, information, facilities, and staff.

11. Equal Employment Opportunity Plan (EEOP)

Condition:

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 (28 C.F.R. Part 42 subpart E).

Why this condition:

It is the experience of the US Department of Justice in implementing its responsibilities under the Omnibus Crime Control and Safe Streets Act of 1968 (Safe Streets Act), the statute that established the COPS Office, that "the full and equal participation of women and minority individuals in employment opportunities in the criminal justice system is a necessary component to the Safe Streets Act's program to reduce crime and delinquency in the United States" 28 C.F.R. § 42.301. The Equal Employment Opportunity Plan (EEOP) does not impose quotas or hiring requirements on recipients of federal funds.

What you should do:

The obligations to comply with the EEOP requirement differ depending on your organization's legal status, the number of its employees, and the amount of the award. If your organization is a government agency or private business and has received a single award for $25,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report and submit it to the Office for Civil Rights (OCR) within 120 days from the date of the award. Although the OCR has discretion to review all submitted Utilization Reports, it will review the Utilization Reports from recipients that receive an award of $500,000 or more.

To begin developing a Utilization Report, please consult the OCR's website at **https://www.ojp.usdoj.gov/about/ocr/eeop.htm** and click EEOP Reporting Tool Login. Additional assistance can be found online at the bottom of the same webpage by clicking the EEO Reporting Tool Job Aid and Frequently Asked Questions.

If your organization has less than fifty employees or receives an award of less than $25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, however, your organization must certify that it is exempt by logging into the EEO Reporting Tool on the OCR website at **https://www.ojp.usdoj.gov/about/ocr/eeop.htm**, providing the contact and organizational profile information, and then submitting a Certificate of Exemption.

If you have further questions regarding the EEOP requirements, you may contact an EEOP specialist at the OCR by telephone at 202-307-0690, by TTY at 202-0307-2027, or by e-mail at **EEOPforms@usdoj.gov**.

12. False Statements

Condition:

False statements or claims made in connection with COPS Office awards may result in fines, imprisonment, debarment from participating in federal awards 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 award documents.

What you should do:

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

13. Duplicative Funding

Condition:

The recipient understands and agrees to notify the COPS Office if it receives, from any other source, funding for the same item or service also funded under this award.

Why this condition:

This award was made to your agency for approved project costs that are not funded with other funds, including federal, state, local, tribal, or BIA funds. Consequently, your agency may not use this funding for items or services that you already have funding for from other sources.

What you should do:

If your agency receives funding from another source for the same item(s) or services(s) also funded under this award, please contact your COPS Office Program Manager or call the COPS Office Response Center at 800-421-6770. If necessary, the COPS Office will work with your agency to reprogram funding for items or services that are allowable under this award program.

14. Additional High-Risk Recipient Requirements

Condition:

The recipient agrees to comply with any additional requirements that may be imposed during the award performance period if the awarding agency determines that the recipient is a high-risk recipient (2 C.F.R. § 200.207).

Why this condition:

In accordance with 2 C.F.R. § 200.207, the DOJ may impose additional requirements specific to your award, as needed, when it determines that there is unsatisfactory performance, financial or administrative instability, noncompliance with award terms and conditions, or other lack of responsibility risk factors. In such cases, the DOJ may impose special conditions or restrictions that may include requiring the production of documentation, financial award administration training, on-site monitoring, prior approval for expenditure of funds, quarterly progress reports, separate bank accounts, or other requirements.

What you should do:

In order to obtain a COPS Office award, recipients must agree to comply with any additional requirements that may be imposed during the award performance period if the awarding agency determines that the recipient is a high-risk recipient.

15. System for Award Management (SAM) and Universal Identifier Requirements

Condition:

The Office of Management and Budget requires federal agencies to include the following standard award term in all awards and cooperative agreements made on or after October 1, 2010:

I. SYSTEM FOR AWARD MANAGEMENT AND UNIVERSAL IDENTIFIER REQUIREMENTS

A. *Requirement for System for Award Management*
   Unless you are exempted from this requirement under 2 C.F.R. 25.110, you as the recipient must maintain the currency of your information in the SAM until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. *Requirement for unique entity identifier*
   If you are authorized to make subawards under this award, you:
   1. *Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its unique entity identifier to you.*
   2. *May not make a subaward to an entity unless the entity has provided its unique entity identifier to you.*

C. *Definitions*
   For purposes of this award term:
   1. *System for Award Management (SAM) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the SAM Internet site (currently at* ***http://www.sam.gov****).*
   2. *Unique entity identifier means the identifier required for SAM registration to uniquely identify business entities.*
   3. *Entity, as it is used in this award term, means all of the following, as defined at 2 C.F.R. part 25, subpart C:*
      a. *A Governmental organization, which is a State, local government, or Indian Tribe;*
      b. *A foreign public entity;*
      c. *A domestic or foreign nonprofit organization;*
      d. *A domestic or foreign for-profit organization; and*
      e. *A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.*
   4. *Subaward*:
      a. *This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.*
      b. *The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see 2 C.F.R. 200.330).*
      c. *A subaward may be provided through any legal agreement, including an agreement that you consider a contract.*
   5. *Subrecipient means an entity that:*
      a. *Receives a subaward from you under this award; and*
      b. *Is accountable to you for the use of the Federal funds provided by the subaward.*

Why this condition:

The purpose of this standard award term is to ensure government-wide uniformity in establishing the DUNS number as the universal identifier for federal financial assistance applicants, as well as recipients and their direct subrecipients (if applicable) and to establish the SAM as the repository for standard information about applicants and recipients.

What you should do:

At the time of award application, your agency was required to provide its DUNS number and be registered in the SAM database.

Your agency should continue to use the same DUNS number provided in your award application and update, as needed, the information associated with that DUNS number. If your agency is authorized to make subawards under its award, your agency may make subawards only to entities that have DUNS numbers. For more information about your DUNS number, please contact D&B using the toll-free number 866-705-5711 or visit **fedgov.dnb.com/webform**.

Your agency must maintain active registration and current information in the SAM until you submit the final financial report or receive the final payment under your award, whichever is later. **Your agency must review and update its SAM information at least once per year to maintain an active registration status.** For more information about SAM registration, please visit **www.sam.gov**.

16. Reporting Subawards and Executive Compensation

Condition:

The Office of Management and Budget requires federal agencies to include the following standard award term in all awards and cooperative agreements made on or after October 1, 2010:

I. Reporting Subawards and Executive Compensation.

- *A. Reporting of first-tier subawards.*
  - *1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).*
  - *2. Where and when to report.*
    - *a. You must report each obligating action described in paragraph a.1. of this award term to **http://www.fsrs.gov**.*
    - *b. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)*
  - *3. What to report. You must report the information about each obligating action that the submission instructions posted at **http://www.fsrs.gov** specify.*
- *B. Reporting Total Compensation of Recipient Executives.*
  - *1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if—*
    - *i. the total Federal funding authorized to date under this award is $25,000 or more;*
    - *ii. in the preceding fiscal year, you received—*
      - *(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and*

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

*iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the US Security and Exchange Commission total compensation filings at **http://www.sec.gov/answers/execomp.htm**.)*

2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:

*i. As part of your registration profile at **https://www.sam.gov**.*

ii. By the end of the month following the month in which this award is made, and annually thereafter.

C. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if—

i. in the subrecipient's preceding fiscal year, the subrecipient received—

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

*ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the US Security and Exchange Commission total compensation filings at **http://www.sec.gov/answers/execomp.htm**.)*

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

D. Exemptions

If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report:

i. Subawards,

and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

E. Definitions. For purposes of this award term:

1. *Entity means all of the following, as defined in 2 CFR part 25:*
    - *i. A Governmental organization, which is a State, local government, or Indian tribe;*
    - *ii. A foreign public entity;*
    - *iii. A domestic or foreign nonprofit organization;*
    - *iv. A domestic or foreign for-profit organization;*
    - *v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.*
2. *Executive means officers, managing partners, or any other employees in management positions.*
3. *Subaward:*
    - *i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.*
    - *ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. __ .210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").*
    - *iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.*
4. *Subrecipient means an entity that:*
    - *i. Receives a subaward from you (the recipient) under this award; and*
    - *ii. Is accountable to you for the use of the Federal funds provided by the subaward.*
5. *Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):*
    - *i. Salary and bonus.*
    - *ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.*
    - *iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.*
    - *iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.*
    - *v. Above-market earnings on deferred compensation which is not tax-qualified.*
    - *vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.*

Why this condition:

To further federal spending transparency, the Federal Funding Accountability and Transparency Act of 2006 (FFATA) requires, among other things, that information on federal awards (federal financial assistance and expenditures) be made available to the public via a single, searchable website, which is **www.USASpending.gov**. Recipients are responsible for reporting their applicable executive compensation and subaward information, and the award term provides guidance to report the related information as required by FFATA.

What you should do:

At the time of award application, your agency was asked to ensure that it has the necessary processes and systems in place to comply with the applicable subaward and executive compensation reporting requirements should it receive funding. If your agency received awards of $25,000 or more, you are required to report award information on any first-tier subawards totaling $25,000 or more, and, in certain cases, to report information on the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients. The FFATA Subaward Reporting System (FSRS), accessible via the website at **www.fsrs.gov**, is the reporting tool that your agency will use to capture and report subaward information and any executive compensation data required by FFATA. The subaward information entered in FSRS will then be displayed on **www.USASpending.gov** associated with your agency's award, furthering federal spending transparency.

For additional information regarding the executive compensation and subaward reporting requirements, please see Vol. 75, No. 177 (September 14, 2010) of the Federal Register, **www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf**.

17. Debarment and Suspension

Condition:

The recipient agrees not to award federal funds under this program to any party which is debarred or suspended from participation in Federal assistance programs.

Why this condition:

Under federal regulations, recipients are required to ensure that federal funds are not given to parties that are debarred or suspended from participation in federal assistance programs. This is to protect the public interest and to ensure proper management and integrity in federal activities by conducting business only with responsible parties. For details regarding the debarment and suspension requirements, please see 2 C.F.R. Part 180 (Government-wide Debarment and Suspension), and 2 C.F.R. Part 2867 (DOJ-specific requirements.)

What you should do:

If under a COPS Office award you enter into a contract for goods or services for $25,000 or more or any subaward, you must verify that the vendor or subrecipient and their respective principals (e.g., owners, top managers) with whom you intend to do business are not excluded or disqualified from participation in federal assistance programs. In addition, you must include a term or condition in the contract or subaward requiring the vendor or subrecipient to comply with subpart C of the OMB guidance in 2 C.F.R. Part 180 (Government-wide Debarment and Suspension) and subpart C of 2 C.F.R. Part 2867 (DOJ-specific requirements).

18. Employment Eligibility

Condition:

The recipient 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.

19. Whistleblower Protection

Condition:

The recipient agrees not to discharge, demote, or otherwise discriminate against an employee as reprisal for the employee disclosing information that he or she reasonably believes is evidence of gross mismanagement of a federal contract or award, a gross waste of federal funds, an abuse of authority relating to a federal contract or award, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or award. The recipient also agrees to provide to their employees in writing (in the predominant native language of the workforce) of the rights and remedies provided in 41 U.S.C. § 4712. Please see appendices for a full text of the statute.

Why this condition:

Under "Enhancement of contractor protection from reprisal for disclosure of certain information" (41 U.S.C. § 4712), recipients are prohibited from taking reprisal actions against employees for certain whistleblowing activities in connection with federal awards and contracts. The law protects the public interest and ensures the proper management and use of federal funds.

What you should do:

The recipient must not take reprisal actions against an employee for disclosing misconduct under federal contracts and awards to certain persons and entities.

The recipient is prohibited from discharging, demoting, or otherwise discriminating against an employee as reprisal for disclosing information that he or she reasonably believes is evidence of

- gross mismanagement of a federal contract or award;
- a gross waste of federal funds;
- an abuse of authority relating to a federal contract or award;
- a substantial and specific danger to public health or safety; or
- a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or award.

In addition, the disclosure must also have been made to

- a member of Congress or a representative of a committee of Congress;
- an inspector general;
- the Government Accountability Office;
- a federal employee responsible for contract or award oversight or management at the relevant agency;
- an authorized official of the US Department of Justice or other law enforcement agency;
- a court or grand jury; or
- a management official or other employee of the contractor, subcontractor, or recipient who has the responsibility
- to investigate, discover, or address misconduct.

An employee is deemed to have made a protected disclosure if he or she initiates or provides evidence of misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a federal contract or award.

The recipient must inform its employees in writing, in the predominant language of the workforce, of employee whistleblower rights, protections, and remedies under 41 U.S.C. § 4712.

Please see the appendices in the manual addressing Whistleblower Protection for a full text of the "Enhancement of contractor protection from reprisal for disclosure of certain information" (41 U.S.C. § 4712).

20. Mandatory Disclosure

Condition:

Recipients and subrecipients must timely disclose in writing to the COPS Office or pass-through entity, as applicable, all federal criminal law violations involving fraud, bribery, or gratuity that may potentially affect the awarded federal funding. Failure to make required disclosures can result in any of the remedies, including suspension and debarment, described in 2 C.F.R. § 200.338.

Why this condition:

Federal regulations require recipients and subrecipients to report all federal violations involving fraud, bribery, or gratuity that may affect the awarded federal funds. This condition advises your agency of the requirement and the consequences of failing to report such violations to the COPS Office or pass-through entity.

What you should do:

Ensure that you timely report in writing to the COPS Office or pass-through entity all federal violations involving fraud, bribery, or gratuity that may affect your federal award.

21. Conflict of Interest

Condition:

Recipients and subrecipients must disclose in writing to the COPS Office or pass-through entity, as applicable, any potential conflict of interest affecting the awarded federal funding in accordance with 2 C.F.R. § 200.112.

Why this condition:

Recipients and subrecipients are required to use federal funding in the best interest of their award program. Any decisions related to these funds must be free of hidden personal or organizational conflicts of interest, both in fact and in appearance.

This means that recipients and subrecipients should not participate in any award-related decisions or recommendations that involve any of the following people or groups:

- an immediate family member
- a partner
- an organization in which they are serving as an officer, director, partner, or employee
- any person or organization with whom they are negotiating or who has an arrangement concerning prospective employment, has a financial interest, or for other reasons can have less than an unbiased transaction with the recipient or subrecipient

This also means that recipients and subrecipients should avoid any action which might result in or create the appearance of

- using your official position for private gain;
- giving special treatment to any person;
- losing complete independence or objectivity;
- making an official decision outside official channels; or
- affecting negatively the confidence of the public in the integrity of the Federal Government or the program.

What you should do:

Ensure that you report in writing to the COPS Office or pass-through entity, as applicable, any potential conflict of interest that may affect your federal award.

22. Contract Provision

Condition:

All contracts made by the award recipients under the federal award must contain the provisions required under 2 C.F.R. Part 200, (Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards). Please see appendices in the Award Owner's Manual for a full text of the contract provisions.

Why this condition:

Federal regulations require recipients and subrecipients to comply with the necessary contract provisions in order to standardize and strengthen oversight of all contracts made under federal awards. This provision protects the public interest and ensures the proper management and use of federal funds as it relates to contracts entered into by the recipient.

What you should do:

The recipient should review all contracts made under the federal award to ensure that they contain the provisions required under *2 C.F.R. Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards* in the appendices of this manual.

23. Restrictions on Internal Confidentiality Agreements

Condition:

No recipient or subrecipient under this award, or entity that receives a contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts the lawful reporting of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

Why this condition:

Under section 743 of Division E, Title VII, of the Consolidated Appropriations Act, 2017 (Pub. L. 115-31), neither the recipient, subrecipient, nor any entity that receives a contract or subcontract with any funds under this or any other Act may require its employees or contractors to sign an internal confidentiality agreement or statement prohibiting or otherwise restricting their lawful reporting of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency. This provision protects the public interest and ensures the proper management and use of federal funds. This limitation is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

What you should do:

In accepting this award, the recipient

- represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above;
- represents that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict) reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the agency making this award, and will resume such obligations only if expressly authorized to do so by that agency.

If the recipient does or is authorized to make subawards or contracts under this award, in accepting, the recipient

- represents that it has or will determine that no other entity that the recipient proposes may or will receive award funds (whether through a subaward, contract, or subcontract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above;
- represents that it has or will make appropriate inquiry, or otherwise has an adequate factual basis, to support this representation;
- represents that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict) reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

24. Recipient Integrity and Performance Matters.

Condition:

The Office of Management and Budget requires federal awarding agencies to include the following standard award term in all awards over $500,000 made on or after January 1, 2016:

A. Reporting of Matters Related to Recipient Integrity and Performance

1. General Reporting Requirement

If the total value of your currently active awards, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2. of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available.

2. Proceedings About Which You Must Report

Submit the information required about each proceeding that:

a. Is in connection with the award or performance of an award, cooperative agreement, or procurement contract from the Federal Government;

b. Reached its final disposition during the most recent five year period; and

c. Is one of the following:

(1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5. of this award term and condition;

(2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more;

(3) An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or

(4) Any other criminal, civil, or administrative proceeding if:

i. It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition;

ii. It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and

iii. The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations.

3. Reporting Procedures

Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2. of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

4. Reporting Frequency

During any period of time when you are subject to the requirement in paragraph 1. of this award term and condition, you must report proceedings information through SAM for the most recent five year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, award, and cooperative agreement awards with a cumulative total value greater than $10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings.

5. Definitions

For purposes of this award term and condition:

a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or award. It does not include audits, site visits, corrective plans, or inspection of deliverables.

b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere.

c. Total value of currently active awards, cooperative agreements, and procurement contracts includes—

(1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and

(2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.

Why this condition:

Under 2 C.F.R. § 200.210 (b) (1) (iii), recipients of awards in excess of $500,000 are required to report certain civil, criminal, and administrative proceedings if they have active federal grants, cooperative agreements, or contracts (or any combination of these) that total more than $10,000,000 during the COPS Office award period. The purpose is to protect the public interest and to ensure proper management in federal activities by conducting business with responsible parties.

What you should do:

If the total value of your active grants, cooperative agreements, and contracts from all federal awarding agencies exceeds $10,000,000 during the COPS Office award period, then you must ensure that the proceedings described in paragraph 2 of this award term that are reported in the System for Award Management (SAM) are current. The information about the reported proceedings is made available in SAM via the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)).

During the award period, you must either report for the most recent five year period new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. You must also disclose semiannually any information about criminal, civil, and administrative proceedings.

25. Compliance with 8 U.S.C. 1373

Condition:

Authority to obligate or expend contingent on compliance with 8 U.S.C. 1373

NOTE: This grant condition applies only to State or local government entities or to non-State or local government entities that make subawards with these funds to a State or local government entity.

State or local government entity recipients of this award, and any subrecipient of this award at any tier that is an entity of a State or of a unit of local government, may not obligate or expend award funds if – at the time of the obligation or expenditure – the "program or activity" of the recipient funded in whole or in part with the award funds (which includes any such program or activity of any subrecipient at any tier) is subject to any prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information on citizenship or immigration status as described in 8 U.S.C. § 1373(a) or (b), including any prohibitions or restrictions imposed or established by a State or local government entity or official.

A subrecipient of this award (at any tier) that is an entity of a State or of a unit of local government may not obligate or expend award funds if – at the time of the obligation or expenditure – the "program or activity" of the subrecipient (which includes any such program or activity of any subrecipient at any further tier) funded (in whole or in part) with award funds is subject to any prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information on citizenship or immigration status as described in 8 U.S.C. 1373(a) or (b), including any prohibitions or restrictions imposed by a State or local government entity or official.

Any obligations or expenditures of a recipient or subrecipient that are impermissible under this condition shall be unallowable costs for purposes of this award.

Rules of Construction/ For purposes of this condition, "program or activity" means what it means under section 606 of title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a). Pursuant to 8 U.S.C. 1551 note, references to the Immigration and Naturalization Service in 8 U.S.C. 1373 are to be read, as a legal matter, as references to particular components of the US Department of Homeland Security.

Should any provision of a condition of this award be held to be invalid or unenforceable by its terms, then that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law (to any person or circumstance) under this award. Should it be held, instead, that a condition (or a provision thereof) is of utter invalidity or unenforceability, such condition (or such provision) shall be deemed severable from this award.

Any questions about the meaning or scope of this condition should be directed, prior to acceptance of this award, to the Office of Community Oriented Policing Services Legal Division at 202-514-3750.

Why this condition:

All FY 2017 State or local government recipients or subrecipients of COPS Office funding must comply with 8 U.S.C. 1373 throughout the life of the award.

What you should do:

State and local government entities that applied for FY 2017 COPS Office funding and non-State or local government entities that applied to use FY 2017 COPS Office funding to make subawards to State or local government entities were required to certify compliance with 8 U.S.C. 1373 to be eligible to submit an application for funding. Compliance with 8 U.S.C. 1373 is also required throughout the active award period.

Any questions about the meaning or scope of this condition should be directed, prior to acceptance of this award, to the Office of Community Oriented Policing Services Legal Division at 202.514.3750.

26. Computer Network Requirement

Condition:

The recipient understands and agrees that no award funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. Nothing in this requirement limits the use of funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

Why this condition:

Section 532 of Division B, Title V, of the Consolidated Appropriations Act, 2017 (Pub. L. 115-31) prohibits the use of federal funds to maintain or establish a computer network that does not block the viewing, downloading, and exchanging of pornography. This provision protects the public interest in the proper management and use of federal funds.

What you should do:

The recipient must not use award funds to maintain or establish a computer network unless the network blocks pornography. This does not limit the use of funds for criminal investigations, prosecution, or adjudication activities.

27. Travel Costs

Condition:

Travel costs for transportation, lodging and subsistence, and related items are allowable under the CPD Program with prior approval from the COPS Office. Payment for allowable travel costs will be in accordance with 2 C.F.R. § 200.474.

Why this condition:

CPD funding will cover award-related travel costs for the recipient agency or other (nonrecipient) individuals to attend training and technical assistance conferences, seminars, or classes or to visit a site specified in the original application. Allowable expenses for award-related lodging, meals, and incidental expenses that were included in the application were approved by the COPS Office as part of your agency's CPD award and final budget. For more information, please refer to the award condition on "Allowable Costs."

What you should do:

Your agency should refer to your FCM for a list of approved travel costs and use CPD funds only for approved travel costs incurred during the award period. In addition, your agency should keep timely and accurate records of all travel expenses. If at any time these costs change, you should immediately contact your COPS Office Program Manager.

27. Sole Source Justification

Condition:

Recipients who have been awarded funding for the procurement of an item (or group of items) or service in excess of $150,000 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 award funds for that item or service.

Why this condition:

In general, recipients are required to procure funded items through open and free competition. However, in some instances, recipients 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 $150,000 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:

- Competition is determined inadequate after solicitation of a number of sources.
- The COPS Office authorizes noncompetitive proposals in response to a written request from the recipient.
- The item/service is available only from one source.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.

