



## *Tribal Resources Grant Program*

# TRGP 2004 Grant Owner's Manual

**A step-by-step guide  
to assist law enforcement agencies  
in carrying out and reporting on the  
Tribal Resources Grant Program**



## COPS Tribal Resources Grant Program 2004 Grant Owner's Manual

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

For more information about your TRGP 2004 grant, contact your COPS Tribal Grant Program Specialist. If you do not know the name or telephone number of your Tribal Grant Program Specialist, please contact the COPS Response Center at 800.421.6770.

Office of Community Oriented Policing Services  
1100 Vermont Avenue, N.W.  
Washington, D.C. 20530  
(For overnight delivery, please use 20005 as the zip code.)

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

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## Getting Started

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Congratulations on receiving a grant from the Office of Community Oriented Policing Services (COPS). You have received a grant under the COPS Tribal Resources Grant Program, which provides funding directly to Federally Recognized Tribal jurisdictions with established law enforcement agencies. The Tribal Resources Grant Program (TRGP) offers a variety of funding options, including training, uniforms, basic issue equipment, technology, and vehicles. The Tribal Resources Grant Program was designed to expand the implementation of community policing and meet the most serious needs of law enforcement in tribal communities through a broadened comprehensive program.

The TRGP grant program is intended to strengthen the overall law enforcement infrastructure in tribal communities.

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

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

For assistance, call the  
COPS Response Center  
at  
800.421.6770  
or visit [www.cops.usdoj.gov](http://www.cops.usdoj.gov)





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## I. Grant Acceptance, Terms, and Conditions

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

**Office of Community Oriented Policing Services  
COPS Tribal Resources Grant Program  
Control Desk, 8th floor  
1100 Vermont Ave., NW  
Washington, DC 20530  
(For overnight delivery please use 20005 as the zip code)**

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

### The Award Document

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

The Award Document also contains preprinted information of your law enforcement and government officials' names and addresses. If this information is incorrect or has changed, please complete the Change of Information Form included in your award packet, and mail it to the COPS Office with your signed Award Document. **Please do not make corrections to the original Award Document.** Once you have reviewed your Award Document, please sign it, make a copy for your records and mail the original document with original signatures (copies cannot be accepted) back to the COPS Office.

Your grant number is in the following format: 2004-HEWX-####. The COPS Office tracks grant information based upon this number. Therefore, it is important to have your agency's grant number (and/or your agency's ORI number or DUNS number) readily available when corresponding with the COPS Office.

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Your ORI number begins with your state abbreviation followed by numbers and/or letters. This number is assigned by the Federal Bureau of Investigation for use in tracking information for the Uniform Crime Report (UCR). The COPS Office tracks grant information based upon this ORI number. If your agency does not report UCR data, you will not have an ORI number. In this case, the COPS Office will assign you one (ending in "ZZ") for COPS identification purposes only.

If you have any questions regarding your grant, please refer to your grant award number or your agency's ORI number when you contact your COPS Tribal Grant Program Specialist.

## Grant Conditions

The grant conditions are listed on the back of your Award Document. By accepting this grant, you are entering into an agreement with the U.S. Department of Justice, Office of Community Oriented Policing Services (COPS). As part of that agreement, your agency acknowledges that it will comply with these conditions (and possibly additional conditions specific to your agency). The section that follows describes in detail each of the award conditions, their rationale and implications. It also addresses many frequently asked questions.

### Reasons for Grant Conditions

The requirements of your TRGP grant are established within:

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

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

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

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



Review of Grant Conditions

By signing the Award Document to accept this TRGP grant, your agency agrees to abide by the following grant conditions:

**1. ALLOWABLE COSTS**

A. Allowable Costs: Background Investigations.

*Unless a waiver of the local match was granted, the federal share cannot exceed 75% of the total project cost.*

Background investigations may be requested for any locally-funded officer positions.

B. Allowable Costs: Training.

*Unless a waiver of the local match was granted, the federal share for community policing and grant management training cannot exceed \$600 per officer; and the federal share for basic, specialized and computer training cannot exceed 75% of the total cost.*

Community policing training and grant management training are mandatory for all TRGP grantees that have not been awarded a previous TRGP grant. Community policing training must be completed through one of the following training facilities sponsored by the COPS Office: Regional Community Policing Institutes (RCPIs), or the Federal Law Enforcement Training Center.

C. Allowable Costs: Uniforms and Basic Issue Equipment.

*Unless a waiver of the local match was granted, the federal share for these categories cannot exceed 75% of the total cost.*

Uniform

- Standard attire (uniform shirts, trousers, ties, belts)
  - Dress attire (dress coat, dress shirts, dress pants, ties)
  - Outerwear (raincoat, coat, jacket, reflective vest)
  - Footwear (dress shoes, athletic shoes, boots)
  - Hat, caps, or gloves
  - Identification badges/other insignia (name plates, etc.)
  - Hazmat suits
  - Gas masks
  - Other standard issue apparel/uniform accessories (subject to approval)
-



### Basic Issue Equipment

- Primary issue handgun
- Holster
- Body armor/vest
- Portable radio and holder
- Gun belt and belt accessories
- Pepper spray and holder
- Baton and holder
- Handcuffs and case
- Manuals, reference books, notebooks, etc.
- Other miscellaneous items issued to police recruits (flashlight, templates, whistles, etc.)

