



Fact Sheet

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The Freedom of Information Act (FOIA)

The Freedom of Information Act (FOIA), 5 U.S.C. § 552, is a statute enacted by Congress to provide the public the right to request access to certain federal agency records or information. Under FOIA, all agency records may be disclosed unless the records are exempt or excluded from disclosure as explained below.

There are nine statutory FOIA exemptions that permit the agency to withhold certain documents, or information contained in documents, from disclosure. Two disclosure exemptions are most frequently used for grants and related records:

1. *Exemption 5* protects inter-agency or intra-agency communications that reflect deliberative process or privileged information.
2. *Exemption 6* protects the personal privacy of a third party.

Any person can make a request for agency records under FOIA. The request must be in writing and can be submitted in one of three ways:

1. E-mail: cops.foia@usdoj.gov
2. Fax: 202-514-3456
3. Mail: U.S. Department of Justice
Office of Community Oriented Policing Services
Attn: Legal Division
145 N Street NE
Washington, DC 20530

Typically, it takes two to three weeks for the COPS Office to respond to a FOIA request, depending on the volume of requested records.

There is no required format to make a written request. You must, however, provide a reasonable description of the record(s) that you are requesting.

Most COPS Office records are provided at no charge. However, U.S. Department of Justice regulations state that by submitting a FOIA request, you agree to incur a reproduction and/or search fee up to \$25. Certain fees for the search, review, and duplication of records may apply depending on the type of requester and volume of the request.

To help expedite a large request, please advise us how much over the \$25 FOIA processing fee you are willing to pay. If it is necessary to exceed the amount you specify to process the request, we will contact you to discuss the anticipated cost. If fees are required, all fees will be collected before the records are released.

Please access our website at www.cops.usdoj.gov. Many records are readily available online, eliminating the need for a FOIA request.

Congressional and media inquiries, please contact the Communications Division at 202-514-9079.

Frequently Asked FOIA Questions

1. How can I obtain a list of all COPS Office grants awarded in my city or state?

Go to the COPS Office homepage at www.cops.usdoj.gov. At the bottom of the page, click the “FOIA” topic heading. Lists of COPS Office grants by year and then state are accessible under the “Frequently Requested Records” section.

2. Can I request a copy of a COPS Office grantee’s grant-related records?

Yes. Your request should identify the department or city name, the name of the specific grant program, and the grant records requested (i.e., application, award document, budget, and progress reports).

Please be advised that some requested records or information within records may be withheld under the FOIA exemptions previously mentioned. If this is the case, we will explain the reasons for withholding documents in our response to you.

3. Can I obtain a “customized” computer listing of COPS Office grants awarded?

Yes, we can create a database query to meet specific criteria that you provide. Various formatting options are available, and your specific requirements should be noted in your request. The most common fields requested from the COPS Office database include the following:

- Agency name
- Full address
- Estimated award amount
- Award type
- Project start date

Large queries can be quite expensive, so if possible, limit your request to only one state or one specific grant program. To help expedite your request, please state whether you are willing to pay processing fees, and if so, the amount you are willing to pay. If it is necessary for us to exceed your

specified amount to complete your request, we will contact you. You must pay the fee before we will release the data.

Customized computer listings may take as long as three to four weeks to process. We will make a reasonable effort to search for records in electronic form, but we can deny a request if it would cause significant interference with the operation of the agency’s automated information system.

4. How do I obtain a copy of an inspector general audit report of a COPS Office grantee?

To request a copy of an Office of the Inspector General (OIG) audit report, please contact the OIG FOIA Office at 202-616-0646. The COPS FOIA officer does not release OIG documents.

5. If I submit a FOIA request, could my name ever be released as the requester?

If a party submits a FOIA request asking for the identity of a requester, that information will be released. Making a FOIA request is not a confidential matter.

6. How can I find out the grant award balance due to a specific COPS Office grantee, the amount of grant funding a grantee has already drawn down, or the dates that the grantee drew down funds?

The Office of Justice Programs (OJP) maintains the actual amount of funds disbursed and the date of disbursement. To obtain drawdown information, you should submit a request to FOIAOJP@usdoj.gov. You should provide the complete name of the grantee and the name of the grant program. The phone number for the OJP FOIA officer is 202-307-0790.

Contact the COPS Office

If you have additional questions concerning COPS Office FOIA policy and procedures, please call the COPS Office Legal Division at 202-514-3750 or visit the COPS Office website at www.cops.usdoj.gov.