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 made to the general rule regarding competition. If submitting a sole source justification request to the COPS Office, please use the format described in the “Sole Source Justification fact sheet” in the appendices of this manual.

28. Public Release Information

Condition:

The recipient agrees to submit one copy of all reports and proposed publications resulting from this award ninety (90) days prior to public release. Any publications (written, curricula, visual, sound, reports, or websites) or computer programs, whether or not published at government expense, shall contain the following statement:

> *"This project was supported, in whole or in part, by Cooperative Agreement Number 2017-XX-XX-XXXX awarded by the US Department of Justice, Office of Community Oriented Policing Services. The opinions contained herein are those of the author(s) or contributor(s) and do not necessarily represent the official position or policies of the US Department of Justice. References to specific individuals, agencies, companies, products, or services should not be considered an endorsement by the author(s) or the US Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.*
>
> *The internet references cited in this publication were valid as of the date of publication. Given that URLs and websites are in constant flux, neither the author(s) nor the COPS Office can vouch for their current validity."*

Why this condition:

The COPS Office wants to ensure the quality, objectivity, utility, and integrity of information in funded projects that are disseminated to the public. However, award-funded reports and publications are not works of authorship by the Federal Government and should not be construed to reflect the official policy or position of the US Department of Justice.

What you should do:

Ensure that all publications developed under your award contain the required statement listed above.

29. Criminal Intelligence Systems

Condition:

Recipients using award funds to operate an interjurisdictional criminal intelligence system must comply with the operating principles of 28 C.F.R. Part 23. By signing the Certification of Review and Representation of Compliance with Requirements in the application, the recipient assured the COPS Office that it will comply with the requirements of 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 in 28 C.F.R. Part 23. An "interjurisdictional criminal intelligence system" is generally defined as a system that receives, stores, analyzes, 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 information systems that protect individual privacy and constitutional rights.

If your agency will use award funds 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 your award.

What you should do:

Recipients were required to agree to the Certification of Review of Criminal Intelligence Systems/28 C.F.R. Part 23 as part of their application proposal so the COPS Office can track which agencies intend to use their award funds to operate interjurisdictional criminal intelligence systems. If your agency intends to use award 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 CPD award.

30. State Information Technology Point of Contact

Condition:

The recipient agrees to ensure that the appropriate State Information Technology Point of Contact receives written notification regarding any technology or information-sharing project funded by this award during the obligation and expenditure period. This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these award funds. In addition, the recipient agrees to maintain an administrative file documenting the meeting of this requirement. For a list of State Information Technology Points of Contact, go to https://it.ojp.gov/technology-contacts.

Why this condition:

The COPS Office is committed to promoting communication between state and local law enforcement.

What you should do:

If applicable, upon receiving the award, your agency should contact your state information technology point of contact for further guidance. Please visit the Justice Information Sharing homepage at **https://it.ojp.gov/default.aspx?area=policyAndPractice&page=1046** and search keywords "State and Territory Technology Points of Contact."

The COPS Office is committed to avoiding duplication of existing law enforcement information-sharing networks or IT systems that involve interagency connectivity between jurisdictions. Therefore, such COPS Office–funded systems should employ, to the extent possible, existing systems such as Law Enforcement Online (LEO), Regional Information Sharing Systems (RISS), Joint Regional Information Exchange System (JRIES), etc., to achieve interstate connectivity.

31. News Media

Condition:

The recipient agrees to comply with the COPS Office policy on contact with the news media. The policy establishes the COPS Office Communications Division as the principal point of contact for the news media for issues relevant to the COPS Office or parameters of this award. The recipient agrees to refer all media inquiries on these topics directly to the COPS Office Communications Division at 202-514-9079.

Why this condition:

The COPS Office Communications Division will coordinate contacts with the news media, provide supplemental information that may be helpful to you and the media outlet, and make the appropriate US Department of Justice offices and personnel aware of pending articles and interviews.

What you should do:

If you are contacted by a media outlet seeking information, an interview, or other support related to your COPS Office project, please refer the requesting outlet to the COPS Office Communications Division at 202-514-9079.

32. Paperwork Reduction Act (PWRA)

Condition:

The recipient agrees, if required, to submit all surveys, interview protocols, and other information collections funded by this award to the COPS Office for submission to the Office of Management and Budget (OMB) for clearance under the Paperwork Reduction Act (PWRA) of 1995.

Why this condition:

The purpose of the Paperwork Reduction Act is to reduce, minimize, and control paperwork burdens on the public while maximizing the practical utility and public benefit of information created, collected, disclosed, maintained, used, shared, and disseminated by or for the Federal Government. See 5 C.F.R. § 1320.1.

A collection of information undertaken by a recipient is considered to be conducted or sponsored by a federal agency only if (1) the recipient is conducting the collection of information at the specific request of the agency, or (2) the terms and conditions of the award require specific approval by the agency of the collection of information or the collection procedures. See 5 C.F.R. § 1320.3(d).

What you should do:

When you undertake surveys, interviews, and other methods of information collection in furtherance of the objectives of the award, you should contact your COPS Office Program Manager. The COPS Office Program Manager will inform you whether Office of Management and Budget (OMB) approval of the information collection method is required and of the procedures necessary to obtain this approval. OMB approval may take several months to receive, so recipients are advised to allow ample time for the processing of this request.

33. Human Subjects Research

Condition:

The recipient agrees to comply with the provisions of the US Department of Justice's common rule regarding Protection of Human Subjects, 28 C.F.R. Part 46, prior to the expenditure of Federal funds to perform such activities, if applicable. The recipient also agrees to comply with 28 C.F.R. Part 22 regarding the safeguarding of individually identifiable information collected from research participants.

Why this condition:

Protections for human subjects of research are required under US Department of Justice regulations at 28 C.F.R. Part 46. This regulation constitutes the Federal Policy (Common Rule) for the Protection of Human Subjects. Each institution engaged in (nonexempt) COPS Office–supported human subjects research must provide a written assurance of compliance, satisfactory to the COPS Office, that it will comply with the US Department of Justice human subjects regulations.

What you should do:

If any part of your CPD project contains research or statistical activities which involve human subjects that are not covered by an exemption set forth in 28 C.F.R. Part 46.101(b), you must comply with the requirements in the US Department of Justice's common rule regarding the Protection of Human Subjects, 28 C.F.R. Part 46, including, but not limited to Institutional Review Board (IRB) approval and the appropriate assurances prior to the expenditure of federal funds to perform such activities. By signing the award document, you also agree to comply with 28 C.F.R. Part 22 regarding the safeguarding of individually identifiable information collected from research participants.

34. Copyright

Condition:

If applicable, the recipient may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this award in accordance with 2 C.F.R. § 200.315(b). The COPS Office reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use the work, in whole or in part (including create derivative works), for Federal Government purposes, and to authorize others to do so. The COPS Office also reserves the right, at its discretion, not to publish deliverables and other materials developed under this award as a US Department of Justice resource.

When appropriate, US Department of Justice publications and other deliverables developed with award funds should contain the following copyright notice:

> *"Copyright © [year work was published] [name of copyright owner]. The US Department of Justice reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, this resource for Federal Government purposes. This resource may be freely distributed and used for noncommercial and educational purposes only."*

Why this condition:

US Department of Justice regulations allow the recipient of a CPD award to copyright any work that is subject to copyright and was developed, or for which ownership was purchased, under an award.

As a Federal Government agency whose activities include producing and disseminating law enforcement materials to advance public safety through community policing across the nation, the COPS Office has an interest in making your deliverables and products widely available and accessible to the public. The COPS Office may make any work that was developed or purchased under this award publically available by any means without restriction, including a US Department of Justice website, social media account, a hard copy, or in electronic form. The COPS Office also reserves the right, at its discretion, to not publish deliverables and other materials (e.g., reports, publications, manuals, and training curricula) developed under this award as a US Department of Justice resource.

What you should do:

The recipient is responsible for acquiring the rights, and ensuring that its subrecipients/contractors/authors acquire the rights, including the payment of required fees, to use copyrighted material for inclusion in deliverables that are developed under this award. All licensing, publishing, or similar agreements with a copyright holder, publisher, or other relevant party must include provisions giving the COPS Office a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use the work in whole or in part (including create derivative works) for Federal Government purposes and to authorize others to do so. If the recipient retains a contractor or consultant to author or coauthor a work under this award, the recipient must ensure that there is a written agreement with the contractor or consultant that explicitly (1) assigns and transfers all rights to the copyright in the work to the recipient for the full term of copyright and, if a copyright transfer is not feasible, (2) awards the COPS Office the same royalty-free, nonexclusive, and irrevocable license to use, and authorize others to use, the work for Federal Government purposes.

The US Department of Justice is a nonexclusive licensee to copyrighted work that was developed, or for which ownership was purchased, under this award. Only the legal or beneficial owner of an exclusive right under a copyright is entitled to institute an infringement action. The recipient should therefore consult its own legal counsel with any copyright infringement questions. For more information about registering a copyright, please visit the US Copyright Office at **www.copyright.gov**.

To help protect against unauthorized use, COPS Office–funded publications and other deliverables should contain the above-referenced copyright notice when appropriate.

What are the specific rules regarding termination of award 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 award requirements or other applicable provisions of federal law;
- failing to make satisfactory progress toward the goals or strategies outlined in its application;
- not adhering to award requirements or conditions;
- proposing substantial plan changes to the extent that, if originally submitted, would have resulted in the application being denied funding;

- not submitting financial or programmatic reports in a timely manner;
- filing false statements or certifications in connection with an application, periodic report, or other award-related documents;
- 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 award;
- require that some or all of the award funds be remitted to the US Department of Justice;
- condition a future award or elect not to provide future award funds to your agency until appropriate actions are taken to ensure compliance;
- withhold or restrict your agency from obtaining future awards;
- recommend civil or criminal enforcement by other agencies;
- take other remedies that may be legally available.

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

Awards terminated due to noncompliance with the federal statutes, regulations, or award terms and conditions will be reported to the integrity and performance system accessible through SAM (currently FAPIIS).

Accepting the award

After you have reviewed the conditions of your COPS Office CPD Program award and your agency agrees with these conditions, you are ready to accept the award. The Director (or Acting Director) of the COPS Office has signed the award document indicating approval of your award, 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 award and draw down your funds, the authorized officials (see the Glossary of Terms in this manual) must access **https://portal.cops.usdoj.gov** to log in, review, and electronically sign the award document with the award terms and conditions; the Financial Clearance Memorandum and, if applicable, the cooperative agreement that is incorporated by reference into the award document; and, if applicable, the special award conditions and high risk conditions in the award document supplement within 90 days of the date shown on the award congratulatory letter.

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 award as representatives of the legal recipient. COPS Office awards require that both the top law enforcement executive (e.g., chief of police, sheriff, or equivalent) and the top government executive (e.g., mayor, board chairman, or equivalent) sign the award document. For non–law enforcement agencies (institutions of higher education, private organizations, etc.), the authorized officials are the programmatic and financial officials who have the ultimate signatory authority to sign contracts on behalf of your organization. Typically, these are the same executives who signed the forms in your

CPD application package. If one or both of these individuals have changed, please complete a Change of Information (COI) form online at **https://portal.cops.usdoj.gov**. If you have any questions as to who should sign the award, please contact your organization's legal counsel.

By when must the award document be signed?

Please electronically sign the award document and all award condition pages within 90 days of the date on the award congratulatory letter. Award funds will not be released until we have received your agency's signed award document, your budget has received final clearance, and any other relevant award conditions particular to your agency have been satisfied. Failure to electronically sign your original award document within the 90-day award acceptance period may result in your CPD 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, you will be able to request an extension through the online system. Be sure to explain the circumstances that prevent your agency from electronically signing the award document within the 90-day period, and identify the date by which the award document will be signed. 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. If you have any questions, please contact your COPS Office Program Manager via or the COPS Office Response Center at 800-421-6770.

II. The Cooperative Agreement

If your project requires substantial involvement on the part of the COPS Office, a multi-page cooperative agreement document will accompany your award document. Please note that, if applicable to your award, the cooperative agreement is incorporated by reference into the award document and by signing the award document, your agency has entered into the cooperative agreement with the COPS Office and agrees to abide by all the requirements in the cooperative agreement.

Under the Federal Grant and Cooperative Agreement Act of 1977, a cooperative agreement is the legal instrument used by a federal agency to enter into a relationship with a state, local government, or other recipient when the principal purpose of assistance is to carry out a public purpose of support or stimulation authorized by federal law and substantial involvement is expected between the federal agency and the recipient. See 31 U.S.C. § 6305.

To officially accept and begin your CPD award, your agency and the assigned COPS Office Program Manager will develop a CA based on the award objective(s), deliverables and timeline proposed in the application. Your agency will approved the cooperative agreement document along with the award document and electronically sign for all documents within 90 days of the date shown on the award congratulatory letter.

Your agency will not be able to draw down funds until the COPS Office receives your electronically signed award document.

Below is a sample 2017 cooperative agreement template that will be customized for your specific COPS Office-funded project. If you have any additional questions concerning your cooperative agreement, please contact your designated COPS Office Program Manager.

I. Statement of authority

This cooperative agreement between the [Insert Agency Name] ("recipient") and the US Department of Justice Office of Community Oriented Policing Services ("COPS Office") is hereby entered into under the authority of 42 U.S.C. § 3796dd et seq. The purposes of this cooperative agreement are described below.

II. Statement of background and purpose

A. Background:

[Insert background – should set the stage for the CA including why this effort is needed, history of effort to date and reasons why the effort is required now]
[Insert project purpose – should clearly state rationale for the work]

B. Primary objective:

[Insert project objective – should include what we hope to accomplish – could be a number of small objectives]

III. Scope of Work

For a period hereinafter set forth, the COPS Office and the recipient will cooperatively furnish the necessary personnel, travel, supplies, and otherwise perform all things necessary for, or incident to, the performance of work (the accomplishment of functional objectives) as set forth below:

A. Specifically, the COPS Office will do the following:

1. Designate a Program Manager to participate in the planning and management of this cooperative agreement and to coordinate project activities.
2. Provide information and technical assistance from government sources within available resources and as determined appropriate by the Program Manager.
3. Provide guidance to the recipient in the planning and development of strategies used in the project and in the coordination of the project with law enforcement agencies and organizations interested in contributing their support.
4. Work with the recipient to meet the designated project tasks and timelines.
5. Review and approve required reports specific to each cooperative agreement, which may include periodic progress and financial reports, deliverables, evaluations, and other documentation requiring COPS Office approval for successful award administration.
6. Review and approve all training processes and deliverables including, but not limited to, in-person and/or online training, pre-existing in-person and/or online training, all supplemental and additional resources, all trainers, and all marketing efforts.
7. Review and approve all project deliverables including, but not limited to, innovation and pilot program publications, microgrant project publications, and partnerships project publications. In addition, all multimedia deliverables and marketing efforts.
8. Review and approve all proposed changes in key staff assignments to the project and any significant changes in the partner's role or responsibilities.
9. Review and approve all proposed writers of any project deliverables.
10. Review and approve all subject matter experts and their assignments to any project deliverable.
11. Permit the recipient to copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under this cooperative agreement in accordance with 2 C.F.R. § 200.315(b). The COPS Office reserves a royalty-free, nonexclusive and irrevocable license to reproduce, publish, or otherwise use the work, in whole or in part (including create derivative works), for Federal Government purposes, and to authorize others to do so. The COPS Office license applies to (1) the copyright in any work developed under this cooperative agreement including any related subaward or contract and (2) any rights of copyright to which the recipient, including its subrecipient or contractor, purchases ownership with support from this cooperative agreement. In addition, the COPS Office may make any work that was developed or purchased under this cooperative agreement publically available by any means without restriction, including a US Department of Justice website or social media account, a hard copy, or in electronic form. The COPS Office also reserves the right, at its discretion, to not publish deliverables and other materials (e.g., reports, publications, manuals, and training curricula) developed under this cooperative agreement as a US Department of Justice resource.

B. Specifically, the recipient will do the following:

1. Designate a project officer to work closely with the COPS Office and its designated Program Manager to achieve the tasks specified in this cooperative agreement. The project officer must be an employee of the recipient organization, and have the authority to propose and approve modifications pursuant to Section VIII. of this cooperative agreement.
2. Be responsible for acquiring the rights, and ensuring that its subrecipients/contractors/consultants/authors acquire the rights, including the payment of required fees, to use copyrighted material for inclusion in deliverables that are developed under this cooperative agreement. All licensing, publishing or similar agreements with a copyright holder, publisher or other relevant party must include provisions giving the COPS Office a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use the work, in whole or in part (including create derivative works), for Federal Government purposes, and to authorize others to do so. If recipient retains a contractor or consultant to author or co-author a work under this cooperative agreement, the recipient must ensure that there is a written agreement with the contractor or consultant that either explicitly: (1) assigns and transfers all rights to the copyright in the work to the recipient for the full term of copyright or, if a copyright transfer is not feasible, (2) awards the COPS Office the same royalty-free, non-exclusive and irrevocable license to use, and authorize others to use, the work for Federal Government purposes as outlined in this cooperative agreement.
3. Represent and warrant that all deliverables under this cooperative agreement were produced in a manner that does not knowingly infringe or misappropriate the intellectual property rights, or violate the right to privacy, of any third party. The recipient will be responsible for defending or settling at its own expense any and all third party claims and liabilities arising out of or in connection with any infringement action related to work that was developed, or for which ownership was acquired, under this cooperative agreement.
4. Provide further detail on project plans as requested by the COPS Office Program Manager.
5. Adhere to the requirements or tasks specified in this cooperative agreement and not deviate from them unless requested adjustments are first presented to and approved by the COPS Office Program Manager.
6. Submit for prior approval or disapproval to the COPS Office Program Manager any proposed changes in key staff assignments to this project and any significant changes in any partner's role or responsibilities.
7. Submit for prior approval to the COPS Office Program Manager proposed writers of any project deliverables. The Program Manager will need to review each writer's resume and writing sample before approving the writer.
8. Submit for prior approval to the COPS Office Program Manager proposed subject matter experts to be used on the project. The COPS Office Program Manager will review each subject matter expert's resume before approving the subject matter expert.
9. Obtain written approval from the COPS Office prior to obligating, expending, or drawing down cooperative agreement funds for the award of non-competitive contracts for goods or services (including equipment purchases) in excess of $150,000. See 2 C.F.R. § 200.324(b)(2).
10. Ensure that all proposed deliverables and publications follow and are in accordance with the COPS Office Editorial and Graphics Style Manual, which includes that all non-original work should be credited as appropriate.

11. Submit one copy of all reports and proposed products and deliverables (written, visual, or sound; curricula, reports, or websites) or computer programs resulting from this cooperative agreement to the Program Manager at least 90 days prior to public release to allow for COPS Office review and feedback.
12. All products and deliverables including those in written, visual, sound, websites or any other format developed under this cooperative agreement must contain the following statement:

    This project was supported, in whole or in part, by cooperative agreement number 2017-XX-XX-XXXX awarded by the US Department of Justice, Office of Community Oriented Policing Services. The opinions contained herein are those of the author(s) or contributor(s) and do not necessarily represent the official position or policies of the US Department of Justice. References to specific individuals, agencies, companies, products, or services should not be considered an endorsement by the author(s) or the US Department of Justice. Rather, the references are illustrations to supplement discussion of the issues.

    The internet references cited in this publication were valid as of the date of publication. Given that URLs and websites are in constant flux, neither the author(s) nor the COPS Office can vouch for their current validity.

    When appropriate, US Department of Justice publications and other products and deliverables developed under this cooperative agreement should contain the following copyright notice:

    Copyright © [year work was published] [name of copyright owner]. The US Department of Justice reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, this resource for Federal Government purposes. This resource may be freely distributed and used for noncommercial and educational purposes only.

13. Contact the COPS Office Program Manager to determine if revenue generated from your award constitutes program income. Program income must be used to defray program costs and reduce the federal share of the project. See 2 C.F.R. § 200.307. In some cases, the recipient can work with the COPS Office Program Manager to identify additional project-related allowable costs that could be supported by program income.
14. Not earn or keep any profit resulting from this award unless expressly authorized, in writing, by the COPS Office. See 2 C.F.R. § 200.400(g).
15. Ensure that all electronic and information technology deliverables (websites and web-based information, video and multimedia products, software applications and operating systems, and telecommunication products) are developed and produced in a format that is accessible and comply with Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794d). Specifically, video should contain closed-captioning and audio description options. Electronic publications should be created in HTML, PDF fully tagged, or accessible text file format and all web sites must be fully compliant with Section 508 accessibility standards. For more information on Section 508 accessibility requirements, consult **https://www.section508.gov**.
16. If developing or delivering training under this cooperative agreement, the COPS Office *Curriculum Standards, Review, and Approval Process Guides: Online and In-Person* and COPS Office and *Instructor Quality Assurance Guide* must be followed. This applies to the development and/or delivery of online and in-person courses. Courses already in existence that are part of this cooperative agreement must also comply with the two aforementioned guides. A copy of these

guides, along with supplemental training resources, will be supplied electronically to you by the Program Manager and are also located on the COPS Office website for download. All training development processes and deliverables must be reviewed and approved by the COPS Office prior to public release following the process indicated in the guides. For more information, please see the training fact sheets in this manual.

17. Ensure that web-based courses developed through this cooperative agreement are compatible with the current platform used in the Community Policing Learning Portal. Prior to the development of the web-based course, the recipient must receive guidance and work with the COPS Office to ensure compatibility. Web-based courses developed through this cooperative agreement must be reviewed and approved by the COPS Office prior to public release.
18. At the request of the COPS Office, submit all website(s) and web-based information that are developed through this cooperative agreement to the COPS Office. The information will be submitted in a format that will enable the COPS Office to reproduce the website(s) and web-based information on alternative web-based platforms.
19. If required, submit all surveys, interview protocols, and other information collections to the COPS Office for submission to the Office of Management and Budget (OMB) for clearance under the Paperwork Reduction Act (PWRA) of 1995.
20. Agree to cooperate with the monitor or evaluator if monitoring or an evaluation of this project is to be undertaken by the COPS Office or a third party, and in consultation with the COPS Office, agree to make reasonable adjustments to programs and activities in recognition of significant points of evaluation or feedback, and to remedy any violations of the terms and conditions of this award.
21. Be responsible for the development, approval, and oversight of any subawards. See 2 C.F.R. §§ 200.330 - 200.332. The recipient will ensure that the award terms and conditions flow down to its subrecipients including all applicable uniform administrative requirements, costs principles, and audit requirements set forth in 2 C.F.R. Part 200. See 2 C.F.R. § 200.101(b)(1). The recipient will also ensure that subrecipients maintain effective control and accountability over all funds, property and other assets covered by subawards and that each subrecipient establishes and uses internal fiscal and program management procedures sufficient to prevent fraud, waste, or abuse.
22. At the request of the COPS Office, work to develop a marketing plan to increase the visibility of the project and any accompanying outcomes/deliverables. The recipient will coordinate any marketing activities with the COPS Office.
23. Coordinate all public communication activities (in any format including website and social media content) related to this project or the COPS Office with the Program Manager prior to release.
24. Work closely with the COPS Office and Program Manager to respond to peer reviewer, vetting, and other COPS Office staff comments within 30 days of receipt.
25. Obtain written approval from the COPS Office prior to entering into any contract, agreement or other obligation for costs related to any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award. Submit the Conference Cost Request/Reporting Form (CCR) at least 90 days prior to event to the Conference Cost Request mailbox at COPS.Conferencecosts@usdoj.gov and copy your Program Manager. The CCR form is available at **https://cops.usdoj.gov/Default.asp?Item=2541**. The document will have you breakout each event or training deliveries and ensures that all costs comply with current guidelines and policies on event/training planning, food and beverages, minimizing costs. Training or events should not be scheduled or delivered prior to receiving notice from your Program Manager that the CCR is approved. For more information on allowable costs for

conferences and training, please see the current version of the DOJ Grants Financial Guide in effect at the time of the award available at **https://ojp.gov/financialguide/DOJ/index.htm**.

