

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

May 2021

Background

The Department of Justice’s grant-making components issued revised guidance on April 22, 2021 regarding conditions on certain Department grants. Consistent with Executive Order 13993, an [April 14, 2021](#) Attorney General memorandum, and relevant grant-making statutes, the Department informed grant recipients and applicants that they will continue receiving certain Department grants without making certifications related to 8 U.S.C. § 1373 and associated matters as a precondition. The Department will also cease giving priority consideration to grant applicants that accept conditions similar to those requirements.

This document includes general information as well as answers to questions that are specific to affected COPS Office grant awards. For answers to questions that are specific to affected OJP grant awards, please click this [link](#).

Frequently Asked Questions (FAQs)

1) Are these changes retroactive?

Yes. DOJ will no longer apply or enforce certain conditions, preferences, and requirements placed on awards that were made or offered by the Office of Community Oriented Policing Services (COPS Office) during FY 2017-2020.

For a full list of affected COPS Office programs, please see Appendix A.

For a full list of COPS Office conditions, preferences, and requirements that will no longer be applied or enforced, please see Appendix B.

2) Will new award documents be issued that exclude the affected conditions?

No. The COPS Office will not issue new award documents for affected FY 2017-2020 awards. The COPS Office will no longer apply or enforce the affected requirements, preferences, and conditions placed on those awards.

A copy of the affected conditions and requirements can be found in the applicable Award Owner's Manual, available at <https://cops.usdoj.gov/programdocuments>.

3) If an agency has not accepted its FY 2017-2020 award that included the affected conditions or requirements and would like to move forward with award acceptance, what is the process?

Your agency must accept the award electronically in DOJ's JustGrants system. Additional guidance on how to accept an award in JustGrants can be found at Training: Grant Award Acceptance | JUSTICEGRANTS (usdoj.gov).

4) If an agency submitted a formal declination for an affected FY 2017-2020 award, is the award still available for acceptance?

No. If an agency submitted a formal award declination letter and the COPS Office administratively closed the award offer, the award is no longer available for acceptance.

5) If an agency did not obligate or expend grant funds or accept its grant award due to the affected conditions and requirements, may it request a project period extension?

Yes. Recipients can request no-cost extensions due to this extenuating circumstance after the award has been accepted. First-time no-cost extensions that do not exceed 12 additional months can be submitted by the recipient in the JustGrants system through the submission of a Grant Award Modification (GAM). Please contact your assigned grant manager directly for

assistance with submitting requests for no-cost extension GAMs that exceed 12 additional months or are second extension requests. Additional guidance on how to submit GAMs can be found at Training: Grant Award Modifications | JUSTICEGRANTS (usdoj.gov).

6) If an agency has already accepted and started implementing its award, how will its award be affected?

No additional action is required by the award recipient. The recipient must continue to comply with all other requirements of the award.

7) Is my agency at risk of losing our affected award since we received preferential consideration as a result of selecting either: (1) 287(g) Partnership with the Department of Homeland Security Immigration and Customs Enforcement; or (2) Certification of Illegal Immigration Cooperation?

No. Your agency is not at risk of losing your COPS Office award as a result of selecting those preferential considerations. The COPS Office will not apply or enforce the affected conditions, preferences, and requirements.

8) If my agency selected 287(g) Partnership with the Department of Homeland Security Immigration and Customs Enforcement or Certification of Illegal Immigration Cooperation for preferential consideration and we have engaged in activities to support these preferences, do we need to discontinue these activities?

No. Your agency may continue these partnership and cooperation activities.

Appendix A: Affected COPS Office Grant Programs

FY17

- FY17 COPS Hiring Program (CHP)
- FY17 COPS Anti-Methamphetamine Program (CAMP)
- FY17 Anti-Heroin Task Force (AHTF) Program
- FY17 Preparing for Active Shooter Situations (PASS) Program
- FY17 Community Policing Development (CPD) Program including Microgrants

FY18

- FY18 COPS Anti-Methamphetamine Program (CAMP)
- FY18 Anti-Heroin Task Force (AHTF) Program
- FY18 Preparing for Active Shooter Situations (PASS) Program
- FY18 Community Policing Development (CPD) Program

FY19

- FY19 COPS Anti-Methamphetamine Program (CAMP)
- FY19 Anti-Heroin Task Force (AHTF) Program
- FY19 Preparing for Active Shooter Situations (PASS) Program
- FY19 Community Policing Development (CPD) Program

FY20

- FY20 COPS Hiring Program (CHP)
- FY20 COPS Anti-Methamphetamine Program (CAMP)
- FY20 Anti-Heroin Task Force (AHTF) Program
- FY20 Preparing for Active Shooter Situations (PASS) Program
- FY20 Community Policing Development (CPD) Program including Microgrants

Appendix B: COPS Office Grant Conditions, Preferences, and Requirements

FY17

- Certification of Compliance with 8 U.S.C. § 1373 from the applicant's Chief Legal Officer
- Compliance with 8 U.S.C. § 1373 Condition
- 287(g) Partnership with the Department of Homeland Security Immigration and Customs Enforcement
- Certification of Illegal Immigration Cooperation

FY18

- Certification of Compliance with 8 U.S.C. § 1373 from the applicant's Chief Legal Officer
- Compliance with 8 U.S.C. § 1373 Condition
- 287(g) Partnership with the Department of Homeland Security Immigration and Customs Enforcement
- Certification of Illegal Immigration Cooperation

FY19

- Compliance with 8 U.S.C. § 1373 Condition
- 287(g) Partnership with the Department of Homeland Security Immigration and Customs Enforcement
- Certification of Illegal Immigration Cooperation

FY20

- Citizenship and Immigration Status Communications Condition
- 287(g) Partnership with the Department of Homeland Security Immigration and Customs Enforcement
- Certification of Illegal Immigration Cooperation