26. Ensure that all conference or similar event costs comply with current and future guidelines and policies that you receive from the COPS Office on conference planning, food and beverages, minimizing costs, and conference cost reporting.
27. Within 45 days after the end of any conference, meeting, retreat, seminar, symposium, training activity, or similar event funded under this award, and the total cost of which exceeds $20,000 in award funds, the recipient must provide the Program Manager with the following information and itemized costs:

    - Name of the event
    - Event dates
    - Location of event
    - Number of federal attendees
    - Number of nonfederal attendees
    - Costs of event space, including rooms for break-out sessions
    - Costs for audio visual services
    - Other equipment costs (e.g., computer fees, telephone fees)
    - Costs of printing and distribution
    - Costs of meals provided during the event
    - Costs of refreshments provided during the event
    - Costs of event planner
    - Costs of event facilitators
    - Any other direct costs associated with the event

    The recipient must also itemize and report any of the following attendee (including participants, presenters, speakers) costs that are paid or reimbursed with cooperative agreement funds:

    - Meals and incidental expenses (M&IE portion of per diem)
    - Lodging
    - Transportation to/from event location (e.g., common carrier, privately owned vehicle (POV))
    - Local transportation (e.g., rental car, POV) at event location
    - Note that if any item is paid for with registration fees, or any other nonaward funding, then that portion of the expense does not need to be reported.

28. If applicable, submit by the 5th day of each month, information on all training events funded under this award to your Program Manager through the Agency Portal at **https://portal.cops.usdoj.gov** or through the Account Access tab on the COPS Office homepage. Training data includes, but is not limited to, date, location, length, title, numbers of individuals trained broken out by rank/title, organization, and evaluation results. For a complete list of training data collection and submission requirements contact your Program Manager or log into the Agency Portal at **https://portal.cops.usdoj.gov** and select the training reporting tool. The quarterly collection dates are as follows: (January 1–March 31 / April 1–June 30 / July 1–September 30 / October 1–December 31).
29. If applicable, submit all approved indirect cost rates covering the award period to the COPS Office within 30 days of approval from the cognizant federal agency.

If a provisional indirect cost rate is in effect at award closeout, the recipient will proceed with closeout and complete an expenditure analysis upon receipt of the approved final indirect cost rate to determine if an adjustment is necessary. If the recipient drew down excess COPS Office funding for indirect costs, the recipient must return the overpayment to the COPS Office. If the recipient incurred additional indirect costs, the recipient may request a budget modification if the award is still open, and there are remaining award funds available for drawdown. If the recipient returns or draws down COPS Office funding, the recipient will promptly submit a revised final Federal Financial Report (SF-425).

The recipient should pay particular attention to the two areas listed below to ensure that their application of indirect cost rate is in compliance with the existing requirements of the government-wide award rules set out by the Office of Management and Budget (OMB):

a. $25,000 Subcontract/Subaward Limitation: Indirect cost rates negotiated on the basis of modified total direct costs may only be applied against the first $25,000 of any subcontract or subaward under the agreement. This limitation must be applied to all conference related subcontracts and subawards, including those with hotels and travel agents. See 2 C.F.R. Part 200, Appendix III.C.2. (Indirect costs—Institutions of Higher Education); 2 C.F.R. Part 200, Appendix IV.B.2.c. (Indirect costs—Nonprofit Organizations); or 2 C.F.R. Part 200, Appendix VII.C.2.c. (Indirect costs—States, Local Governments, and Indian Tribes).

b. Participant Support Costs: Participant support costs are generally excluded from the distribution base. Therefore, indirect costs may not be applied against participant support costs. Participant support costs are direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with meetings, conferences, symposia, or training projects. See 2 C.F.R. § 200.75. This exclusion applies to the entirety of any subcontracts for the lodging and travel of conference participants or trainees (but not employees). Costs related to contractors of the recipient who are acting in the capacity of a "Conference Trainer/Instructor/ Presenter/Facilitator" are considered participant support costs.

For more information on allowable costs for conferences and training, please see the current version of the DOJ Grants Financial Guide in effect at the time of the award available at **https://ojp.gov/financialguide/DOJ/index.htm**. Indirect costs were removed from the budget if the recipient did not provide, at the time of application, either a current approved federal indirect cost rate or documentation showing a pending request for approval by the cognizant federal agency. If the recipient has never received a federally approved indirect cost rate, it may elect to charge a de minimis rate of 10% of modified total direct costs (MTDC) in lieu of negotiating a rate with the cognizant federal agency. See 2 C.F.R. § 200.414(f).

30. Notify and consult with the COPS Office prior to establishing a formal partnership with any non-federal entity, including soliciting and accepting free goods or services, on activities under this cooperative agreement.

31. The recipient will select the site-specific subject matter experts (SMEs) in partnership with the COPS Office based on resumes, references, writing samples, and demonstrated subject matter expertise. Specific SMEs selected for each site are subject to COPS Office review and approval prior to commencement of work. The recipient will ensure that every SME completes a conflict of interest disclosure form prior to commencing work, and continually identify and manage any conflicts of interest between the SMEs, the recipient, and the sites. The recipient will ensure that the SME signs an agreement prior to commencing work on the project, which addresses: (1) the nondisclosure of project-related confidential information (including, but not limited to, nonpublic, personally identifiable, or sensitive law enforcement information collected from interviews, peer-to-peer exchanges, direct observation notes, data analysis, research, or working papers) unless authorized in writing by the recipient after receiving written approval from the COPS Office; (2) the proper safeguarding and disposition of all project-related records in any format containing confidential information during and after performance to protect against the unauthorized access to or disclosure of such information; (3) that any public comment requests or news media inquiries received by the SME regarding the project must be promptly directed to the recipient (who will coordinate with the COPS Office Program Manager and COPS Office Communications Division); and (4) that the violation of any of these provisions may result in termination of the SME's involvement in project activities.
32. Not disclose, and ensure that its subrecipients and contractors will not disclose, any project-related confidential information (including, but not limited to, nonpublic, personally identifiable, or sensitive law enforcement information collected from interviews, peer-to-peer exchanges, direct observation notes, data analysis, research, or working papers) unless authorized in writing by the COPS Office. The recipient will, and ensure that its subrecipients and contractors will, properly safeguard and dispose of all project-related records in any format containing confidential information during and after performance to protect against the unauthorized access to or disclosure of such information. Any unauthorized disclosure of project-related confidential information or records may result in termination of the recipient's, including its subrecipient's and contractor's, involvement in project activities.
33. Obtain written approval from the COPS Office prior to adding any new subaward or subrecipient that was not previously included or identified in the last approved project budget. See 2 C.F.R. § 200.308(c)(1)(vi). If the subrecipient is a State or local government entity, access to subrecipient funding will be contingent upon submission by the recipient and subrecipient of all applicable Certification of Compliance with 8 U.S.C. § 1373 forms addressing prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information on citizenship or immigration status, including any prohibitions or restrictions imposed or established by a State or local government entity or official.

C. The recipient acknowledges the following:

1. If any part of the funded project contains research or statistical activities which involve human subjects that are not covered by an exemption set forth in 28 C.F.R. § 46.101(b), the recipient must comply with the requirements in the US Department of Justice's common rule regarding the Protection of Human Subjects, 28 C.F.R. Part 46, including, but not limited to, Institutional Review Board (IRB) approval and the appropriate assurances prior to the expenditure of federal funds to perform such activities. The recipient also agrees to comply with 28 C.F.R. Part 22

regarding the safeguarding of individually identifiable information collected from research participants. For general information on Department of Justice human subjects and privacy protections, please visit **https://www.nij.gov/funding/humansubjects/Pages/welcome.aspx**.

2. Implementation of this award will be subject to federal monitoring, auditing, or evaluation, and/or a single audit in accordance with 2 C.F.R. § 200.501. The recipient agrees to cooperate with such activities by providing access to and copies of, as appropriate, all project-related records, documents and personnel. A recipient that expends $750,000 or more in federal funds (from all sources) during the recipient's fiscal year must have a single audit conducted in accordance with 2 C.F.R. § 200.514, except when it elects to have a program-specific audit conducted in accordance with 2 C.F.R. § 200.501(c). For-profit (commercial) entities should follow the dollar threshold in 2 C.F.R. § 200.501 in determining whether to conduct an audit in accordance with the Government Auditing Standards.
3. Failure to comply with the terms and conditions of this award may result in legal sanctions including, but not limited to, suspension and termination of funds, repayment of expended funds, and ineligibility to receive additional COPS Office funding.
4. False statements or claims made in connection with COPS Office awards may result in fines, imprisonment, debarment from participating in federal awards or contracts, and/or any other remedy available by law to the Federal Government.

D. Specific requirements

At a minimum, the following specific requirements will be fulfilled by the recipient during the specified timeframe.
[Tasks should include performance indicators. How will the performance be measured? What tasks must be accomplished to get the desired results/outcomes?]
Task 1.
Task 2.
Task 3. The recipient will produce a standalone executive summary document(s) for [specify document/deliverables]. This document(s) is intended for use by law enforcement executives and others interested in an abridged version of the resource(s) developed under this award, and it will summarize the recipients' work and highlight the major findings and recommendations. This document(s) will be subject to COPS Office review and approval. [This task should be included in all CAs *when it is applicable. For example, it may not be applicable to training awards or when the documents produced are already abridged/summarized*].
Task 4. Work with the COPS Office and the Program Manager to address peer review, Program Manager, vetting, and other COPS Office staff comments regarding [specify products and deliverables].

E. Performance timeline and deliverables

The following is a performance timeline for all deliverables and their due dates (based upon an award date of XX/XX/XXXX) which are considered to be significant in the performance of this cooperative agreement. One electronic copy of deliverable items will be delivered and in accordance with the following schedule:

Deliverables Date

[List Project Deliverables]

All deliverable items will be furnished to the following:

[Insert Program Manager]
US Department of Justice
COPS Office
[Division]
145 N Street NE, 11th Floor
Washington, DC 20530
[insert contact information]

F. Financial status reports

The recipient must provide a quarterly report of actual expenditures related to project activity on a cumulative basis. Specifically, the recipient is required to submit quarterly Federal Financial Reports on the Standard Form 425 (SF-425) within 30 days after the end of each quarter (January 1–March 31 / April 1–June 30 / July 1–September 30 / October 1–December 31). A final SF-425 is due within 90 days after the end of the award period. Recipients must submit the quarterly SF-425 online. Visit the COPS Office Agency Portal Login page at **https://portal.cops.usdoj.gov**.

G. Programmatic progress reports

The recipient will provide periodic progress reports detailing project activity. Specifically, the recipient will submit progress reports through the COPS Office online progress reporting system in the frequency requested. These progress reports should be received by the COPS Office within 30 days of the end of the reporting period. The recipient will also submit a final progress report to the COPS Office within 90 days of the end of the award period.

IV. Period of performance

The period of performance of this cooperative agreement is XXX months from the cooperative agreement award start date (award period XX/XX/20XX to XX/XX/20XX).

V. Financial administration

A. Funding

The total amount of federal funding to be provided under this cooperative agreement is stated on the award document, award congratulatory letter, and official Financial Clearance Memorandum (FCM).

B. Travel

All travel plans related to the cooperative agreement and to the development of the deliverables will be submitted to the Program Manager for review by the COPS Office.
Travel costs for transportation, lodging and subsistence, and related items are allowable under the CPD with prior approval from the COPS Office. Payment for allowable travel costs will be in accordance with 2 C.F.R. § 200.474.

C. Consultant rates

Unless otherwise approved by the COPS Office, approved consultant rates will be based on the salary a consultant receives from his or her primary employer, as applicable, up to $650 per day. For consultant or contractor rates which exceed $650 per day, the COPS Office requires written justification if the consultants or contractors are hired through a noncompetitive bidding process. Authorization requires submitting a detailed written justification of the consultant rate to the Program Manager. Specific and detailed written justification for each additional consultant must be submitted to, and approved by the COPS Office prior to obligation or expenditure of such funds.

D. Project budget

The approved project budget is incorporated herein and made a part of this cooperative agreement. For federal awards in excess of $150,000, any modification request involving the reallocation of funding between budget categories that exceed or are expected to exceed 10 percent (10%) of the total approved budget requires prior written approval by the COPS Office. See 2 C.F.R. § 200.308(e). Regardless of the federal award amount or budget modification percentage, any reallocation of funding is limited to approved budget categories. In addition, any budget modification that changes the scope of the project requires prior written approval by the COPS Office. See 2 C.F.R. § 200.308(c)(1)(i).
Please be advised that if the budget modification request includes adding a new subaward to a State or local government entity or identifying a new State or local government entity subrecipient, the recipient and subrecipient must each complete and submit the applicable Certification of Compliance with 8 U.S.C. § 1373 form. Access to subrecipient funding will be contingent upon submission of all required Certifications.
In requesting a modification, the recipient will set forth the reasons and the basis for the proposed change and any other information deemed helpful for review by the COPS Office. Modifications are evaluated on a case-by-case basis. The COPS Office will not approve any modification request that results in an increase of federal funds.

E. Payment

All costs claimed for reimbursement and payment, including the final payment, must be submitted via the Grant Payment Request System (GPRS). "For more information regarding GPRS, please visit the following website to view the GPRS User Guide: **http://www.ojp.usdoj.gov/about/offices/ocfogprs.htm**.

F. No-cost extensions of time

The recipient must provide a reasonable justification for delays in implementing this cooperative agreement to be granted a no-cost extension. A request for an extension of the award period to receive additional time to implement the funded program is at the discretion of the COPS Office. Such extensions do not provide additional funding.

G. Employment

The recipient acknowledges that nothing in this cooperative agreement creates an employment relationship with the COPS Office or with the Federal Government or to require provision of any benefits incident to employment.

VI. Points of contact

A. COPS Office Program Manager

[Insert Program Manager]
US Department of Justice
COPS Office
[Division]
145 N Street, NE, 11th Floor
Washington, DC 20530
[insert contact information]

B. Recipient project officer

[Insert contact information, including phone number]

VII. General provisions

The recipient of record must follow all requirements imposed by the US Department of Justice as an award term, condition or administrative requirement of the award, including but not limited to: the COPS Office Community Policing Development Program Award Owner's Manual; the COPS Office Assurances and Certifications; the COPS Office statute (42 U.S.C. § 3796dd et seq.); 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards); the current edition of the COPS Office Grant Monitoring Standards and Guidelines; the COPS Office Editorial and Graphics Style Manual; and all other applicable program requirements, laws, orders, regulations, or circulars.
Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," the COPS Office encourages recipients of US Department of Justice funds to adopt and enforce policies that ban text messaging while driving, and to establish workplace safety policies to decrease accidents caused by distracted drivers.

VIII. Modifications

The designated COPS Office Program Manager and recipient project officer (under section VI.A. and VI.B.) for their respective organizations have the authority to propose and approve any modifications to this cooperative agreement. Modifications to this cooperative agreement may be proposed at any time during the period of performance by either party, and will become effective upon written approval by both parties.

IX. Incorporation by reference; effective date

By signing the award document, the responsible parties designated below have entered into this cooperative agreement, which is incorporated by reference into the award document. This cooperative agreement is effective as of the date that the last responsible party signs the award document.

XXXXX XXXXXXXXX, Director
Office of Community Oriented Policing Services
[Insert Law Enforcement Executive/Program Official Name]
[Insert Agency Name]
[Insert Government Executive/Financial Official Name]
[Insert Agency Name]

Updated July 2017

III. Procurement Process

In general, 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 Office award, recipients must follow their own policies and procedures on procurement as long as those requirements conform to the federal procurement requirements set forth in 2 C.F.R. §§ 200.317 – 200.326.

As described in the award condition titled "Sole Source Justification", recipients are required to submit a sole source justification (SSJ) request to the COPS Office for noncompetitive procurements in excess of $150,000 prior to purchasing equipment, technology, or services; obligating funding for a contract; or entering into a contract with award funds. If submitting a sole source justification request to the COPS Office, please use the format described in the "Sole Source Justification fact sheet" in the appendices of this manual.

If you have any questions regarding the federal requirements that guide procurement procedures, please contact your COPS Office Program Manager.

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office online at **www.cops.usdoj.gov**.

IV. Accessing Award 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 award administration, please contact the COPS Office Response Center at 800-421-6770 or visit our website at **www.cops.usdoj.gov**.

Payment method

What method of payment is used?

There is currently one payment system available for accessing federal award funds—the Grant Payment Request System (GPRS). GPRS is a web-based system that enables recipients to use a secure Internet connection to request funds. Approved payment requests will automatically be scheduled for payment by the United States Department of the Treasury through electronic funds transfer (EFT). The Automated Clearing House (ACH) is the primary system that agencies use for EFT. An award recipient will be able to review previous payment requests made since July 2009. For more information regarding GPRS, please visit the following website to view the GPRS User Guide: **www.ojp.usdoj.gov/about/offices/ocfogprs.htm**.

Setting up your account

How do we set up a new GPRS account?

If you are a new recipient to the COPS Office, your agency should determine which authorized employee(s) will be responsible for requesting federal funds for your COPS Office awards through the GPRS system. The individual(s) selected must click on the following link and register with the GPRS system to become a drawdown specialist for your agency: **https://grants.ojp.usdoj.gov/gprs/welcome**.

Once you have been approved, you will receive an e-mail containing a temporary password and information on how to use GPRS. Please note that part of the verification process may involve outreach to your law enforcement executive and/or government executive or other financial points of contact to validate the information that was provided during the registration process. All individuals that need access to GPRS must register separately and create their own unique GPRS username account, as these accounts are not meant to be shared.

How do we add an award to an existing GPRS account?

If you are currently registered for an active COPS Office award username in GPRS and would like to add a recently funded COPS Office award number to your existing COPS Office award username, contact the COPS Office GPRS registration team via e-mail at **COPSGPRSRegistration@usdoj.gov** and provide the following information:

- User name (for COPS Office awards)
- First/last name
- Vendor number (as listed on your award document)
- Award number(s) to be added

How do we fill out the payment enrollment forms?

If you are a new award recipient to the COPS Office, your agency will need to complete an Automated Clearinghouse (ACH) Vendor/Miscellaneous Payment enrollment form (SF-3881). This form can be found on the COPS Office website at **www.cops.usdoj.gov/pdf/ach_form_new.pdf**.

Prior to accessing your award funds, your agency must mail the original signed form to:

Office of Justice Programs
Office of the Chief Financial Officer
810 Seventh Street NW
Attn: Control Desk, Fifth Floor
Washington, DC 20001

Your agency must complete the "Payee/Company Information" section following the directions on the back of the form and also provide the award 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 Office award recipient, 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 *new* award as long as your OJP vendor number has not changed. If you have any questions, or wish to verify your ACH enrollment form information, please call the COPS Office Response Center at 800-421-6770 and ask to speak with your state assigned Financial Analyst.

When should Federal Financial Reports be filed?

Current regulations state that once you return a signed award document, your agency is required to submit a Federal Financial Report (FFR) using Standard Form 425 (SF-425) at the end of every calendar quarter regardless of award activity. This report should reflect actual expenditures and unliquidated obligations incurred by your agency on a cumulative basis. You will not be able to make drawdowns from your GPRS account if the SF-425 report for the most recent reporting quarter is not on file with the COPS Office by the deadline date. Recipients are encouraged to submit their SF-425 reports via the Internet at **https://portal.cops.usdoj.gov**.

For more information on how to complete and where to submit your quarterly SF-425, see the section in this manual titled "Reports."

Filing the Federal Financial Report (SF-425) identifies your federal and local expenditures made during that calendar quarter. However, to receive actual payment, you must request it through GPRS.

Additional payment questions

Can we receive advances?

Yes. If you receive funds through electronic transfer, the period allowed is 10 days in advance. In general, the concept of "minimum cash on hand" applies to COPS Office awards. 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 award funds on hand, except for advances not exceeding 10 days, as noted above.

The Federal Government has four basic rules regarding advances. Advances can be terminated if the recipient

1. is unwilling or unable to attain project goals;
2. maintains excess cash on hand;
3. does not adhere to the terms and conditions of the award;
4. fails to submit reliable or timely reports.

How often can we request reimbursement of costs?

There are no limitations on how often your agency may request reimbursements; however, your reimbursement requests should cover a specific time frame and include only costs that were approved in the Financial Clearance Memorandum (FCM). As a general guideline, most agencies request reimbursement on a monthly or quarterly basis. Also, please note that a date range for a reimbursement request can only be used once.

Can we earn interest on our award funds?

For states, payments are governed by Treasury-State CMIA agreements and default procedures codified at 31 C.F.R. Part 205 ''Rules and Procedures for Efficient Federal-State Funds Transfers'' and TFM 4A–2000 Overall Disbursing Rules for All Federal Agencies.

For nonfederal entities other than states, payment methods must minimize the time between your drawdown of federal funds and your payment of award costs to avoid earning excess interest on your award funds. You must account for interest earned on advances of federal funds as follows:

- The Office of Management and Budget (OMB) uniform guidance at 2 C.F.R. § 200.305(b)(9) states that interest earned on federal advance payments deposited in interest-bearing accounts **up to $500 per year** may be retained by the nonfederal entity for administrative expenses.
- Any interest earned on federal advance payments deposited in interest-bearing accounts that is **in excess of $500 per year** must be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. For detailed information on remittance, please see appendices for a full text of the electronic medium remittance options.
- If you do not have access to an electronic medium option, then please make a check payable to "The Department of Health and Human Services" and mail the check to Treasury-approved lockbox: HHS Program Support Center, P.O. Box 530231, Atlanta, GA 30353-0231. (Please allow 4–6 weeks for processing of a payment by check to be applied to the appropriate Payment Management System (PMS) account).
- Please notify your COPS Office Staff Accountant in the COPS Office Finance Business Unit when any interest that is earned is remitted to the Department of Health and Human Services, Payment Management System.

Matching funds

Under the COPS Office CPD Program, no local match is required. The COPS Office is funding 100 percent of the allowable items approved in your FCM. Any agency desiring to contribute additional funds to this project is encouraged to do so and report these funds on SF-425 as a recipient share of expenditures.

V. Financial Record Maintenance

Under the COPS Office CPD Program, your agency is required to establish and maintain accounting systems and financial records to accurately account for funds awarded and disbursed. These records must include both federal funds and any local funds contributed to this project.

Accounting systems and records

What accounting systems are required?

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

As required by 2.C.F.R. § 200.62 (Internal control over compliance requirements for federal awards), your accounting system should be designed to provide reasonable assurance regarding the achievement of the following objectives for federal awards:

- Transactions are properly recorded and accounted for in order to prepare reliable financial statements and federal reports and to maintain accountability over assets.
- Transactions are executed in compliance with all applicable federal statutes, regulations, and the award terms and conditions.
- Funds, property, and other assets are safeguarded against loss from unauthorized use or disposition.

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 CPD award. Your accounting records should contain information showing expenditures under the award 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 award 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 records be kept?

All financial records and supporting documents associated with your CPD award (including payroll, time and attendance records, canceled checks, and purchase orders) must be retained for a period of three years from the date of submission of the final expenditure report as stated in 2 C.F.R §C.F.R. § 200.333 (Retention requirements for records).

Your agency should maintain records so that you can identify them by award year or by fiscal year, whichever you find more convenient. 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 award expenditures may result in a requirement to repay all federal funds that cannot be supported with appropriate records.*

What if we have more than one award?

If your agency has more than one COPS Office award or an award from another federal agency, funds received under one project may not be used to support another project without specific written authorization from the COPS Office, or in the case of an award 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 US 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.

VI. Federal Audit Requirements

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

Single Audit Act (SAA) requirements

What are the regulations governing SAA requirements?

The Single Audit Act (SAA) of 1984 established uniform guidelines for state and local governments receiving federal financial assistance. The 1984 Act was amended in July 1996, was revised on June 27, 2003 and again on June 26, 2007, and is effective for fiscal years after December 31, 2003, to reflect revised audit criteria and reporting requirements. The Office of Management and Budget (OMB) issued final guidance for 2 C.F.R. Part 200—Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (Uniform Guidance) on December 26, 2013. This guidance applies to all federal awards or funding increments awarded on or after December 26, 2014, and provides additional guidelines regarding the implementation of SAA requirements. 2 C.F.R. Part 200, Subpart F – Audit Requirements, available at **www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl**, establishes the requirements for organizational audits that apply to COPS Office award recipients. Recipients must arrange for the required organization-wide (not award-by-award) audit in accordance with the requirements of Subpart F.

Who must have an SAA audit?

A recipient that expends $750,000 or more during the recipient's fiscal year in federal awards must have a single audit conducted in accordance with 2 C.F.R. § 200.514 (Scope of audit) except when it elects to have a program-specific audit conducted in accordance with 2 C.F.R. § 200.501(c). An auditee may be a recipient, a subrecipient, or a vendor.

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 recipient’s financial statements, internal controls, major and nonmajor award programs, and compliance with government laws and regulations. Single Audits may also address specific compliance issues with respect to COPS Office award requirements.

In cases of continued inability or unwillingness to have an audit conducted in accordance with this part, federal agencies and pass-through entities must take appropriate action as provided in §200.338 Remedies for noncompliance. See 2 C.F.R. § 200.505.

These sanctions under 2 C.F.R. § 200.338 could include the following:

- Temporarily withholding cash payments pending correction of the deficiency by the nonfederal entity or more severe enforcement action by the federal awarding agency or pass-through entity.
- Disallowing (that is, denying both use of funds and any applicable matching credit for) all or part of the cost of the activity or action not in compliance.
- Wholly or partly suspending or terminating the federal award.

- Initiating suspension or debarment proceedings as authorized under 2 C.F.R. part 180 and federal awarding agency regulations (or in the case of a pass-through entity, recommending such a proceeding be initiated by a federal awarding agency).
- Withholding further federal awards for the project or program.
- Taking other remedies that may be legally available.

Your SAA reports should not be sent to the COPS Office.

If the US Department of Justice is your cognizant federal agency (see the Glossary of Terms in the appendices), they should be sent to the Federal Audit Clearinghouse at:

Federal Audit Clearinghouse
Bureau of Census
1201 East 10th Street
Jeffersonville, IN 47132

The US Department of Justice, Office of Justice Programs (OJP) serves as the liaison between recipients and auditors in the conduct of resolving and closing SAA audits. Questions and comments regarding SAA audits may be directed to the COPS Office Response Center at 800-421-6770.

Office of Inspector General (OIG) recipient audits

What is the role of the OIG for award audits?

The OIG is a separate component of the US Department of Justice and is independent of the COPS Office. The primary objective of OIG recipient audits is to assess compliance with award terms and conditions. OIG audits are designed to prevent fraud, waste, and abuse of federal funds. The OIG audit process promotes efficiency and effectiveness in the administration and implementation of awards by evaluating compliance with the terms and conditions of awards.

How are COPS Office awards selected for an OIG audit?

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

What are the steps in an OIG audit?

The COPS Office Grant Monitoring Division's Audit Liaison Section serves as the liaison between recipients and the OIG's Audit Division, which conducts the audit. The OIG steps in the audit process will determine the interactions between the OIG, the recipient, and the COPS Office Grant Monitoring Division Audit Liaison Section:

- **Call for award data.** The OIG requests award documentation from the COPS Office.
- **Entrance conference.** The OIG schedules to meet with the recipient to gather documentation and conduct audit.
- **Draft audit report.** The OIG reviews documentation and presents initial recommendations (findings) to the recipient and copies the COPS Office. The COPS Office interacts with the recipient to coordinate any repayments and/or policy or procedure documents to be submitted to the OIG before release of the Final Audit Report.
- **Final audit report.** The OIG has completed its direct interaction with the recipient. The COPS Office directs the recipient to formulate a Corrective Action Plan to address recommendations (findings). As each recommendation is successfully addressed by the recipient, the COPS Office requests closure on the recommendation.
- **Closing the audit.** When all recommendations have been closed, the COPS Office requests closure on the audit from the OIG and notifies the recipient that the audit is closed.

If you have any questions regarding an OIG audit, please contact the COPS Office Grant Monitoring Division's Audit Liaison Section via the COPS Office Response Center at 800-421-6770. Questions and comments regarding the administration of your COPS Office CPD award, not specifically related to an audit, should be referred to your COPS Office Program Manager.

Typical audit findings

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

- **Unallowable costs.** Recipient incurred costs that were not approved in the original budget or a budget modification, were in excess of the approved budget, or were charged to the award after the expiration date and an award extension was not obtained.
- **Unsupported costs.** Specific award expenditures and reimbursements could not be supported by adequate documentation (including but not limited to receipts or purchase orders), that may have been allowable under the program, but for which no prior written approval was obtained from the COPS Office , or award expenditures were in excess of actual approved award costs.
- **Lack of complete/timely programmatic and financial reporting.** Recipient failed to submit required programmatic and financial reports in a timely manner and/or had inadequate record keeping systems.
- **Funds to better use.** Funds could be used more efficiently based on management actions such as reductions in outlays; deobligation of funds; withdrawal; costs not incurred by implementing recommended improvements; and other identified savings.

- **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, award 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.
- **Policy and procedure.** Weaknesses are identified in a recipient's accounting practices, fiscal stewardship, accuracy of data used in the development of the award applications, and/or inventory controls that led to the recommendation cited in the audit. The recipient is required to develop or revise policies and/or procedures consistent with their existing practices and submit to the COPS Office to forward to the OIG to close the recommendation.

After the final OIG audit report has been issued, the COPS Office Grant Monitoring Division's Audit Liaison Section will continue working as the liaison between your agency and the OIG to obtain closure on any audit findings. The COPS Office 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.

VII. Reports Requirement

As a CPD award recipient, your agency will be required to submit quarterly Federal Financial Reports as well as quarterly Programmatic Progress Reports. Awarded agencies should be prepared to track and report CPD award funding separately from other funding sources (including other COPS Office and federal awards) 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 CPD funding and ensure that its use is consistent with the award terms and conditions. Good stewardship in this area includes written accounting practices, and use of an accounting system that tracks all award drawdowns and expenditures, and the ability to track when CPD award-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 Office award funding or other remedial actions.*

Federal Financial Reports

Your agency is required to submit a quarterly Federal Financial Report (FFR) using Standard Form 425 (SF-425) within 30 days after the end of each calendar quarter. A final SF-425 will be due within 90 days after the end of the award period. This report reflects the actual cumulative federal expenditures incurred during the funding period and the remaining unobligated balance of federal funds. Under federal regulations, your agency is not permitted to draw down federal funding for costs incurred after the official award end date; however, you will have a 90-day grace period after the award end date during which you can draw down funds for eligible expenditures incurred before the award end date.

How do we file Federal Financial Reports?

All COPS Office award recipients are required to submit quarterly Federal Financial Reports using the SF-425. Recipients are strongly encouraged to submit the quarterly SF-425 online. Visit the COPS Office Agency Portal website at **https://portal.cops.usdoj.gov** to log in; once you are logged in, select "Applications" from the agency portal menu, click on the "SF-425" icon, and follow the instructions to complete and submit your reports. The online SF-425 requires the same reporting information as the paper version. The use of this online application enables authorized users to view past reports and allows them to file or amend the SF-425 for the current quarter.

When are Federal Financial Reports due?

SF-425s for COPS Office awards must be submitted every quarter and no later than 30 days after the last day of each reporting quarter, as detailed in table 1:

Table 1. Due dates of SF-425 by quarter

Reporting quarter	SF-425 due date
January 1–March 31	April 30
April 1–June 30	July 30
July 1–September 30	October 30
October 1–December 31	January 30

For your initial SF-425 submission, determine when the most recent SF-425 reporting quarter ended and complete an SF-425 to cover the period from the award start date of your award to the end of that period. **You are required to submit an SF-425 even if you have not spent any money or incurred any costs during a reporting period.** The due dates for online filing of SF-425s are the same as for the submission of paper copies.

Example:

If your award start date is 02-01-17 and the current date is 04-15-17, then your first SF-425 will be due no later than 04-30-17 and will cover the period 02-01-17 (award start date) through 03-31-17 (end of the most recent reporting quarter). This SF-425 must be on file with the COPS Office so that you can successfully complete a drawdown of funds through GPRS.

Award recipients who do not submit an SF-425 report by the due date each quarter will be unable to draw down funds. The payment system contains a function which checks for SF-425 delinquency and will reject a drawdown attempt if the SF-425 is not current. Subsequent outreach through e-mail, fax, or hard copy reminders may be sent to the recipient if the SF-425 is delinquent.

For general information concerning online filing of SF-425 reports, go to **www.cops.usdoj.gov** or contact the COPS Office Response Center by phone at 800-421-6770 or by e-mail at **AskCopsRC@usdoj.gov**.

For assistance in completing the SF-425, contact the COPS Office Response Center at 800-421-6770 or by e-mail at **AskCopsRC@usdoj.gov** or review the "Helpful Hints Guide for Completing the Federal Financial Report (SF-425)" at **www.cops.usdoj.gov/pdf/SF-425_Helpful_Hints_Guide_5.9.13.pdf**.

How will award 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 award through financial reports, on-site visits, office-based award reviews, meetings, telephone contacts, reports, audits, reviews of award change requests, and special request submissions.

Program Progress Reports

Quarterly Program Progress Reports and a Final Program Progress (Closeout) Report are required to be submitted directly to the COPS Office through the "Account Access" tab of the COPS Office website at **https://portal.cops.usdoj.gov**.

How do we file a Program Progress Report?

Please access the COPS Office website at **https://portal.cops.usdoj.gov** and click on the "Account Access" tab at the top-right hand side of the page. Once you are logged in, select "Applications" from the agency portal menu, click on the "Progress Report" icon, and follow the instructions to complete your report.

How do we obtain online access to complete the Program Progress Report?

If you do not have login access, you should contact your agency portal administrator to set up an account for you.

If you have a registered account but do not remember your password, you may reset your password by going to the agency portal homepage at **https://portal.cops.usdoj.gov** and enter your e-mail address, and click on the "Forgot Password" link. If you do not have your user name or password, please contact the COPS Office Response Center by phone at 800-421-6770 (from Monday through Friday between 9:00 AM and 5:00 PM Eastern time) or by e-mail at **AskCopsRC@usdoj.gov**.

Do we need to request a Program Progress Report?

No. The COPS Office will notify your agency directly when the report is due. A notification for submitting your quarterly Program Progress Report will be sent electronically in January, April, July, and October covering activities for the preceding calendar quarter. Notification for submitting your Final Program Progress (Closeout) Report will be sent to your agency in the month following your award end date.

When are Program Progress Reports due?

Program Progress Reports for COPS Office awards must be submitted every quarter and no later than 30 days after the last day of each reporting quarter, as detailed in table 2:

Table 2. Due dates of Program Progress Reports by quarter

Reporting quarter	Program Progress Report due date
January 31–March 31	April 30
April 1–June 30	July 30
July 1–September 30	October 30
October 1–December 31	January 30

What kind of information will these reports require?

These reports will request information about the status of your award in terms of purchasing equipment, hiring personnel, delivering services, and progress in meeting milestones identified in the cooperative agreement, as well as general information about your agency.

What if we make a mistake or need to modify the report after it is submitted?

Recipients may need to make a change or may be asked by a subsequent COPS Office reviewer to make a correction to a submission. The recipient can update the submission by logging on to the COPS Office website or by calling the COPS Office Progress Report Team at 800-659-7379.

Will the data that we submit be publicly available?

Program Progress Reports submitted to the COPS Office may be reported publicly in response to a Freedom of Information Act (FOIA) request.

If your agency has any questions regarding the submission of these required reports, please call the COPS Office Progress Report Team at 800-659-7379.

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 award may be reported to the US Department of Justice. Furthermore, the COPS Office welcomes the opportunity to provide assistance regarding the implementation of award provisions to help ensure that federal award funds are spent responsibly. As such, the following contacts are provided to address noncompliance and technical assistance issues:

- If you suspect violations of a criminal nature, please contact the US Department of Justice, Office of the Inspector General (OIG) at **www.oig.justice.gov/hotline**, **OIG.hotline@usdoj.gov**, or 800-869-4499.
- If you suspect award violations (not criminal in nature) related to the award conditions listed in this manual, please contact the COPS Office Grant Monitoring Division at 202-514-9202.
- If you have any questions or need assistance regarding your award, please contact your COPS Office Program Manager via the COPS Office Response Center at 800-421-6770.

VIII. When the Award Period Has Ended

At the end of your agency's CPD award period, the COPS Office is responsible for the closeout of your award. 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 award.

After the end of the award period, your agency will be asked to submit a Final Federal Financial Report (SF-425) and any applicable final programmatic progress reports.

Final Federal Financial Report (SF-425)

The final Federal Financial Report (SF-425) for your award is due to the COPS Office no later than 90 days after the end date of the award period. The final report should reflect the total amount of allowable federal expenditures that were incurred during the life of the award, as well as the amount of unobligated funds remaining, if any. The federal funds expended should reflect only the actual allowable costs incurred relative to the specific program requirements for that award. In addition, once you have completed your final drawdown, this report should reconcile with the total amount of federal funds drawn down by your agency. The final SF-425 should also include the required minimum total amount of local (recipient) cash match contributed, if applicable.

When should all of the award monies be spent?

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

Please be advised that 2 C.F.R. § 200.343(a) requires recipients to submit final SF-425s and 2 C.F.R. § 200.343(b) requires recipients to draw down the final reimbursement for expended funds within 90 days after the expiration of the award. 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 unobligated and unspent award funds remaining in your account following the award period due to an overestimate of item costs during the application 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 award period. Any remaining unobligated or unspent funds should remain in your account, and will be deobligated during the closeout process.

Final Program Progress (Closeout) Report

After your award 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 award, and the information your agency provides in this report will be used to make a final assessment of your award progress.

Equipment disposition

Each recipient must use any equipment funded through a COPS Office award for approved award-related purposes and must retain the equipment for the life of the award. After the conclusion of the award period, property records must be maintained by the recipient. 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 award has expired and original or replacement equipment obtained under the award 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 $5,000 or less 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 is entitled to an amount calculated by multiplying the current market value or proceeds from sale by the awarding agency's federal share in the cost of the original purchase.

For more information, please see 2 C.F.R. § 200.313.

IX. Conclusion

We hope that this manual has assisted you and your agency with your award questions. We welcome and encourage any comments you have regarding the COPS Office CPD Program and the materials we have developed for its administration. If you have specific comments regarding this manual or have any questions about your award, please call your COPS Office Program Manager or the COPS Office Response Center at 800-421-6770.

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," the COPS Office encourages recipients of US Department of Justice funds to adopt and enforce policies that ban text messaging while driving and to establish workplace safety policies to decrease crashes caused by distracted drivers.

Appendices

Appendix A. List of source documents

A. Primary Sources

Public Safety Partnership and Community Policing Act of 1994, 42 U.S.C. § 3796dd et seq.

B. Secondary Sources

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

2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) as adopted by the US Department of Justice in 2 C.F.R. § 2800.101

4 C.F.R. Parts 101-105, US Department of Justice/Government Accountability Office, "Joint Federal Claims Collections Standards"

5 C.F.R. Part 1320, "Controlling Paperwork Burdens on the Public"

5 C.F.R. Part 151, "Political Activity of State and Local Officers or Employees"

28 C.F.R. Part 23, "Criminal Intelligence Systems Operating Policies"

28 C.F.R. Part 61, "Procedures for Implementing the National Environmental Policy Act"

28 C.F.R. Part83, "Government-Wide Requirements for Drug-Free Workplaces (Grants)"

28 C.F.R. Part 69, "New Restrictions on Lobbying"

31 C.F.R. Part 205, "Rules and Procedures for Efficient Federal-State Funds Transfers"

OMB Circular A-129, "Policies for Federal Credit Programs and Non-Tax Receivables"

48 C.F.R. Part 31 (Federal Acquisition Regulation), "Contract Cost Principles and Procedures"

Executive Orders:

Executive Order 12291, "Regulations"

Executive Order 12372, 28 C.F.R. Part 30, "Intergovernmental Review of Federal Programs"

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

Appendix B. Assurances and Certifications

Assurances

Several provisions of federal law and policy apply to all award programs. The Office of Community Oriented Policing Services ("COPS Office") 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 Office Program Manager at 800-421-6770.

By signing this form, the applicant assures that it will comply with all legal and administrative requirements that govern the applicant for acceptance and use of federal award funds. In particular, the applicant assures us of the following:

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this award 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 employees whose principal employment is in connection with an activity financed in whole or in part with this award. 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 Fair Labor Standards Act (29 U.S.C. § 201 et seq.), 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. In addition, it will disclose (in writing) to the COPS Office any potential conflict of interest arising during the course of performance of the award and also will require such written disclosures by any subrecipients.
5. As required by 42 U.S.C. § 3796dd-6, it will give the US Department of Justice or the Comptroller General access to and the right to examine records and documents related to the award.
6. It will comply with all requirements imposed by the US Department of Justice as a condition or administrative requirement of the award, including but not limited to: the requirements of 2 C.F.R. Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) as adopted by the US Department of Justice in 2 C.F.R. § 2800.101 ; 48 C.F.R. Part 31 (FAR Part 31) (Contract Cost Principles and Procedures); the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 28 C.F.R. Part 38 (Partnerships With Faith-Based and Other Neighborhood Organizations); the applicable COPS Office application guide; the applicable COPS Office award owner's manual; and with all other applicable program requirements, laws, orders, or regulations.
7. As required by 42 U.S.C. § 3796dd-1(c) (11), 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 (and will require any subrecipient, contractors, successors, transferees, and assignees not to), on the grounds of race, color, religion, national origin, sex, or disability 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. It will also not discriminate in the delivery of benefits or services based on age. These civil rights requirements are found in

the nondiscrimination provisions of Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789d); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101); Title IX of the Education Amendments of 1972, as amended (20 U.S.C. § 1681); and the corresponding US Department of Justice regulations implementing those statutes at 28 C.F.R. Part 42 (subparts C, D, E, G, and I). It will also comply with Executive Order 13279, as amended by Executive Order 13559, and the implementing regulations at 28 C.F.R Part 38, Partnerships With Faith-Based and Other Neighborhood Organizations, which requires equal treatment of religious organizations in the funding process and prohibits religious discrimination against beneficiaries.

A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, or sex 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 is a government agency or private business and has received a single award for $25,000 or more and has fifty or more employees (counting both full- and part-time employees but excluding political appointees), then it has to prepare a Utilization Report and submit it to the Office for Civil Rights (OCR) within 120 days from the date of the award. Although the OCR has discretion to review all submitted Utilization Reports, it will review the Utilization Reports from recipients that receive an award of $500,000 or more.

To begin developing a Utilization Report, please consult the OCR's website at **https://www.ojp.usdoj.gov/about/ocr/eeop.htm** and click EEOP Reporting Tool Login. Additional assistance can be found online at the bottom of the same webpage by clicking the EEO Reporting Tool Job Aid and Frequently Asked Questions.

If your organization has less than fifty employees or receives an award of less than $25,000 or is a nonprofit organization, a medical institution, an educational institution, or an Indian tribe, then it is exempt from the EEOP requirement. To claim the exemption, however, your organization must certify that it is exempt by logging into the EEO Reporting Tool on the OCR website at **https://www.ojp.usdoj.gov/about/ocr/eeop.htm**, providing the contact and organizational profile information, and then submitting a Certificate of Exemption.

If you have further questions regarding the EEOP requirements, you may contact an EEOP specialist at the OCR by telephone at 202-307-0690, by TTY at 202-307-2027, or by e-mail at **EEOPforms@usdoj.gov**.

9. Pursuant to US 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' (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 C.F.R. Part 46 if any part of the funded project contains nonexempt research or statistical activities which involve human subjects and also with 28 C.F.R. 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 - or - rented or personally-owned vehicles.
15. As required by 42 U.S.C. § 3796dd-3(a), it will not use COPS Office funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this award, as applicable.
16. If the award contains a retention requirement, it will retain the increased officer staffing level or the increased officer redeployment level, as applicable, with state or local funds for a minimum of 12 months following expiration of the award 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 award reimbursements are seized to pay off delinquent federal debts through the Treasury Offset Program or other debt collection process, it agrees to increase the nonfederal share (or, if the award does not contain a cost sharing requirement, contribute a nonfederal share) equal to the amount seized in order to fully implement the award project.

False statements or claims made in connection with COPS Office award may result in fines, imprisonment, debarment from participating in federal awards 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 recipient of its obligations under this award.

_____ _____

Signature of Law Enforcement Executive/Agency Executive Date

(For your electronic signature, please type in your name)

_____ _____

Signature of Government Executive/Financial Official Date

(For your electronic signature, please type in your name)

Certifications

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

Although the US 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 carefully review the statutes and regulations cited below and the instructions for certification to understand the requirements and whether they apply to a particular applicant. Signing this form complies with the certification and notice requirements under 28 C.F.R. Part 69 "New Restrictions on Lobbying"; 2 C.F.R. Part 2867 "Nonprocurement Debarment and Suspension"; 2 C.F.R. Part 200 "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards"; the general provisions in the applicable Appropriations Act; 28 C.F.R. Part 83 "Government-Wide Requirements for Drug-Free Workplace (Grants)"; and 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 US Department of Justice determines to make the covered award.

1. Lobbying
   As required by 31 U.S.C. § 1352, implemented at 28 C.F.R. Part 69, for persons entering into a grant or cooperative agreement over $100,000, and 2 C.F.R. § 200.450 as adopted by the US Department of Justice in 2 C.F.R. § 2800.101, the applicant certifies to the following:
   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; or 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.
   C. If applicant is a nonprofit organization or an institution of higher education, it will comply with the additional lobbying restrictions set forth in 2 C.F.R. § 200.450(c) as adopted by the US Department of Justice in 2 C.F.R. § 2800.101.
   D. 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 subrecipients shall certify and disclose accordingly.

2. Debarment, Suspension and Other Responsibility Matters (Direct Recipient)
   Pursuant to Executive Order 12549, Debarment and Suspension, as implemented at 2 C.F.R. Part 2867, for prospective participants in primary covered transactions, as defined at 2 C.F.R. § 2867.20(a), and other requirements, the applicant certifies that it and its principals:
   A. 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;
   B. Have not within a three-year period preceding this application been convicted of a felony criminal violation under any federal law, or been convicted 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;
   C. 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 B. of this certification; and
   D. 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.
3. Mandatory Disclosure
   Pursuant to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. § 200.113 as adopted by the US Department of Justice in 2 C.F.R. § 2800.101, the applicant certifies that it:
   A. Has not violated any federal criminal law involving fraud, bribery, or gratuity that may potentially affect the federal award;
   B. Shall timely disclose in writing to the federal awarding agency or pass-through entity, as applicable, any violation of federal criminal law involving fraud, bribery, or gratuity that may potentially affect the federal award; and
   C. Shall require that the language of this certification be included in the award documents for all subawards (including subgrants and cooperative agreements) and shall require all subrecipients certify and disclose accordingly.
4. Federal Taxes and Assessments
   A. If applicable, an applicant who receives an award in excess of $5,000,000 certifies that, to the best of its knowledge and belief, the applicant has filed all federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.
   B. The applicant certifies that it does not have any unpaid federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

5. Drug-Free Workplace

   As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 8103), implemented at 28 C.F.R. Part 83, for recipients other than individuals as defined at 28 C.F.R. § 83.660 –

   A. The applicant certifies that it will, or will continue to, provide a drug- free workplace by doing the following:
      (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, 145 N Street, NE, 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).

   B. The applicant further certifies that it will identify all known workplaces under each COPS Office award, keep the identification documents on file, and make them available for inspection upon request by the US Department of Justice officials or their designated representatives.

6. Coordination

   As required by 42 U.S.C. § 3796dd-1(c)(5) of the Public Safety Partnership and Community Policing Act of 1994, applicants must 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.

☐ *Where the applicant is unable to certify to any of the statements in this Certifications form, he or she shall attach an explanation to this application regarding the particular statement that cannot be certified. Please check*

the box if an explanation is attached to this application. Please note that the applicant is still required to sign the Certifications form to certify to all the other applicable statements.

False statements or claims made in connection with COPS Office awards may result in fines, imprisonment, debarment from participating in federal awards 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 recipient entity of its obligations under this award.

Signature of Law Enforcement Executive/Agency Executive	Date
(For your electronic signature, please type in your name)	
Signature of Government Executive/Financial Official	Date
(For your electronic signature, please type in your name)	

Appendix C. Community policing defined

Community policing is a philosophy that promotes organizational strategies that 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.

Community policing is composed of three key components:

1. Community partnerships
2. Organizational transformation
3. Problem solving

Community partnerships

Community partnerships are collaborative partnerships between law enforcement agencies and the individuals and organizations they serve to develop solutions to problems and increase trust in police.

Community policing, recognizing that police rarely can solve public safety problems alone, encourages interactive partnerships with relevant stakeholders. The range of potential partners is large, and these partnerships can be used to accomplish the two interrelated goals of developing solutions to problems through collaborative problem solving and improving public trust. The public should play a role in prioritizing and addressing public safety problems.

Other government agencies

Law enforcement organizations can partner with a number of other government agencies to identify community concerns and offer alternative solutions. Examples of agencies include legislative bodies, prosecutors, probation and parole departments, public works departments, neighboring law enforcement agencies, health and human services departments, child support services, ordinance enforcement, and schools.

Community members or groups

Individuals who live, work, or otherwise have an interest in the community—volunteers, activists, formal and informal community leaders, residents, visitors and tourists, and commuters—are a valuable resource for identifying community concerns. These factions of the community can be engaged in achieving specific goals at town hall meetings, neighborhood association meetings, decentralized offices or storefronts in the community, and team beat assignments.

Nonprofits or service providers

Advocacy and community-based organizations that provide services to the community and advocate on its behalf can be powerful partners. These groups often work with or are composed of individuals who share common interests and can include such entities as victims groups, service clubs, support groups, issue groups, advocacy groups, community development corporations, and the faith community.

Institutions of Higher Education

Institutions of higher education create communities of students, professors, and personnel that are important stakeholders. The institutions can also provide resources to law enforcement agencies by assisting with communication strategies, facilitation of community meetings, data analysis, and research.

Private businesses

For-profit businesses also have a great stake in the health of the community and can be key partners because they often bring considerable resources to bear in addressing problems of mutual concern. Businesses can help identify problems and provide resources for responses, often including their own security technology and community outreach. The local chamber of commerce and visitor centers can also assist in disseminating information about police and business partnerships and initiatives, and crime prevention practices.

Media

The media represent a powerful mechanism by which to communicate with the community. They can assist with publicizing community concerns and available solutions, such as services from government or community agencies or new laws or codes that will be enforced. In addition, the media can have a significant impact on public perceptions of the police, crime problems, and fear of crime.

Organizational transformation

Organizational transformation is the alignment of organizational management, structure, personnel, and information systems to support community partnerships and proactive problem-solving.

The community policing philosophy focuses on the way that departments are organized and managed and how the infrastructure can be changed to support the philosophical shift behind community policing. It encourages the application of modern management practices to increase efficiency and effectiveness. Community policing emphasizes changes in organizational structures to institutionalize its adoption and infuse it throughout the entire department, including the way it is managed and organized, its personnel, and its technology.

Agency management

Under the community policing model, police management infuses community policing ideals throughout the agency by making a number of critical changes in climate and culture, leadership, formal labor relations, decentralized decision making and accountability, strategic planning, policing and procedures, organizational evaluations, and increased transparency.

Climate and culture

Changing the climate and culture means supporting a proactive orientation that values systematic problem solving and partnerships. Formal organizational changes should support the informal networks and communication that take place within agencies to support this orientation.

Leadership

Leaders serve as role models for taking risks and building collaborative relationships to implement community policing, and they use their position to influence and educate others about it. Leaders, therefore, must constantly emphasize and reinforce community policing's vision, values, and mission within their organization and support and articulate a commitment to community policing as the predominant way of doing business.

Labor relations

If community policing is going to be effective, police unions and similar forms of organized labor must be a part of the process and function as partners in the adoption of the community policing philosophy. Including labor groups in agency changes can ensure support for the changes that are imperative to community policing implementation.

Decision making

Community policing calls for decentralization both in command structure and decision making. Decentralized decision making allows front-line officers to take responsibility for their role in community policing. When an officer is able to create solutions to problems and take risks, he or she ultimately feels accountable for those solutions and assumes a greater responsibility for the well-being of the community. Decentralized decision making involves flattening the hierarchy of the agency, increasing tolerance for risk taking in problem-solving efforts, and allowing officers discretion in handling calls. In addition, providing sufficient authority to coordinate various resources to attack a problem and allowing officers the autonomy to establish relationships with the community will help define problems and develop possible solutions.

Strategic planning

The department should have a written statement reflecting a department-wide commitment to community policing and a plan that matches operational needs to available resources and expertise. If a strategic plan is to have value, the members of the organization should be well-versed in it and be able to give examples of their efforts that support the plan. Components such as the organization's mission and values statement should be simple and communicated widely.

Policies

Community policing affects the nature and development of department policies and procedures to ensure that community policing principles and practices have an effect on activities on the street. Problem solving and partnerships, therefore, should become institutionalized in policies, along with corresponding sets of procedures, where appropriate.

Organizational evaluations

In addition to the typical measures of police performance (arrests, response times, tickets issued, and crime rates) community policing calls for a broadening of police outcome measures to include such things as greater community satisfaction, less fear of crime, the alleviation of problems, and improvement in quality of life. Community policing calls for a more sophisticated approach to evaluation—one that looks at not only how outcomes are measured, but also at how feedback information is used.

Transparency

Community policing involves decision-making processes that are more open than traditional policing. If the community is to be a full partner, the department needs mechanisms for readily sharing relevant information on crime and social disorder problems and police operations with the community.

Organizational structure

It is important that the organizational structure of the agency ensure that local patrol officers have decision-making authority and are accountable for their actions. This can be achieved through long-term assignments, the development of officers who are generalists, and using special units appropriately.

Geographic assignment of officers

With community policing, there is a shift to the long-term assignment of officers to specific neighborhoods or areas. Geographic deployment plans can help enhance customer service and facilitate more contact between police and the community, thus establishing a strong relationships and mutual accountability. Patrol beat boundaries should be aligned to neighborhood boundaries to enhance officers' understanding of communities within their patrol areas and to build trust within the community. Other community policing partners should become familiar with both the patrol officers and community policing officers assigned within each patrol beat to coordinate government and nongovernment community policing activities.

Despecialization

To achieve community policing goals, officers have to be able to handle multiple responsibilities and take a team approach to collaborative problem solving and partnering with the community. Community policing encourages its adoption agency-wide, not just by special units, although there may be a need for specialist units that are tasked with identifying and solving particularly complex problems or managing complex partnerships.

Resources (time, finances, and people)

Agencies have to devote the necessary human and financial resources and the investment of time to support community policing to ensure that problem-solving efforts are robust and that partnerships are sustained and effective.

Personnel

The principles of community policing need to be infused throughout the entire personnel system of an agency including recruitment, hiring, selection, and retention of all law enforcement agency staff, from sworn officers to civilians and volunteers. Personnel evaluations, supervision, and training must also be aligned with the agencies' community policing views.

Recruitment, hiring, and selection

Agencies need a systematic means of incorporating community policing elements into their recruitment, selection, and hiring processes. Job descriptions should recognize community policing and problem-solving responsibilities and encourage the recruitment of officers who have a spirit of service instead of only a spirit of adventure. A

community policing agency must also thoughtfully examine where it looks for recruits, whom it is recruiting and hiring, and what is being tested. Agencies are also encouraged to seek community involvement in this process through the identification of competencies and participation in review boards.

Personnel supervision/evaluations

Supervisors must tie performance evaluations to community policing principles and activities that are incorporated into job descriptions. Performance, reward, and promotional procedures should support sound problem-solving activities, proactive policing, community collaboration, and community satisfaction with police services.

Training

Training at all levels—academy, field, and in-service—must support community policing principles and tactics. It also needs to encourage creative thinking, a proactive orientation, communication and analytical skills, and techniques for dealing with quality-of-life concerns and maintaining order. Officers can be trained to identify and correct conditions that could lead to crime, raise public awareness, and engage the community in finding solutions to problems. Field training officers and supervisors need to learn how to encourage problem solving and help officers learn from other problem-solving initiatives. Until community policing is institutionalized within the organization, training in its fundamental principles will need to take place regularly.

Information technology systems

Community policing is highly information-intensive, and technology plays a central role in providing ready access to quality information. Accurate and timely information makes problem-solving efforts more effective and ensures that officers are informed about the crime and community conditions of their patrol beat. In addition, technological enhancements can greatly assist with accessing information to provide vital resources, improving two-way communication with community members, and developing agency accountability systems and performance outcome measures.

Communication / access to data

Technology provides agencies with an important forum by which to communicate externally with the public and internally within their organization. To communicate with the public, community policing encourages agencies to develop two-way communication systems through the Internet that allow for online reports; reverse 911; e-mail alerts; Internet social media discussion forums; and feedback on interactive applications (such as surveys and geographical information), thereby creating open, ongoing dialogues and increasing transparency.

Technology encourages effective internal communication through memoranda, reports, newsletters, e-mail and enhanced incident reporting, dispatch functions, and communications interoperability with other entities for more efficient operations. Community policing also encourages the use of technology to develop accountability and performance measurement systems that are timely and contain accurate metrics and a broad array of measures and information.

Community policing encourages the use of technology to provide officers with ready access to timely information on crime and community characteristics within their beats, either through laptop computers in their patrol cars or through personal data devices. In addition, technology can support crime/problem analysis functions by enabling agencies to gather more detailed information about offenders, victims, crime locations, and quality-of-life concerns, and to further enhance analysis.

Quality and accuracy of data

Information is only as good as its source; therefore, it is not useful if it is of questionable quality and accuracy. Community policing encourages agencies to put safeguards in place to ensure that information from various sources is collected in a systematic fashion and entered into central systems that are linked to one another and checked for accuracy so that it can be used effectively for strategic planning, problem solving, and performance measurement.

Problem solving

The process of engaging in the proactive and systematic examination of identified problems to develop and evaluate effective responses.

Community policing emphasizes proactive problem solving in a systematic and routine fashion. Rather than responding to crime only after it occurs, community policing encourages agencies to proactively develop solutions to the immediate underlying conditions contributing to public safety problems. Problem solving must be infused into all police operations and guide decision-making efforts. Agencies are encouraged to think innovatively about their responses and view making arrests as only one of a wide array of potential responses. A major conceptual vehicle for helping officers to think about problem solving in a structured and disciplined way is the SARA (scanning, analysis, response, and assessment) problem-solving model.

Scanning: Identifying and prioritizing problems

The objectives of scanning are to identify a basic problem, determine the nature of that problem, determine the scope of seriousness of the problem, and establish baseline measures. An inclusive list of stakeholders for the selected problem is typically identified in this phase. A problem can be thought of as two or more incidents similar in one or more ways and that is of concern to the police and the community. Problems can be a type of behavior, a place, a person or persons, a special event or time, or a combination of any of these. The police, with input from the community, should identify and prioritize concerns.

Analysis: Researching what is known about the problem

Analysis is the heart of the problem-solving process. The objectives of analysis are to develop an understanding of the dynamics of the problem, develop an understanding of the limits of current responses, establish correlation, and develop an understanding of cause and effect. As part of the analysis phase, it is important to find out as much as possible about each aspect of the crime triangle by asking who?, what?, when?, where?, how?, why?, and why not? about the victim, offender, and crime location.

Response: Developing solutions to bring about lasting reductions in the number and extent of problems

The response phase of the SARA model involves developing and implementing strategies to address an identified problem by searching for strategic responses that are both broad and uninhibited. The response should follow logically from the knowledge learned during the analysis and should be tailored to the specific problem. The goals of the response can range from totally eliminating the problem through substantially reducing the problem or reducing the amount of harm caused by the problem to improving the quality of community cohesion.

Assessment: Evaluating the success of the responses

Assessment attempts to determine if the response strategies were successful by understanding if the problem declined and if the response contributed to the decline. This information not only assists the current effort but also gathers data that build knowledge for the future. Strategies and programs can be assessed for process, outcomes, or both. If the responses implemented are not effective, the information gathered during analysis should be reviewed. New information may have to be collected before new solutions can be developed and tested. The entire process should be viewed as circular rather than linear, meaning that additional scanning, analysis, or responses may be required.

Using the crime triangle to focus on immediate conditions (victim/offender/ location)

To understand a problem, many problem solvers have found it useful to visualize links among the victim, offender, and location (the crime triangle) and those factors that could have an impact on them, for example, capable guardians for victims (e.g., security guards, teachers, and neighbors), handlers for offenders (e.g., parents, friends, and probation), and managers for locations (e.g., business merchants, park employees, and motel clerks). Rather than focusing primarily on addressing the root causes of a problem, the police focus on the factors that are within their reach, such as limiting criminal opportunities and access to victims, increasing guardianship, and associating risk with unwanted behavior.

This information is adapted from *Community Policing Defined*, which can be found at **https://ric-zai-inc.com/Publications/cops-p157-pub.pdf**.

COPS Office Resources

The COPS Office information resources, covering a wide range of community policing topics – from school and campus safety to gang violence – can be downloaded at **https://ric-zai-inc.com**.

Appendix D. Training and Conference Fact Sheets

If developing or delivering training under this cooperative agreement, the COPS Office *Curriculum Standards, Review, and Approval Process Guides: Online and In-Person* and COPS Office and *Instructor Quality Assurance Guide* must be followed. This applies to the development and/or delivery of online and in-person courses. Courses already in existence that are part of this cooperative agreement must also comply with the two aforementioned guides. A copy of these guides, along with supplemental training resources, will be supplied electronically to you by the Program Manager and are also located on the COPS Office website for download. All training development processes and deliverables must be reviewed and approved by the COPS Office prior to public release following the process indicated in the guides.

- **Training Fact Sheet**
- **ADDIE Fact Sheet**
- **In Person Curriculum Standard Guide**
- **Instructor Quality Assurance Guide**
- **Non-TOT Instructor Guide Template**
- **Non-TOT Participant Guide Template**
- **Non-TOT PowerPoint Background**
- **TOT Instructor Guide Template**
- **TOT Participant Guide Template**
- **TOT PowerPoint Background**
- **Section 508 of the Rehabilitation Act of 1973**

Appendix E. Conference and Event Guidance

Conference and Event Approval, Planning, and Reporting FAQ

Prior Approval

1. **Approximately how long should it take to adequately complete the Conference & Events Submission form?**
   The amount of time required to adequately complete the Conference & Events Submission Form will vary depending on the complexity of the proposed event. A small event (in terms of number of attendees, total cost, etc.) may require only an hour or two to complete the form because the event is basic/routine and data are not required in all of the available categories. On the other hand, a large event (in terms of number of attendees, multiple sessions occurring at the same time, etc.) may require several hours or days depending on the amount of required data (categories) and level of justification needed to support the event. Regardless of the size of any event, the supporting justification should be sufficient to support the agency's mission for conducting the event.

2. **Which types of events do not require prior approval?**
   Currently there are six types of events that do not require prior approval:

   i. Conferences held by grant recipients. (Note: Conferences held by cooperative agreement recipients do require prior approval.)
   ii. Law enforcement operational activities, including staging, surveillance, investigation, intelligence, and undercover activities.
   iii. Routine operational meetings (e.g., staff meetings or all-hands meetings) if held in a federal facility, if held by cooperative agreement recipients in a non-federal facility that does not charge for its use, and if there are neither costs to the DOJ for logistical conference planning nor government-provided food or beverages. In all three of these instances, the answer to all the questions on the Prior Approval Not Required Checklist must be "No." Site visits are considered routine operational meetings regardless of location so long as there are no costs to the DOJ for meeting rooms, logistical conference planning, or food and beverages.
   iv. Testing activities where the primary purpose of the event is to evaluate an applicant's qualifications to perform certain duties necessary to his or her job. This includes firearms and weaponry proficiency testing and certifications. A majority of the event must be devoted to administering and taking the test. Testing activities that are incidental to a training course or conference or are given upon its completion do require prior approval.
   v. Video conferences and webinars where there are neither costs to the DOJ for logistical conference planning nor government-provided food or beverages.
   vi. Technical assistance visits where travel was made by an individual or a small group of project staff members to provide training or technical assistance to a particular entity; in this instance, the answer to all the questions on the Prior Approval Not Required Checklist must be "No."

3. **Where should time staff spent working on the conference that is not related to planning be captured?**
   Time spent working on a conference by staff or contractors can be classified as either logistical planning time or programmatic planning time. Programmatic planning includes time spent on activities such as developing the conference content and agenda, identifying and recruiting subject matter experts, and preparing written

materials. Logistical planning includes time spent on tasks such as selecting a venue, ordering and setting up audio-video equipment, securing hotel rooms, processing registrations, providing onsite support during the event, and undertaking other non-programmatic functions.

4. **If a cooperative agreement recipient or contractor is able to obtain a no-cost site for the event, are we still required to look into other facilities and provide justification for not selecting the other facilities?**
   Yes. Cooperative agreement recipients and contractors should compare three or more facilities in a location. Facilities being compared should have provided a cost estimate and be able to accommodate the event as detailed in the requirements. A desired hotel may offer an incentive of no overall facility cost (e.g., for meeting rooms or audio-visual equipment) but may not be economical in other cost comparison items such as the availability of lodging at per diem rates, travel distance for attendees, etc. Also, recipients and contractors should maintain written documentation justifying their decision to select the chosen location in the event of a future audit.

5. **Is there a timeframe after the COPS Office accepts a conference request that a cooperative agreement recipient or contractor can expect notification of approval?**
   Each event request (meeting, conference, webinar, etc.) is unique in reference to how it will accomplish the COPS Office's mission. The key to any conference request moving through the review process depends on whether the package is complete. A complete package contains a detailed cost analysis and sufficient justification to support all categories within the package.
   Example: An event is submitted for approval and consists of the following categories: printing and distribution, meals and incidental expenses (M&IE), lodging, transportation, and trainer or facilitator costs. The package contains a detailed cost analysis of each cost category (e.g., one trainer at $450 per day x 2 days = $900) and adequate justification explaining the purpose of the event and the role of the trainer. This package can move through the review process in a few days and allow ample time for travelers to make reservations, if the package was submitted within the required timeframe. However, if the trainer or facilitator's costs in the submitted package exceed the COPS Office's threshold and if supporting justification was not included, a delay may occur while this justification is being retrieved.
   To avoid delays in the approval process, all recipients and contractors should adhere to the timeframe requirements for the dollar amount of their proposed event.

6. **Once an event is approved, how do we handle any increases or decreases in the amount of attendees originally proposed on the cost analysis spreadsheet submitted to the DOJ for approval?**
   After receiving notification of approval from the COPS Office, all subsequent changes prior to the start day of the event should be sent to the COPS Office Conference Costs email address, as appropriate. Example: If the COPS Office approved on 9/1/2017 an event scheduled for 12/15/2017, the cooperative agreement recipient or contractor should notify the COPS Office of any changes in attendees as soon as possible (preferably 30 days or more in advance). This scenario holds true for changes to the start and end date, location, and any other cost-related category.

7. **Does the $25 per person per day limit for meeting rooms and audio-visual costs also include service fees and taxes?**
   Yes. The cost allowed for conference space and audio-visual equipment and services (fees and taxes) is limited to $25 per day per attendee and is not to exceed a cumulative total cost of $20,000. Total costs are defined as direct and indirect costs.

8. **What if there are multiple meetings occurring within the larger event offered to all the attendees? Is the $25 per day per attendee limit applicable to each meeting? Example: A general session meeting contains all attendees and later breakout sessions are offered to the groups. Can each breakout session have its own $25 per person per day limit?**
   No. Despite the multiple meetings offered within the larger event, the COPS Office considers and approves this type of situation to be a single event.

9. **Can we accept complimentary food and beverage?**
   Yes. Complimentary food and beverages may be accepted if offered to everyone. Example: Hotel W offers a complimentary continental breakfast to all its overnight customers regardless of any status they may have with the hotel chain. This type of complimentary offer is considered a business strategy of the hotel to promote an increase in overnight stays. You are not required to reduce your M&IE by the value of the food and beverage it offered to all customers as noted in this example.

10. **Are the thresholds ($8,750 for logistical planner, $35,000 for programmatic planner, and $20,000 for conference space and audio-visual equipment and services) a cumulative cost for the entire event or a per day cost?**
    The cost allowed for conference space and audio-visual equipment and services (fees and taxes) is limited to $25 per day per attendee and is not to exceed a cumulative total cost of $20,000. The cost allowed for a logistical planner is the lesser of $50 per attendee or $8,750 per event. The cost allowed for a programmatic planner is the lesser of $200 per attendee or $35,000 per event.

11. **To whom should I submit event requests?**
    For all COPS Office events, the form should be sent to the COPS Office Conference Costs email address. Please do not send questions or other correspondence to this email address. This mailbox should be used only for the submission of conference forms and supporting documentation (e.g., hotel contracts).

12. **How far in advance do I have to submit an event for review and approval?**
    Requests for conferences costing $100,000 or less, and not exceeding any cost thresholds (conference space and audio-visual equipment and services, logistical conference planner, and programmatic conference planner), must be submitted to the COPS Office 90 calendar days in advance of the earliest of the following:

- Start date of the conference;
- Deadline for signing conference-related contracts; or
- Obligation of funds for conference costs (except for minimal costs required to assemble and submit the approval request).

Requests for conferences costing more than $100,000, or exceeding any one cost threshold (conference space and audio-visual equipment and services, logistical conference planner, or programmatic conference planner), must be submitted to the COPS Office 120 calendar days in advance of the earliest of the following:

- Start date of the conference;
- Deadline for signing conference-related contracts; or
- Obligation of funds for conference costs (except for minimal costs required to assemble and submit the approval request).

If approval requests are submitted less than the required number of days in advance (as noted above), the COPS Office, in its sole discretion, may consider the late requests but cannot ensure the requests will receive a decision in time to avoid having to cancel the conference (particularly if any issues arise with specific items of cost in the request). Cancellation costs associated with conference requests that are submitted for late prior approval may be determined to be unallowable costs by the COPS Office.

13. **What are the most common mistakes made on the forms so that I can avoid them in the future and increase the likelihood of a quick review and approval decision for my event?**
Below are the most common mistakes found:

- *Inaccurate calculation of daily per diem*. Daily per diem rates for locations across the nation can be found on the GSA website. Ensure the daily rate used in the calculations corresponds to the specific location and dates of the meeting. In addition, remember that travel days are reimbursed at a slightly lower rate than meeting days. The lower rates must be used for days of travel both before and after the event. The following chart includes these lower rates:

Full per diem rate	Corresponding travel day rate (75%)
$46.00	$34.50
$51.00	$38.25
$56.00	$42.00
$61.00	$45.75
$66.00	$49.50
$71.00	$53.25

EXCEPTION: If your organization has its own formal, written travel policy, your event submissions can reflect that policy instead of the rates in the chart above. In these instances, state that you have a formal, written travel policy, and clearly explain the rates in the policy and how the corresponding numbers in your submission were derived.

- *Insufficient explanation and justification of transportation costs.* Remember to break out and briefly describe and justify the transportation costs that are included. Example: If participants are flying to your event and the tickets are being paid for with DOJ funding, you should include the anticipated number of people flying multiplied by the estimated cost per ticket. If cars will be rented, you should include a brief justification for why rental cars are being used instead of another form of ground transportation, such as taxis or shuttles.
- *Insufficient explanation and justification of audio-visual costs.* All audio-visual costs should be broken out and briefly described. The quantity of equipment to be rented (number of microphones, projectors, etc.) should be included, along with relevant costs and a brief justification for why the proposed equipment is required to conduct a successful meeting. A discussion of how the audio-visual services provider was selected should be included (for example, did you obtain three quotes?).
- *Insufficient explanation and justification of printing costs.* Proposed printing costs for participant materials should also be itemized and briefly described. Specifically, it is important to articulate why printed materials are needed instead of making materials available electronically (at low or no cost) to attendees before or after the event.
- *Insufficient explanation and justification of shipping costs.* Provide an itemization of these costs, along with a brief description of why the equipment and other materials being shipped are essential to hosting a successful conference.
- *Insufficient explanation and justification of consultant costs.* The maximum daily rate for subject matter experts who are being reimbursed for their time is noted here. Describe all consultant costs in detail, and include a brief yet compelling justification for the proposed costs. Daily rates for subject matter experts

above the maximum daily rate require prior approval by the COPS Office and DOJ. In cases where higher rates are included in the event submission, written documentation of prior approval is required and should be attached.

14. **Should I continue to exclude all food and beverage costs in my event submissions?**
    Yes. The inclusion of food and beverage costs will delay the review process, and these costs are not likely to be approved. The only exception is when the location of the conference does not allow attendees to obtain food or beverages on their own or when this restriction would greatly disrupt the conference schedule. If you believe your event qualifies for such a rare exception, contact your Program Manager to discuss it before completing and submitting your form. If meals are included in your event submission, remember that attendees must subtract the meal costs from the M&IE reimbursement for the days on which the meals will occur.

15. **Can you summarize what I can do to prevent follow-up questions about my submitted events that delay the review and approval process?**
    As a general rule, explain how you derived every cost that you include in the conference submission form. For lines that do not provide space for you to add descriptive narrative, include your explanations and specific cost breakdowns in a separate tab or in a separate document that is submitted with the form. In addition, include the cooperative agreement or contract number on the form.

16. **What events qualify for the expedited review process?**
    There is no expedited review process. Every effort is made to review all events as quickly as possible. Most delays result from a need for additional information. Event requests are prioritized for review by balancing the following three criteria:

- The start date of the event;
- The date the event submission was received by COPS Office; and
- The overall cost and complexity of the event. For example, conferences requiring approval by the assistant attorney general's administration and the deputy attorney general (over $100,000–$250,000) typically take longer to process, as they must go through COPS Office and DOJ reviews, result in more questions, and are more likely to have issues related to cost thresholds.

Reporting

17. **Where can I find the most updated version of the conference reporting form to use for my submissions?**
    The most updated version of the conference reporting form can be found under the Training Resources for award recipients section on the COPS Office Training page at **https://cops.usdoj.gov/training**.

18. **If I have a question about conference reporting, to whom should I send it?**
    Send your questions to your designated Program Manager. They are great resources and will be happy to assist you.

19. **Are we expected to have our staff track their time hour for hour for time spent on the event for planning, etc., or are reasonable estimates adequate for cost reporting purposes?**
    Post-event reports must contain actual costs, not estimates. These costs should include logistical and programmatic planner staff time spent on these activities and any contracted planner costs.

With conference cost reports now being due 30 days after the event, how should we handle costs for invoices that have not been received yet? Many invoices (such as for hotels) are not received within 30 days after the event. Should estimates be included on the cost report?

All conference costs for events held by cooperative agreement recipients or contractors costing more than $20,000, or where more than 50% of attendees are DOJ employees, must be reported within *45 calendar days after the last day of the event*.

20. **On the DOJ Conference & Events Submission Form under "A. General Conference Information," is item 19, "Reporting Period," the period in which the actual cost of the event is being reported, or should this be based on the end date of the event?**

    This reporting requirement is based on the end date of the event. All conference costs for events held by cooperative agreement recipients or contractors costing over $20,000, or where more than 50% of attendees are DOJ employees, must be reported within 45 calendar days after the last day of the event. Example: A COPS Office–approved conference was conducted from 3/16/2018 through 3/20/2018. A completed Conference & Events Submission Form must be submitted, showing the prior approval amounts compared to the actual costs and explaining all variances greater than 10% or $1,000. Reports should be emailed to the COPS Office Conference Cost email address at **COPS.Conferencecosts@cops.usdoj.gov**.

Department of Justice-Sponsored Conference Request and Report

A RED cell indicates that your entry exceeds the DOJ meal threshold AND cannot be submitted unless within the meal threshold.
A YELLOW cell indicates that your entry exceeds the DOJ threshold, and additional justification must be provided.
A GREY box indicates that no entry is required.

JMD FINANCE STAFF USE ONLY:	
JMD Tracking Number	
Date Received	

COMPONENT USE ONLY:								
Component Internal Tracking Number *(Optional)* :								
CA/Contract Number								
CA/Contract Recipient				CA/Contract PoC Name				
CA/Contract PoC Phone				CA/Contract PoC Email				
	Request Cost per Attendee	#DIV/0!	Actual Cost per Attendee		COPS Average Cost per Attendee		DOJ Average Cost per Attendee	

A. GENERAL CONFERENCE INFORMATION:		
1. Name of Requestor		
2. Component Name *(Drop Down)*	COPS - Office of Community Oriented Policing Services	
3. Is this submission for a conference request or report? *(Drop Down)*	Conference Request	
4. JMD Tracking # *(Report Only)*		
5. If this is a Re-Submission of a previously disapproved conference, indicate original JMD Tracking Number.		
6. Official Title of the Conference *(No Abbreviations)*		
7. Is this a blanket request? (Y/N) *(Drop Down) If "YES" Skip A9-13,A16 and Sections C,D,& E1, If "NO" Skip A8*	No	
8. If this is a Blanket Request, indicate for each: 1) Number of occurrences this fiscal year, 2) Locations, and 3) Start and End Dates		
9. Conference Start Date *(MM/DD/YYYY)*		
10. Conference End Date *(MM/DD/YYYY)*		

11. Location: Country *(Drop Down)*	
12. Location: State / Territory / Possession *(Drop Down)*	
13. Location: City	
14. Justification that conference is essential to accomplishing core mission	
15. Funding Appropriation Symbol	
16. Facility Name *(Specific)*	
17. Facility Type (Federal/Non-Federal) *(Drop Down)*	
18. Cooperative Agreement (Y/N) *(Drop Down)*	
(Required when reporting actuals) *(Drop Down)*	

	Conference REQUEST Information	Conference REPORT Information
20. Number of DOJ Federal Attendees		
21. Number of Other Federal Attendees		
22. Number of Non-Federal Attendees		
23. Total Number of Attendees *(Auto-populates)*	0	
24. Total number of attendees whose travel expenses are paid for by DOJ *(required)*		
25. Total Cost *(Auto-populates from entries below)*	$0	
26. Predominately Internal Event held at a Non-Federal Facility (Y/N) *(Auto-populates based on Facility Type and Number of Attendees)*	PLEASE PROVIDE NUMBER OF ATTENDEES	

Competitive Contracting:	
(Drop Down)	
(Drop Down)	

When REPORTING quarterly conferences, only complete the request information if JMD approved your request and you have a JMD tracking number

B. TOTAL CONFERENCE COSTS:	**Conference REQUEST Information**				**Conference REPORT Information**				
	ESTIMATED DIRECT COST	**ESTIMATED INDIRECT COST** *(Funding from Cooperative Agreement)*	**ESTIMATED TOTAL COST** *(Auto-populates)*	**% OF TOTAL COST** *(Auto-populates)*	**ACTUAL DIRECT COST**	**ACTUAL INDIRECT COST** *(Funding from Cooperative Agreement)*	**ACTUAL TOTAL COST** *(Auto-populates)*	**VARIANCE** *(Between Actual and Estimate) (Auto-populates)*	**VARIANCE JUSTIFICATION (Provide justification if variance is >$1,000 and >10% as indicated by a light yellow cell OR exceeds cost thresholds, as indicated by a bright yellow cell)**

1. Conference Meeting Space (including rooms for break-out sessions)			$ -	0.00%
2. Audio-visual Equipment and Services			-	0.00%
3. Printing and Distribution			-	0.00%
4. Meals Provided by DOJ				
a. Breakfast			-	0.00%
b. Lunch			-	0.00%
c. Dinner			-	0.00%
5. Refreshments Provided by DOJ			-	0.00%
6. M&IE for Attendees			-	0.00%
7. Lodging			-	0.00%
8. Common Carrier Transportation			-	0.00%
9. Local Transportation			-	0.00%
10. Conference Planner - Logistical			-	0.00%
11. Conference Planner - Programmatic			-	0.00%
12. Conference Trainer/Instructor/Presenter/Facilitator			-	0.00%
13. Other Costs: *(Itemize Below)*				
			-	0.00%
			-	0.00%
			-	0.00%
			-	0.00%
			-	0.00%
14. Total Conference Cost: *(Auto-populates)*	$ -	$ -	$ -	0.00%

C. MEALS & REFRESHMENTS THRESHOLD CALCULATOR	
CONFERENCE LOCATION:	**PER DIEM RATE**
1. Continental United States MI&E	GSA Per-Diem Rates
2. Hawaii, Alaska, US Territories & Possessions MI&E	DOD Per-Diem Rates
3. Foreign Country MI&E	State Department Per-Diem Rates

D. MEALS	NUMBER OF TIMES MEAL IS SERVED	NUMBER OF ATTENDEES	PER PERSON THRESHOLD ($)	TOTAL JMD THRESHOLD ($)
1. Breakfast		0	SELECT PER DIEM RATE	N/A
2. Lunch		0	SELECT PER DIEM RATE	N/A
3. Dinner		0	SELECT PER DIEM RATE	N/A

E. OTHER THRESHOLDS CALCULATOR

COST CATEGORY:	NUMBER OF ATTENDEES	PER PERSON THRESHOLD ($)	TOTAL JMD THRESHOLD ($)
1. Conference Space & Audio-visual Equipment and Services	0	$ 25	$ -
2. Logistical Conference Planner	0	$ 50	$ -
3. Programmatic Conference Planner	0	$ 200	$ -

F. JUSTIFICATION IF SUBMITTING CONFERENCE REQUEST FORM WITH ESTIMATED COSTS OVER THRESHOLD *(Complete if cells turn YELLOW):*	
1. Conference Space & Audio-visual Equipment and Services	
2. Refreshments	
3. Logistical Conference Planner	
4. Programmatic Conference Planner	

G. JUSTIFICATION REQUIRED FOR CONFERENCES WITH MEALS (*Complete if cells turn YELLOW*):	
Government Provided Meals	

H. JUSTIFICATION FOR NON-FEDERAL FACILITY *(Complete if cells turn YELLOW)*:	
Justification for Using a Non-Federal Facility *(Drop Down)*	

I. FACILITIES CONSIDERED

NAME	FACILITY TYPE *(Drop Down)*	TOTAL EST. CONFERENCE COST	SELECTED (Y/N)	REASON FOR USE OR NON-USE
	0	$ -	YES	

J. ESTIMATED ATTENDEE INFORMATION		
ATTENDEE DUTY STATION	**ATTENDEE ORGANIZATION**	**NUMBER OF ATTENDEES**
TOTAL - ***(Breakout must match entry on line A23)***		**0**

Please answer the following questions below:

Meeting/Event name:	
Meeting/Event date:	

Please select yes or no from the drop down:	**Yes/No**
1. Is the cost of the event greater than $20,000?	
2. Are there meeting room costs?	
3. Are audio visual costs greater than $25 per attendee or more than $1000 in total?	
4. Are there any food and beverage costs?	
5. Did the request for the meeting come from multiple jurisdictions or agencies?	
6. Do the participants represent multiple agencies that are not co-located or joined by an agreement (e.g., task force with MOU)?	
7. Are there trinkets being purchased?	
8. Is there a formal published agenda?	
9. Are formal discussion or presentation panels planned?	
10. Are there logistical planning costs beyond incidental internal administrative costs necessary to arrange travel and lodging for a small number of individuals?	

If any question is answered "yes", the event must be submitted for prior approval. If all answers are "no", the event does not require additional prior approval. The CCRPOC must sign the certification below and this documentation along with the original cost estimate must be maintained in the award files in accordance with the record documentation guidelines outlined in the Financial Guide.

CCRPOC Certification (only to be used if all answers are "no"):

The CCRPOC for this award certifies that the answers to all the questions above are "no", thereby not requiring prior approval. The CCRPOC further certifies that actual costs charged to the cooperative agreement will not exceed $20,000, including any applicable indirect costs.

Typed CCRPOC Name:

Date:

Please answer the following questions below to continue with your prior approval:

One sentence describing the event:	
Purpose for the event:	
How the purpose ties to the COPS Office/DOJ Mission:	

COPS Office Mission: To advance the practice of community policing by the nation's state, local, territorial, and tribal law enforcement agencies through information and grant resources.
DOJ Mission: To enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

Brief discussion of how and why the venue (City, State and facility) was selected.

Answer:

	Venue selection justification documents or venue selection matrix provided.

Intended audience (select all that apply "X")

	Community based organizations/NPOs
	Community Members/Volunteers/General Public
	Corrections / Detention Personnel
	Court Personnel
	Crime Scene Investigators
	Defense Attorneys
	Educators
	Faith-based Organizations
	Financial Managers
	Forensic Scientists
	Grant Managers
	Health services (medical, mental health, substance abuse treatment)
	Industry
	Judges
	Law Enforcement
	Probation /Community Corrections/Parole
	Prosecutors
	Tribal
	Victim Advocates
	Youth
	Other – describe below

Topic (select all that apply "X")

	Corrections
	Courts
	Crime Prevention
	Crime Scene Investigation
	Drugs
	Forensic Science
	Grants Management (financial, administrative, programmatic)
	Justice Systems
	Juvenile Justice
	Laboratory Operations
	Law Enforcement
	Standards
	Technical Working Groups / Advisory Groups
	Victims of Crime
	Other – describe below

ESTIMATED EXPENSE JUSTIFICATION/COST CALCULATION SECTION

Conference/Meeting Space

Justification	Item	Cost per Day	Number of Days	Total Direct Costs	Total Grantee Cost		Total Cost
				$0	$0		$0
				$0			
				$0			
				$0			
				$0			
				$0			

A/V Equipment & Services

Justification	Item	Cost per Day	Number of Days	Total Direct Costs	Total Grantee Cost		Total Cost
				$0	$0		$0
				$0			
				$0			
				$0			
				$0			
				$0			

Printing and Distribution

Justification	Item	Unit Cost	Quantity	Total Direct Costs	Total Grantee Cost		Total Cost
				$0	$0		$0
				$0			
				$0			
				$0			
				$0			
				$0			

Gov't Provided Meals

Justification	Item	Unit Cost	Number of Attendees	Number of Days	Total Direct Costs	Total Grantee Cost		Total Cost
	Breakfast				$0	$0		$0
	Lunch				$0			
	Dinner				$0			
	Refreshment				$0			

M & IE

Justification	Desciption	Per Diem Rate	Number of Travelers	Number of Days	Total Direct Costs	Total Grantee Cost		Total Cost
					$0	$0		$0
					$0			
					$0			
					$0			
					$0			
DOJ Attendee M&IE					$0		$0.00	

Lodging

Justification	Desciption	Lodging Rate	Number of Travelers	Number of Nights	Total Direct Costs	Total Grantee Cost		Total Cost
					$0	$0		$0
					$0			
					$0			
					$0			
					$0			
DOJ Attendee Lodging					$0		$0.00	

Transportation

Justification	Desciption	Rate	Number of Travelers	Total Direct Costs	Total Grantee Cost		Total Cost
				$0	$0		$0
				$0			
				$0			
				$0			
				$0			
DOJ Attendee Transportation				$0		$0.00	

Local Transportation

Justification	Item	Cost/Rate	Number of trips, miles, vehicles, persons	Total Direct Costs	Total Grantee Cost		Total Cost
	Taxi			$0.00	$0		$0
	Parking Fees			$0.00			
	Shuttle Service			$0.00			
	POV (mileage)			$0.00			
				$0.00			
DOJ Attendee Local Transportation				$0		$0.00	

Logistical Planner

Justification	Item	Cost/Rate	hours/days	Total Direct Costs	Total Grantee Cost		Total Cost
				$0.00			
				$0.00			

				$0.00	$0		$0
				$0.00			
				$0.00			

Include staff time spent on logistical and

Programmatic Planner

Justification	Item	Cost/Rate	hours/days	Total Direct Costs	Total Grantee Cost		Total Cost
				$0.00			
				$0.00			
				$0.00	$0		$0
				$0.00			
				$0.00			

Conference Facilitator

Justification	Item	Cost/Rate	hours/days	Total Direct Costs	Total Grantee Cost		Total Cost
				$0.00			
				$0.00			
				$0.00	$0		$0
				$0.00			
				$0.00			

Other Expense

Justification	Item	Cost/Rate	Quantity	Total Direct Costs	Total Grantee Cost		Total Cost
				$0.00			
				$0.00			
				$0.00	$0		$0
				$0.00			
				$0.00			

Indirect Cost

Justification	Item	Rate	Base	Total Direct Costs	Total Grantee Cost		Total Cost
				$0.00			
				$0.00			
				$0.00	$0		$0
				$0.00			
				$0.00			

Total Direct Costs	$0	
Total Indirect Costs	$0	
Total Grantee Costs	$0	
Total DOJ Costs	$0.00	
Total Conference Costs	$0.00	figure should match submission form total

Total Number of Event Days	
Average Meeting Space and AV expenses /person /day	

Attached Documents

Please mark "X" in the box and provide a copy of the document

Hotel contract/proposal (if applicable please mark "X" in the box and provide a copy of the unsigned contract)

Copy Provided

Meeting Agenda (required)

Copy Provided

Indirect Cost Rate Agreement

Copy Provided

Attendees

List of attendees and where they are travelling from. Please add more spaces as necessary. (If attendee information is not known at this time please enter TBD in the chart below. If attendees are not yet known please write in a justification in the box below)

*Please note if other DOJ component attendance (FBI, DEA, USMS, USAO, etc.) is expected

If attendees are not known - explanation:

Organization:	Name:	Duty Station:	Traveling From:

Hotel Selection Justification and Cost Breakdown

Bid	Hotel	Total Cost	Availability	Food	Guest Room Rate per Night	Meeting Space Rental Fee + Service Fee	Microphones, Mixer, and Recording	Screen and Projector	Technician and Service Fee
1									
2									
3									

Audio/Visual Cost Justification

If A/V estimate costs are above the threshold, use the space below to explain and/or justify the cost.

Itemized Travel Costs Paid or Reimbursed with Cooperative Agreement Funds

Only complete this form when submitting Conference Report Actuals.

Name	Duty Station *(Departure and Return Location)*	Purpose/Role *(Participant, Facilitator, Logistical Coordinator, etc.)*	# of days	Total M&IE	Total Lodging *(Include tax)*	Common Carrier Transportation *(Air, Rail, or Bus)*	Baggage Fees*	Local Transportation *(Includes taxi, parking, rental car, POV)*	Total
									$ -
									$ -
									$ -
									$ -
									$ -
									$ -
TOTAL				**$ -**	**$ -**	**$ -**		**$ -**	**$ -**

* Although there is a separate column for "Baggage Fees" that expense should be added to the "Common Carrier Transportation" in the actuals report.

Complete this form only when submitting Actual Costs and if there are particular itemized expense in "Part B Total Conference Costs" of the Reporting Form exceeds the threshhold or the allowable variance. Provide justification/explanation and calcualtions in the below form.

Expense Category	Cost	Reporting Form Variance Justification/ Explanation
Conference Meeting Space	$0	
A/V Equipment and Services	$0	
Conference Meeting Space and A/V Equipment and Services	$0	Total will auto-populate
Printing and Distribution	$0	
Gov't Provided Meals*	$0	
Breakfast	$0	
Lunch	$0	
Dinner	$0	
Refreshments*	$0	
M&IE	$0	
Lodging	$0	
Transportation	$0	
Local Transportation	$0	
Logistical Conference Planner	$0	
Programmatic Conference Planner	$0	
Conference Trainer/Instructor/Presenter/Facilitator	$0	Conference trainer/instructor/presentor/facilitator costs should be broken out in the "Conference Request Questions" sheet.
Other Costs	$0	
Indirect Costs	$0	
	$0	
	$0	
	$0	
	$0	
	$0	
	$0	
Total:	$0	Total will auto-populate

Appendix F. Financial/Budget Fact Sheets

The following pages contain financial and budget fact sheets pertinent to your agency's CPD award.

Fact Sheet

www.cops.usdoj.gov

Sole Source Justification

What is "sole source" procurement?

Sole source or procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source. Sole source procurements must adhere to the standards set forth in 2 C.F.R. § 200.320(f) in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101.

When is sole source approval required by the COPS Office?

A recipient must request written approval from the COPS Office for sole source procurements in excess of $150,000 prior to purchasing equipment, technology, or services; obligating funding for a contract; or entering into a contract with award funds. For the purchase of equipment, technology, or services under a COPS Office award, recipients must use their own documented procurement procedures that reflect applicable state and local laws and regulations, as long as those requirements conform to the federal procurement standards set forth in 2 C.F.R. § 200.318. A sole source justification request should be submitted if a recipient determines that the award of a contract through a competitive process is infeasible. Recipients may conduct noncompetitive proposals (or "sole source" procurement) by procurement through solicitation from only one source when one or more of the following circumstances apply:

- The item/service is available only from one source.
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
- The COPS Office authorizes noncompetitive proposals in response to a written request from the recipient.
- Competition is determined inadequate after solicitation of a number of sources.

Sole source procurement should be used only when competitive solicitation procedures like sealed bids or competitive proposals are not applicable to the requirements or are impracticable.

What documentation must be submitted to the COPS Office for sole source approval?

Requests for sole source procurements of equipment, technology, or services in excess of $150,000 must be submitted to the COPS Office in writing certifying that the award of the contract through full and open competition is infeasible.

The outline below may be helpful in preparing your agency's sole source request and ensuring that all of the necessary information is included.

> An award recipient must request written approval from the COPS Office for sole source procurements in excess of $150,000 prior to purchasing equipment, technology, or services; obligating funding for a contract; or entering into a contract with award funds.

The sole source request must be signed and submitted on the recipient's department letterhead and must include the agency's ORI number and the award number for which 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 four circumstances identified below applies to the procurement transaction (include supporting information as identified below under the applicable section(s)):

1. If the item or service is available only from one source, please include the following:
   - Uniqueness of items or services to be procured from the proposed contractor or vendor (compatibility, patent issues, etc.)
   - How the agency determined that the item or service is only available from one source (market survey results, independent agency research, patented or proprietary system, etc.)
   - Explanation of need for contractor's expertise linked to the current project (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. The COPS Office authorizes noncompetitive proposals in response to a written request from the recipient.
4. 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 2 C.F.R. § 200.318 (c). In addition, program funds should not be awarded to any party that is debarred or suspended from participation in federal assistance programs.

If you have any questions regarding the federal requirements that guide procurement procedures, please contact your Grant Program Specialist or Program Manager at 800-421-6770.

Contact the COPS Office

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office online at www.cops.usdoj.gov.

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

Fact Sheet

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Consultant/Contractor Rate Information for FY 2017 Awards

Recipient Guidelines on Consultant Rate Approval Requests

Compensation for individual consultant services procured under a COPS Office award must be reasonable and allocable in accordance with 2 C.F.R. Part 200, Subpart E—Cost Principles[1] and consistent with that paid for similar services in the marketplace.

"Compensation for individual consultant services procured under a COPS Office award must be reasonable, allocable, and consistent with that paid for similar services in the marketplace. The recipient must provide justification for any consultant rate in excess of $650 per day and receive COPS Office approval of that rate before drawing award funds."

Unless otherwise approved by the COPS Office, approved consultant rates will be based on the salary a consultant receives from his or her primary employer, as applicable, up to $650 per day. If individuals receive fringe benefits from their primary employer, such fringe benefit costs should not be included in the calculation of consultant rates. For consultant or contractor rates which exceed $650 per day, the COPS Office requires written justification if the consultants or contractors are hired through a noncompetitive bidding process. **The recipient must provide justification for any consultant rate in excess of $650 per day and receive COPS Office approval of that rate before drawing down award funds.** Any organization that does not provide sufficient written justification will be limited to $650 per day for each consultant or contractor. Please note that this does not mean that the rate can or should be $650 for all consultants.

Note: Consultant and contractor daily rates do not include travel or subsistence costs, but may include preparation, evaluation, and travel time.

Guidance for requesting a consultant rate based on employment

a. **Consultants Associated with Institutions of Higher Education (including state-run educational institutions).** If representing the academic institution, the maximum rate of compensation

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1 2 C.F.R. Part 200, Subpart E—Cost Principles applies to awards made after December 26, 2014.

For awards made prior to December 26, 2014, the following Cost Principles apply: 2 C.F.R. Part 225 (OMB Circular A-87), Cost Principles for State, Local, and Indian Tribal Governments); 2 C.F.R. Part 220 (OMB Circular A-21), Cost Principles for Educational Institutions; 2 C.F.R. Part 230 (OMB Circular A-122), Cost Principles for Non-Profit Organizations; and 48 C.F.R. Part 31 .000, et seq. (FAR 31.2), Cost Principles for Contracts with Commercial Organizations.

that will be allowed is the consultant's academic salary projected for 12 months, divided by 260. These individuals normally receive fringe benefits which include sick leave for a full 12-month period, even though they may only work 9 months per year in their academic positions. This does not apply to individuals providing consultant work outside of their academic commitments. In such cases, the rate of compensation will be based on reasonable cost principles and requires documentation supporting the requested rate.

b. **Consultants Employed by State and Local Government.** Compensation for these consultants will be allowed only when the unit of government will not provide these services without cost. If a state or local government employee is providing services under a federal award and is representing his or her agency without pay from the respective unit of government, the rate of compensation is not to exceed the daily salary rate for the employee paid by the unit of government. If the state or local government employee is providing services under a federal award and is not representing his or her agency, the rate of compensation is based on the necessary and reasonable cost principles. Please note that under the nonsupplanting requirement of the COPS Office statute, COPS Office grant funds may not be used to supplant (replace) local funding which otherwise would have been spent on consultants employed by state and/or local government. The statute bars federal funding of existing consultants and of newly hired consultants that a community is committed to fund in the absence of a COPS Office grant.

c. **Consultants Employed by Commercial and Not-For-Profit Organizations.** These organizations are normally subject to competitive bidding procedures. Thus, if consultants have been selected through competitive bidding, they are not subject to the per day maximum compensation threshold. Otherwise, the rate of compensation will be approved based on the salary a consultant recieves from his or her primary employer, as applicable, up to $650 a day.

To request approval of a consultant rate in excess of $650 per day, please submit the signed request on recipient department letterhead and include the agency ORI number and the award number for which the approval is being sought.

Please include the following:

- Description of the services to be provided by the consultant(s) or contractor(s), including the following:
  - » The number of days and hours to be worked by each consultant/contractor.
  - » The daily rate of each consultant/contractor that exceeds $650/day (indicate fringe benefits, if applicable).
- A resume or curriculum vitae (CV) for each consultant or contracted individual whose rate exceeds $650 per day.
- Documented prior instances when a similar rate has been charged by or paid to the consultant/contractor.
- If the consultant is not self-employed and has a primary employer, documentation showing that the requested daily rate is proportionate to the consultant's regular salary (e.g. pay stubs, letter from employer, etc.).
- **Optional:** You may submit other important information about the consultant(s) or contractor(s) at this time, such as letters of reference; lists of any relevant publications, papers, or honors; advanced experience as a practitioner or academic in the subject area; advanced training relating to the focus of your project; and/or any unique circumstances which you feel should be considered as the COPS Office reviews your proposed consultant/contractor rates.

To request approval of a consultant/contractor rate in excess of $650 per day, please return this information to your grant program specialist or program manager as soon as possible to expedite the consultant/contractor rate review process.

Contact the COPS Office

For more information about COPS Office programs and resources, please call the COPS Office Response Center at 800-421-6770 or visit the COPS Office online at www.cops.usdoj.gov.

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Fact Sheet

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Program Income

What is program income?

Program income means gross income earned by the recipient or subrecipient that is directly generated by an award-supported activity or earned as a result of a federal award during the award period.[1] Program income includes income from fees for services performed, the use or rental of real or personal property acquired under federal awards, the sale of commodities or items fabricated under a federal award, license fees and royalties on patents and copyrights, and principal and interest on loans made with federal award funds.

Examples of program income that has been generated from some COPS Office–funded activities include fees collected for conference registration, exhibit booths, and website advertisements. Interest earned on advances of federal funds is not program income. Except as otherwise provided for in federal statutes, regulations, or the award terms and conditions, program income does not include rebates, credits, discounts, and interest earned on any of them.

The recipient may not earn or keep any profit resulting from a federal award unless expressly authorized, in writing, by the COPS Office.[2]

How do I know if my COPS Office award generates program income?

Although recipients are encouraged to earn program income to defray program costs where appropriate, most COPS Office awards are not conducive to generating program income. Contact your COPS Office program manager or grant program specialist to determine if revenue generated from your COPS Office award constitutes program income. They will help you assess whether or not the income is generated as a result of the award-supported activity.

Program income means gross income earned by the recipient or subrecipient that is directly generated by an award-supported activity or earned as a result of a federal award during the award period.

How can program income be used?

Program income must be used in accordance with the standards set forth in 2 C.F.R. § 200.307. Program income generated from an award can be

1. deducted from total allowable project costs to determine net allowable costs to reduce the federal award;
2. added to the federal award to increase funds committed to the project;
3. used to meet the cost sharing or matching requirement of the federal award.

Unless otherwise specified in the award terms and conditions or approved by the COPS Office, program income will be used to defray program costs and reduce the federal share of the project. Program income not anticipated at the time of the award must be used to reduce the federal award and recipient contributions rather than to increase funds committed to the project. For example, if you were awarded $100,000 in COPS Office funding with no local match requirement to support a conference and earned $5,000 in program income from registration fees generated from that conference, an excess of $5,000 would remain in award funds at the completion of the project. The $5,000 would be returned to the Federal Government, thereby reducing the federal share of the project.

1. Program income is defined by 2 C.F.R. § 200.80 in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101 for awards made after December 26, 2014. Prior awards would follow 28 C.F.R. §§ 66.25 and 70.24.

2. See 28 C.F.R. § 200.400(g).

In some cases, with prior approval, recipients may be able to work with their COPS Office program manager to identify additional project-related allowable costs that could be supported with program income.

Earned program income can be spent only on allowable project costs incurred during the award period. Program income cannot be commingled with other awards and cannot be used for purposes outside of the scope of the award that generated the income.

There are a variety of circumstances that can affect how program income is treated. If you anticipate generating program income, please contact your COPS Office program manager, grant program specialist, or designated financial analyst for guidance.

How should recipients report program income?

You are required to report gross program income earned and expended on the Federal Financial Report (SF-425)[3] submitted each quarter. How you complete the report depends on when you earn and spend the program income and the status of your award. Using the example above where you earned $5,000 from registration fees, you would enter the total amount of program income earned ($5,000) on 10.l and the total amount of program income expended on line 10.m.[4]

Program income earned and expended must be reported on a cumulative basis. You must manually enter these cumulative amounts each quarter, as the SF-425 form does not automatically calculate these amounts. For example, if $5,000 in program income was earned in the 1st quarter and $10,000 was earned in the 2nd quarter, you would add those amounts together and enter $15,000 as earned on line 10.l of the 2nd quarter's SF-425. Similarly, if you spent $5,000 in program income in the 1st quarter and an additional $10,000 of program income in the 2nd quarter, you would enter $15,000 as expended on line 10.m of the 2nd quarter's SF-425.

In the event of an audit or other award compliance review, your agency should maintain detailed records that identify the specific project activity source (e.g., conference registration fees) and the amount of all program income generated. Line 12 ("Remarks") on the SF-425 can be useful to provide narrative explanations supporting the financial information entered.

Table 1. Program income on the SF-425

Note: Use lines 10.d–10.o for single award reporting only. Do not complete these lines if reporting on multiple awards.

LINE	TRANSACTIONS	DESCRIPTION
10.l	Total federal program income earned	Enter the amount of federal program income earned. Do not report any program income here that is being allocated as part of the recipient's cost-sharing amount included in line 10.j.
10.m	Program income expended in accordance with the deduction alternative	Enter the amount of program income that was used to reduce the federal share of the total project costs.
10.n	Program income expended in accordance with the addition alternative	Enter the amount of program income that was approved and expended on the project.
10.o	Unexpended program income (Line l minus line m or line n)	Enter the remaining amount of unexpended program income by taking line l and either subtracting line m or line n, depending on which method you are using.

3. To access this form, visit https://www.cops.usdoj.gov/pdf/SF-425_Form.pdf.

4. For examples of when lines 10.n and 10.o on the SF-425 are used, contact your COPS Office program manager.

Can recipients keep program income as a cash reserve for future project costs?

No. Recipients should expend earned program income before drawing down award funds.[5]

How much time is available to spend program income?

Allowable project expenses can be supported by earned program income during the open award period. Funds cannot be drawn down for expenses that are incurred after the award end date.

Avoid retaining earned program income for extended periods of time. If you anticipate a significant lapse of time occurring between earning and spending program income, contact your COPS Office program manager or grant program specialist. Unused program income should be deposited into your COPS Office award account to reduce your federal share.[6] These funds remain available for future use on allowable costs, incurred before award expiration, to fully implement your project.

If you anticipate having unused program income remaining toward the end of the award period, you may submit a request to your COPS Office program manager or grant program specialist for a no-cost extension to provide additional time for your agency to spend program income on allowable costs to fully implement your project. No-cost extension requests must be submitted prior to the award end date and are approved on a case-by-case basis based on reasonable justification.

Unused program income remaining 90 days after the award end date must be promptly returned to the COPS Office. Please contact your COPS Office program manager for guidance on how to return excess program income and complete your final SF-425.

In the event that you earn interest on program income, please contact your designated COPS Office financial analyst for guidance on how to complete your final SF-425 to account for interest earned.

Important: Awards must be open and active to incur project expenses paid for by program income.

Contact the COPS Office

If you have any questions regarding the federal requirements on program income, please contact your COPS Office program manager, grant program specialist, or designated financial analyst.

For more information about COPS Office programs and resources, please contact the COPS Office Response Center at 800-421-6770 or via e-mail at AskCopsRC@usdoj.gov or visit the COPS Office online at www.cops.usdoj.gov.

5. See 2 C.F.R. § 200.305 for awards made after December 26, 2014. Prior awards would follow 28 C.F.R. §§ 66.21 and 70.22.

6. It can take up to six weeks for the returned program income to appear in your COPS Office account.

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Indirect Cost Rate for FY 2017 Awards

COPS Office programs

If you are requesting indirect costs under a COPS Office program that allows those costs, a copy of your agency's most current, signed, federally approved Negotiated Indirect Cost Rate Agreement must be included with your application, or it must be noted in your budget narrative that you have never received an indirect cost rate. If the rate agreement is expired at the time of application, then you should submit documentation demonstrating that the rate is under review by your cognizant federal agency. If your agency requests indirect costs for a COPS Office award based on an expired rate, your agency may not draw down funding for indirect costs until the current approved rate agreement or an approved extension is submitted to the COPS Office. In addition, if your agency's rate agreement expires or changes during the award period, you must submit the new rate agreement or approved one-time extension from your cognizant federal agency to the COPS Office.

What are indirect costs?

Indirect Facilities & Administrative (F&A) costs are costs incurred for a common or joint purpose benefiting more than one cost objective. They are not readily attributable to the cost objectives that are being benefited. To facilitate equitable distribution of indirect expenses to the specific cost objectives, it may be necessary to establish a number of pools of indirect (F&A) costs. Indirect (F&A) cost pools must be distributed to benefited cost objectives on bases that will produce equitable results in consideration of relative benefits derived.[1]

What is an indirect cost rate proposal?

An indirect cost rate proposal as defined in 2 C.F.R. § 200.57 is the documentation prepared by a nonfederal entity to support its request for the establishment of an indirect cost rate, as described in Appendix III to 2 C.F.R. Part 200, Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Institutions of Higher Education (IHEs) through Appendix VII to 2 C.F.R. Part 200, States and Local Government and Indian Tribe Indirect Cost Proposals.

Indirect (facilities & administrative (F&A)) costs are costs incurred for a common or joint purpose benefiting more than one cost objective. They are not readily attributable to the cost objectives that are being benefited.

There are several types of indirect cost rates:

- **Final rate** is applicable to a specified past period that is based on the actual costs of the period. A final audited rate is not subject to adjustment.
- **Fixed rate** has the same characteristics as a predetermined rate except that the difference between estimated costs and actual allowable costs of the covered period is carried forward as an adjustment for a future period.
- **One-time extension** allows your agency to apply for a one-time extension of a negotiated indirect (F&A) cost rate. The negotiated cost rate may be extended for up to four years. Once your cognizant federal agency has approved an extension for indirect costs, you must abide by the rate for the agreed-upon time period. No further negotiations regarding indirect cost rates may occur until the extension has expired. At the end of the extension period, you must negotiate a new indirect cost rate.

1 See 2 C.F.R. § 200.56 in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, as adopted by the U.S. Department of Justice in 2 C.F.R. § 2800.101.

- Predetermined rate is applicable to a specified current or future period and is not subject to adjustment. A predetermined rate may be used where there is reasonable assurance that the rate is not likely to exceed a rate based on the agency's actual costs. Predetermined rates may not be used by governmental units that have not submitted and negotiated the rate with the cognizant federal agency.
- **Provisional rate** is a temporary rate applicable to a specified time period that is used for funding, interim reimbursement, and reporting of indirect costs pending establishment of a final rate for that period.
- **De minimis indirect cost rate** provides the option for certain nonfederal entities that have never received a negotiated indirect cost rate to accept a flat rate of up to 10% of modified total direct costs (MTDC). MTDC can include all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first $25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of $25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs and with the approval of the cognizant federal agency for indirect costs.

How does an agency establish an indirect cost rate?

If your agency does not have a previously established indirect cost rate, your agency can obtain a rate by contacting your agency's cognizant federal agency, which will review all documentation and approve a rate for the covered time period. For more information on the requirements for development and submission of indirect (F&A) cost rate proposals, please refer to 2 C.F.R. § 200.414 (e) and Appendices III – VII to 2 C.F.R. Part 200.

What is a cognizant federal agency?

Cognizant federal agency for indirect costs as defined in 2 C.F.R. § 200.19 is the Federal agency responsible for reviewing, negotiating, and approving cost allocation plans or indirect cost proposals on behalf of all Federal agencies. The cognizant federal agency for indirect cost is not necessarily the same as the cognizant federal agency for audit. The COPS Office is not a cognizant federal agency. For nonprofit, state, local, and tribal governments your cognizant federal agency is generally the federal agency that provides your organization with the most federal financial assistance. For assignments of cognizant federal agencies, see the following:

(a) For institutions of higher education: Appendix III to Part 200—Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Institutions of Higher Education (IHEs), paragraph C.11.

(b) For nonprofit organizations: Appendix IV to Part 200—Indirect (F&A) Costs Identification and Assignment, and Rate Determination for Nonprofit Organizations, paragraph C.2.a.

(c) For state and local governments: Appendix V to Part 200—State/Local Government and Indian Tribe-Wide Central Service Cost Allocation Plans, paragraph F.1.

(d) For Indian tribes: Appendix VII to Part 200—States and Local Government and Indian Tribe Indirect Cost Proposal, paragraph D.1.

What should an agency do if its indirect cost rate expires or changes during the award period?

If your agency's approved indirect cost rate agreement expires during the award period, a current approved rate agreement must be obtained from the cognizant federal agency and submitted to the COPS Office. The agency must advise the COPS Office of any changes to its approved indirect cost rate during the award period and, if necessary, request a budget modification that reflects the rate change. Please contact your COPS Office Grant Program Specialist or Program Manager to determine when a budget modification is necessary.

If the agency experiences an increase or a decrease in its indirect cost rate, it should submit the new rate to the COPS Office within 30 days of the change.

Can an agency reprogram indirect costs to direct costs?

Reprogramming requests of indirect costs to direct costs are administered through the budget modification process for the specific COPS Office award that your agency received. Please contact your COPS Office Grant Program Specialist or Program Manager to obtain guidance on any additional requirements that may apply to your modification request. The COPS Office will then evaluate your request and notify you, in writing, of our decision.

Please be advised that if your agency's revised indirect cost rate is lower than the rate approved at the time of award and a formal budget modification was not approved, excess indirect cost rate funds should not be drawn down and will be deobligated at closeout.

What should an agency expect at the end of the award period regarding its indirect costs rate?

If a provisional indirect cost rate is in effect at award closeout, the recipient shall proceed with closeout but will complete an expenditure analysis upon receipt of the approved final indirect cost rate to determine if an adjustment is necessary. If the recipient drew down excess COPS Office funding for indirect costs, the recipient must return the overpayment to the COPS Office and submit a revised Federal Financial Report (SF-425). If the recipient incurred additional indirect costs, the recipient may request a budget modification if the award is still open and award funds are available. If the recipient returns or draws down COPS Office funding, the recipient will need to submit a revised final Federal Financial Report (SF-425).

Other important factors

To support the indirect cost rate agreement, recipients are responsible for ensuring independent audits are conducted in accordance with existing federal auditing and reporting standards set forth in 2 C.F.R. Part 200, Subpart F - Audit Requirements. A copy of the audit report must be submitted to the cognizant federal agency to support the indirect cost rate agreement.

In accordance with ensuring proper award management and use of funding awarded through the COPS Office, recipients may be selected for a site visit or an enhanced office-based grant review (EOBGR) or may need to address an alleged noncompliance complaint during a compliance review by the COPS Office Grant Monitoring Division.

Therefore, recipients must adhere to proper accounting practices and recordkeeping to ensure all necessary documentation is available for review if requested by the COPS Office. Noncompliance may result in the repayment of misused funds, suspension of funds, or other remedial actions available by law until the noncompliance is resolved.

Contact the COPS Office

If you have any questions regarding the federal requirements that guide indirect cost rates, please refer to the applicable COPS Office Award Owner's Manual or contact your COPS Office Grant Program Specialist or Program Manager.

For more information about COPS Office programs, please contact the COPS Office Response Center at 800-421-6770 or by e-mail at AskCopsRC@usdoj.gov or visit the COPS Office online at www.cops.usdoj.gov.

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Budget Modifications for CPD Awardees

Under federal regulations, you are required to expend federal funds only as approved in your federal clearance memo (FCM). The COPS Office realizes that agencies may need to reprogram award funds and has provided this fact sheet for CPD awardees to assist with the process. Awardees may reprogram up to a total of 10 percent of their entire budget (over the course of the award) without submitting a formal budget modification. However, awardees should notify their COPS Office program manager (PM) prior to any reprogramming of funds regardless of whether a formal budget modification is needed. Once the reprogramming of funds reaches 10 percent of the award, your agency must submit a formal budget modification requesting approval from the COPS Office for any additional budget modification requests. Starting with 2016 funding, any awards under $150,000 do not require formal budget modifications; however, the awardee should communicate reprogramming as needed with the COPS Office PM.

Reprogrammed funds must be allocated for items covered within the scope of the original award. Any funds that are being requested to account for a change in scope from the original funded project must first receive approval from the COPS Office to expand or change the scope. Be advised that reprogramming requests for unallowable costs will not be approved. The COPS Office will not approve any modification request that results in an increase of federal funds.

Starting with 2017 funding, if a budget modification involves making a new subaward to a State or local government entity, the awardee and its intended subrecepient are required to certify compliance with 8 U.S.C. § 1373 regarding prohibitions or restrictions on sending to, requesting or receiving from, maintaining, or exchanging information on citizenship or immigration status, including any prohibitions or restrictions imposed or established by a State or local government entity or official. For information about the applicable form and how to certify, please contact your COPS Office PM.

What to do if you need a budget modification

If your budget requires a modification, please follow these steps:

1. Contact your PM and discuss the modification and reasoning for the change in budget. This process may require back and forth discussion and further documentation.
2. Once your agency and the PM agree to the change, log in to "Account Access" in the upper right corner of the COPS Office website, www.cops.usdoj.gov.
3. Once in the system, find the appropriate award, and within the Action menu, select "Modify."
4. You will see the Budget Summary page with the last approved budget amounts. The totals will be in read-only mode. Select "Modify" for each category (Civilian/Nonsworn Officer Positions, Equipment/Technology, etc.) that requires a modification.
5. Each change will need to be entered in the system by either adding or modifying the amount. Every item that is modified must have an accompanying narrative explaining the modification. The narrative *must* include the following:
   a. A brief description of each item and change that includes its purpose and how the item relates to the overall project
   b. A calculation breakdown for each new item
6. After each section change, select "Save to Budget Summary" to save all work. Each time "Save to Budget Summary" is selected, you will be returned to the Budget Summary page.
7. After modifying all of the appropriate items and providing the required narrative, select "Validate" at the bottom of the Budget Summary page.

8. In the Budget Summary page, compare the current and modified data for each item. If there is an error, select "Cancel" to return to the Budget Summary page. If the modification is correct, select "Submit."
9. Once your budget modification is submitted, inform your PM via e-mail. In addition, include any relevant documentation as needed for the modification. This documentation may include the following:
   a. For any new personnel or consultants you plan to hire noncompetitively, a resume must be submitted to your PM for prior approval.
   b. For consultant rates over $650 per day, a consultant rate justification must be submitted to your PM for prior approval (see the Consultant/Contractor Rate Information Fact Sheet).
   c. Current Indirect Cost Rate Agreement.
   d. Documentation for personnel and consultant costs.
   e. When adding a new subaward to a State or local government entity, the awardee and its intended subrecipient must each complete and submit the applicable Certification of Compliance with the 8 U.S.C. § 1373 form.

Once you have completed all of the above steps, the COPS Office will review the budget modification. It is important to note that throughout the COPS Office review, no other processes including extensions can be submitted. The budget modification typically takes 30 days to process.

Next steps

Your budget modification will go through two rounds of review at a minimum: by your PM and by a budget analyst (BA).

The PM will review the budget programmatically and may reach out to you for clarification, changes, or justification. Any changes required by your PM will result in the rejection of the modification. You will receive notification from the COPS Office, and you will be able to access the modification and make the necessary changes. The awardee will have to reenter the system, make the budget adjustments where necessary, and resubmit the saved changes.

Once the budget modification has been programmatically approved, a BA is assigned. The BA will review the modification to ensure the budget is allowable and meets all regulations and policies. The BA will work with the PM for any points of clarification, changes, or justification. Any changes required by the BA will result in the rejection of the modification, and the awardee will have to resubmit.

In the case of any rejection, an automatic notification will be sent out via e-mail, and the award's status changes to the green "No action required" icon, from which you can initiate another request.

In the case of any approval, an automatic notification will be sent out via e-mail.

Implementation of the modified award budget may begin following this written approval from the COPS Office. The modification approvals for active awards will be accompanied by a modified FCM reflecting the approved changes.

Other resources

Your PM can provide you with a budget detail worksheet to help keep track of your costs and modifications. This tool can be used to track all of your costs, and when you submit a budget modification, it can be useful to submit as supplemental documentation to your PM.

For additional information, please review the sole source justification, consultant/contractor rate information, and indirect cost rate fact sheets. These fact sheets are available at https://www.cops.usdoj.gov/Default.asp?Item=2541.

Finally, your Award Owner's Manual, Award Document, Cooperative Agreement, FCM, and Terms and Conditions will provide more information on specific requirements and policies that are applicable to your award. Your Award Owner's Manual will include a list of allowable and unallowable items.

Please contact your PM for further direction on any additional requirements that may be applied to your modification request or any other questions.

Appendix G. Whistleblower protection

Enhancement of contractor protection from reprisal for disclosure of certain information (41 U.S.C. § 4712)

(a) Prohibition of reprisals.--

(1) In general.--An employee of a contractor, subcontractor, grantee, or subgrantee or personal services contractor may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing to a person or body described in paragraph (2) information that the employee reasonably believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a Federal contract (including the competition for or negotiation of a contract) or grant.

(2) Persons and bodies covered.--The persons and bodies described in this paragraph are the persons and bodies as follows:

(A) A Member of Congress or a representative of a committee of Congress.

(B) An Inspector General.

(C) The Government Accountability Office.

(D) A Federal employee responsible for contract or grant oversight or management at the relevant agency.

(E) An authorized official of the Department of Justice or other law enforcement agency.

(F) A court or grand jury.

(G) A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

(3) Rules of construction.--For the purposes of paragraph (1)--

(A) an employee who initiates or provides evidence of contractor, subcontractor, or grantee misconduct in any judicial or administrative proceeding relating to waste, fraud, or abuse on a Federal contract or grant shall be deemed to have made a disclosure covered by such paragraph; and

(B) a reprisal described in paragraph (1) is prohibited even if it is undertaken at the request of an executive branch official, unless the request takes the form of a non-discretionary directive and is within the authority of the executive branch official making the request.

(b) Investigation of complaints.--

(1) Submission of complaint.--A person who believes that the person has been subjected to a reprisal prohibited by subsection (a) may submit a complaint to the Inspector General of the executive agency involved. Unless the Inspector General determines that the complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant, the Inspector General shall investigate the complaint and, upon completion of such investigation, submit a report of the findings of the investigation to the person, the contractor or grantee concerned, and the head of the agency.

(2) Inspector General action.--

(A) Determination or submission of report on findings.--Except as provided under subparagraph (B), the Inspector General shall make a determination that a complaint is frivolous, fails to allege a violation of the prohibition in subsection (a), or has previously been addressed in another Federal or State judicial or administrative proceeding initiated by the complainant or submit a report under paragraph (1) within 180 days after receiving the complaint.

(B) Extension of time.--If the Inspector General is unable to complete an investigation in time to submit a report within the 180-day period specified in subparagraph (A) and the person submitting the complaint agrees to an extension of time, the Inspector General shall submit a report under paragraph (1) within such additional period of time, up to 180 days, as shall be agreed upon between the Inspector General and the person submitting the complaint.

(3) Prohibition on disclosure.--The Inspector General may not respond to any inquiry or disclose any information from or about any person alleging the reprisal, except to the extent that such response or disclosure is--

(A) made with the consent of the person alleging the reprisal;

(B) made in accordance with the provisions of section 552a of title 5 or as required by any other applicable Federal law; or

(C) necessary to conduct an investigation of the alleged reprisal.

(4) Time limitation.--A complaint may not be brought under this subsection more than three years after the date on which the alleged reprisal took place.

(c) Remedy and enforcement authority.--

(1) In general.--Not later than 30 days after receiving an Inspector General report pursuant to subsection (b), the head of the executive agency concerned shall determine whether there is sufficient basis to conclude that the contractor or grantee concerned has subjected the complainant to a reprisal prohibited by subsection (a) and shall either issue an order denying relief or shall take one or more of the following actions:

(A) Order the contractor or grantee to take affirmative action to abate the reprisal.

(B) Order the contractor or grantee to reinstate the person to the position that the person held before the reprisal, together with compensatory damages (including back pay), employment benefits, and other terms and conditions of employment that would apply to the person in that position if the reprisal had not been taken.

(C) Order the contractor or grantee to pay the complainant an amount equal to the aggregate amount of all costs and expenses (including attorneys' fees and expert witnesses' fees) that were reasonably incurred by the complainant for, or in connection with, bringing the complaint regarding the reprisal, as determined by the head of the executive agency.

(2) Exhaustion of remedies.--If the head of an executive agency issues an order denying relief under paragraph (1) or has not issued an order within 210 days after the submission of a complaint under subsection (b), or in the case of an extension of time under paragraph (b)(2)(B), not later than 30 days after the expiration of the extension of time, and there is no showing that such delay is due to the bad faith of the complainant, the complainant shall be deemed to have exhausted all administrative remedies with respect to the complaint, and the complainant may bring a de novo action at law or equity against the contractor or grantee to seek compensatory damages and other relief available under this section in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy. Such an action shall, at the request

of either party to the action, be tried by the court with a jury. An action under this paragraph may not be brought more than two years after the date on which remedies are deemed to have been exhausted.

(3) **Admissibility of evidence**.--An Inspector General determination and an agency head order denying relief under paragraph (2) shall be admissible in evidence in any de novo action at law or equity brought pursuant to this subsection.

(4) **Enforcement of orders**.--Whenever a person fails to comply with an order issued under paragraph (1), the head of the executive agency concerned shall file an action for enforcement of such order in the United States district court for a district in which the reprisal was found to have occurred. In any action brought under this paragraph, the court may grant appropriate relief, including injunctive relief, compensatory and exemplary damages, and attorney fees and costs. The person upon whose behalf an order was issued may also file such an action or join in an action filed by the head of the executive agency.

(5) **Judicial review**.--Any person adversely affected or aggrieved by an order issued under paragraph (1) may obtain review of the order's conformance with this subsection, and any regulations issued to carry out this section, in the United States court of appeals for a circuit in which the reprisal is alleged in the order to have occurred. No petition seeking such review may be filed more than 60 days after issuance of the order by the head of the executive agency. Review shall conform to chapter 7 of title 5. Filing such an appeal shall not act to stay the enforcement of the order of the head of an executive agency, unless a stay is specifically entered by the court.

(6) **Burdens of proof**.--The legal burdens of proof specified in section 1221(e) of title 5 shall be controlling for the purposes of any investigation conducted by an Inspector General, decision by the head of an executive agency, or judicial or administrative proceeding to determine whether discrimination prohibited under this section has occurred.

(7) **Rights and remedies not waivable**.--The rights and remedies provided for in this section may not be waived by any agreement, policy, form, or condition of employment.

(d) **Notification of employees**.--The head of each executive agency shall ensure that contractors, subcontractors, and grantees of the agency inform their employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.

(e) **Construction**.--Nothing in this section may be construed to authorize the discharge of, demotion of, or discrimination against an employee for a disclosure other than a disclosure protected by subsection (a) or to modify or derogate from a right or remedy otherwise available to the employee.

(f) **Exceptions**.--

(1) This section shall not apply to any element of the intelligence community, as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. § 401a(4)).

(2) This section shall not apply to any disclosure made by an employee of a contractor, subcontractor, or grantee of an element of the intelligence community if such disclosure--

(A) relates to an activity of an element of the intelligence community; or

(B) was discovered during contract, subcontract, or grantee services provided to an element of the intelligence community.

(g) **Definitions**.--In this section:

(1) The term "abuse of authority" means an arbitrary and capricious exercise of authority that is inconsistent with the mission of the executive agency concerned or the successful performance of a contract or grant of such agency.

(2) The term "Inspector General" means an Inspector General appointed under the Inspector General Act of 1978 and any Inspector General that receives funding from, or has oversight over contracts or grants awarded for or on behalf of, the executive agency concerned.

(h) **Construction**.--Nothing in this section, or the amendments made by this section, 1 shall be construed to provide any rights to disclose classified information not otherwise provided by law.

[(i) Repealed by Pub.L. 114-261, § 1(a)(3)(A)(ii), Dec. 14, 2016, 130 Stat. 1362]

Appendix H. 2 C.F.R. Appendix II to Part 200: Contract provisions for nonfederal entity contracts under federal awards

In addition to other provisions required by the federal agency or nonfederal entity, all contracts made by the nonfederal entity under the federal award must contain provisions covering the following, as applicable.

(A) Contracts for more than the simplified acquisition threshold currently set at $150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the

standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of $150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the governmentwide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding $100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

Appendix I. Remittance of Interest Earned Amounts

2 CFR § 200.305 (b)(9) – Payment (remittance of interest earned)

1. *Interest earned amounts up to $500 per year may be retained by the non-federal entity for administrative expense. Any additional interest earned on federal advance payments deposited in interest-bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System (PMS) through an electronic medium using either Automated Clearing House (ACH) network or a Fedwire Funds Service payment. Remittances must include pertinent information of the payee and nature of payment in the memo area (often referred to as "addenda records" by Financial Institutions) as that will assist in the timely posting of interest earned on federal funds. Pertinent details include the Payee Account Number (PAN) if the payment originated from PMS, or Agency information if the payment originated from ASAP, NSF or another federal agency payment system. The remittance must be submitted as follows:*

   i. For ACH Returns:
   Routing Number: 051036706
   Account number: 303000
   Bank Name and Location: Credit Gateway - ACH Receiver St. Paul, MN

   ii. For Fedwire Returns*:
   Routing Number: 021030004
   Account number: 75010501
   Bank Name and Location: Federal Reserve Bank Treas NYC/Funds Transfer Division New York, NY
   (* Please note organization initiating payment is likely to incur a charge from your Financial Institution for this type of payment)

   iii. For International ACH Returns:
   Beneficiary Account: Federal Reserve Bank of New York/ITS (FRBNY/ITS)
   Bank: Citibank N.A. (New York)
   Swift Code: CITIUS33
   Account Number: 36838868
   Bank Address: 388 Greenwich Street, New York, NY 10013
   Payment Details (Line 70): Agency
   Name (abbreviated when possible) and ALC Agency POC: Michelle Haney, 301-492-5065

   iv. For recipients that do not have electronic remittance capability, please make check** payable to: "The Department of Health and Human Services."
   Mail Check to Treasury approved lockbox:
   HHS Program Support Center, P.O. Box 530231, Atlanta, GA 30353-0231
   (** Please allow 4-6 weeks for processing of a payment by check to be applied to the appropriate PMS account)

   v. Any additional information/instructions may be found on the PMS Web site at **http://www.dpm.psc.gov**.

Glossary of Terms

allowable costs. Allowable costs are expenses that may be funded by this award program. The COPS Office CPD award must be limited to 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 (FCM) included in your award package specifies your allowable costs, contains the final budget category amounts for which your agency was approved, and notes any relevant revisions that were made to your original budget submission.

audit. 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

- compliance with laws and regulations;
- economy and efficiency of operations;
- effectiveness in achieving program results;
- 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 award. At the time of award application, your agency listed the law enforcement executive (usually the chief of police, sheriff, etc.) and the government executive (usually the mayor, board president, etc.) for your agency. For non–law enforcement agencies (institutions of higher education, private organizations, etc.), the authorized officials are the programmatic and financial officials who have the ultimate signatory authority to sign contracts on behalf of your organization. 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**.

award number. The award number identifies your agency's specific CPD award and can be found on your award document. This number should be used as a reference when corresponding with the COPS Office. Your award number is in the format 2017-CKWX-0000 for awards made in FY 2017. The COPS Office tracks award information based upon this number.

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 award document. Recipients may not expend funds prior to this date without written approval from the COPS Office.

career law enforcement officer. The COPS Office 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 award 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 Office CPD Program award 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 award that your organization has received, the US Department of Justice (DOJ) is your cognizant federal agency.

community policing. Community policing is a philosophy that promotes organizational strategies that 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 Office programs must engage in community policing activities.

computer aided dispatch (CAD) system. A computer database that can track calls for service, maintain status of units available, provide various reports, produce address histories, and support electronic mail. With the installation of integrated CAD systems, officers are able to receive calls for service on their mobile data computers rather than over the radio. Radios can then be used only for serious emergencies.

consortium. A consortium is a group of two or more governmental entities that agree to form a partnership to provide law enforcement services to their constituent communities.

COPS Office. The Office of Community Oriented Policing Services (COPS Office) is the division within the US Department of Justice that is the grantor agency for your award. The COPS Office is responsible for assisting your agency with the administration and maintenance of your award for the entire award period. You can reach the COPS Office at 800-421-6770.

COPS Office finance staff. The COPS Office finance staff handles your agency's financial and budgetary needs related to this award. 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 award. To identify your staff accountant, please call the COPS Office Response Center at 800-421-6770, or visit the COPS Office website at **www.cops.usdoj.gov**.

COPS Office Program Manager. COPS Office Program Managers are trained to assist you with implementing and maintaining your CPD award. A Program Manager is assigned to your project and is available to answer any questions that you may have concerning the administrative, programmatic, and substantive aspects of your award. Your Program Manager can assist you with such matters as requesting an extension on your award or modifying the award, and reviewing outlines for project deliverables. The name and phone number of your COPS Office Program Manager is provided on the award congratulatory letter and available by contacting the COPS Office Response Center 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- or thirteen-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 award recipient

information throughout the award cycle and to provide consistent name and address data for electronic award application systems. To obtain a DUNS number, visit the Dun & Bradstreet website at **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 Office administrative purposes only and should not be used for IRS purposes.

federally recognized tribe. Tribal entities that are recognized and eligible for funding and services from the Bureau of Indian Affairs (BIA) by virtue of their status as Indian tribes. They are acknowledged to have the immunities and privileges available to other federally recognized Indian tribes by virtue of their government-to-government relationship with the United States as well as the responsibilities, power, limitations, and obligations of such tribes. Only federally recognized tribes are eligible to apply for COPS Office tribal award funds. For further information, contact BIA, Division of Tribal Government Services, MS-4631 – MIB, 1849 C Street NW, Washington, DC 20240, 202-208-2475.

Grant Monitoring Specialist. COPS Office Grant Monitoring Specialists are trained and available to assist you in addressing any compliance-related questions regarding your award. Grant monitoring specialists plan and conduct site visits and office-based grant reviews. During the life of your award, you may be selected for a monitoring site visit to assess your compliance with the terms and agreements of the award program, to review your community policing initiatives, and to provide technical and administrative support for your award. Please contact the COPS Office Response Center at 800-421-6770 if you have any compliance-related questions.

local budget cycle. Your agency's fiscal year. Some common examples include January 1 to December 31, October 1 to September 30, and July 1 to June 30. Some local budget cycles may extend up to 24 months.

obligation of funds. The COPS Office obligates federal funds when the award document is signed by the COPS Office Director or his or her designated official. For the recipient, award funds are obligated when monies are spent or orders are placed for purchasing approved technology or services under your CPD award. 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 nonofficial ORI code to use as an agency identifier (in such cases, the last two characters will be "ZZ"). It can be found on your award document. When you contact the COPS Office with a question, please reference your ORI number (or your award number).

primary law enforcement authority. An agency with primary law enforcement authority is the agency that is the first responder to calls for service, and has ultimate and final responsibility for the prevention, detection, or investigation of violations of criminal laws within its jurisdiction.

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.

SAFECOM guidance. The US Department of Homeland Security Office of Emergency Communications, in coordination with various stakeholder groups, develops the annual SAFECOM Guidance on Emergency Communications Grants. The guidance provides recommendations to recipients seeking funding for interoperable emergency communications projects, including allowable costs, items to consider when funding emergency communications projects, awards management best practices for emergency communications awards, and information on standards that ensure greater interoperability. The guidance is intended to ensure that federally funded investments are compatible and support national goals and objectives for improving interoperability nationwide. Recipients (including sub-recipients) that are using CPD funds to support emergency communications activities should comply with the latest version of SAFECOM Guidance, including provisions on technical standards that ensure and enhance interoperable communications. The most recent version of SAFECOM guidance is available at **www.safecomprogram.gov/grant/Default.aspx**.

System for Award Management (SAM). The SAM database is the repository for standard information about federal financial assistance applicants, recipients, and sub-recipients. Organizations that have previously submitted applications via **Grants.gov** are already registered with SAM, as it is a requirement for **Grants.gov** registration. Please note, however, that applicants must update or renew their SAM at least once per year to maintain an active status. Information about registration procedures can be accessed at **www.sam.gov**.

supplanting. For the purposes of your COPS Office CPD award, supplanting means replacing state, local, or Bureau of Indian Affairs (BIA) funds that otherwise would have been spent on award purposes with federal COPS Office funds. State, local, and tribal governments are prohibited from supplanting throughout the award period. This means that your agency may not use COPS Office funds to pay for any equipment/technology, services, personnel, or other items which, in the absence of the COPS Office program, would otherwise have been funded with state or local funds or with funds supplied by the BIA. The COPS Office funds must instead be used to supplement, or increase, your budget on award purposes. For additional information on supplanting, please review the award condition titled 'Supplementing, Not Supplanting' in this manual.

2017 COPS Office Community Policing Development Program (CPD) Award Owner's Manual

This manual was created to assist COPS Office Community Policing Development program (CPD) recipients with the administrative and financial matters associated with their award.

For more information about your CPD award, please contact your COPS Office Program Manager. If you do not know the name or telephone number of your CPD Program Manager, please contact the COPS Office Response Center at 800-421-6770.

US Department of Justice
Office of Community Oriented Policing Services
145 N Street NE
Washington, DC 20530

To obtain details about COPS Office programs, call the COPS Office Response Center at 800-421-6770.

Visit the COPS Office online at **www.cops.usdoj.gov**.

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