### D. Allowable Costs: Technology.

*Unless a waiver of the local match was granted, the federal share cannot exceed 75% of the total cost.*

Allowable technology items include computer hardware, software, mobile data computers, communication systems, NCIC systems, dispatch systems, NIBRS/UCR-compliant data systems, automated booking systems, fingerprint identification systems, records management systems, mobile data terminals, GPS systems, and night vision equipment.

### E. Allowable Costs: Police Vehicles.

*Unless a waiver of the local match was granted, the federal share cannot exceed 75% of the total cost.*

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

### F. Unallowable Costs

This is not an all-inclusive list. The COPS Office reserves the right to deny funding for items that may not have been included in the Tribal Resources Grant Program application kit. You may not apply for nor request to reprogram funds for these items under TRGP:

- Ammunition
- Officer salaries and benefits
- Civilian salaries and benefits
- Construction/renovation costs
- Dictation systems



- Dogs (K-9)
- Indirect costs
- Office equipment (copiers, fax machines)
- Office furniture/supplies
- Office rental space
- Overtime hours for sworn officers or civilians
- Phone lines/utilities
- Radar equipment
- Salaries and benefits of existing employees
- Surveillance equipment
- Televisions/VCRs
- Vehicle leasing or rental agreements
- Vehicle parts, service, or maintenance
- Video cameras (other than vehicle mounted)/film

**In addition, this program will not provide funding for any items which are funded in the grantee agency's budget with other sources of funding (state, local, or BIA). You may apply only for otherwise unfunded items to supplement your agency's law enforcement budget.**

## **2. SUPPLEMENTING, NOT SUPPLANTING**

**The COPS statute requires that grant funds may not be used to replace state, local, or Bureau of Indian Affairs funds that would be made available in the absence of COPS grant funding. This means that Tribal Resources Grant Program funds must be used to increase the amount of state, local, or Bureau of Indian Affairs funds otherwise budgeted for the grant purposes. This means that you may not use COPS funds to pay for any allowable cost that was budgeted for with non-COPS funds.**

**Why This Condition:** The Public Safety Partnership and Community Policing Act of 1994 specifically states that federal funds under COPS programs may not be used to supplant (replace) local or state funds (or funds supplied by the Bureau of Indian Affairs) that would be spent on law enforcement purposes in the absence of the COPS grant.

**What You Should Do:** Tribal Resources Grant Program grantees may not use grant funds to pay for any item such as a vehicle or officer training if that item or cost was otherwise budgeted with tribal, state, local, or Bureau of Indian Affairs funds, or committed to the grantee's budget. TRGP funds may not be used to purchase any items prior to the official grant award start date.



In addition, grantees may not reallocate state, local, or Bureau of Indian Affairs funds from one area within the law enforcement budget to another as a result of applying for or receiving TRGP funds. For example, grantees who have budgeted funds to pay for a new vehicle may not reallocate those funds to pay for any other law enforcement cost as a result of applying for or receiving TRGP funds for a vehicle. Grantees also may not reallocate funds from within their law enforcement budget to pay for the required local match to the TRGP grant, but must obtain other sources of local match funds in addition to the state, local, or Bureau of Indian Affairs funds which otherwise would be budgeted for law enforcement purposes.

To meet this grant condition, you will need to ensure that no items that are authorized to be purchased with TRGP funds, such as training, technology, or equipment, for example, are purchased prior to the official grant award start date.

### 3. REPORTS

**To assist the COPS Office in the monitoring of your award, your agency will be responsible for submitting periodic reports regarding both the programmatic and financial progress of your grant. As these reports become due, your COPS Tribal Grant Program Specialist and Staff Accountant can assist you if needed.**

**Why This Condition:** The Public Safety Partnership and Community Policing Act of 1994 and other federal regulations require careful grant monitoring to ensure the proper use of federal funds. In addition, the COPS Office seeks to document, on a continuing basis, the progress of our programs and grantees.

**What You Should Do:** This grant condition is to make your agency aware of reporting requirements associated with TRGP grants. For more information on reporting, please see Section VII of this manual.

### 4. EXTENSIONS

**The COPS Office does not offer extensions that provide additional federal funds for your TRGP award. However, a no-cost time extension can be requested. The extension request should be submitted in writing to your Tribal Grant Program Specialist within 90 days of the official end date of the award.**

**Why This Condition:** Under federal regulations, requests to extend the grant period require prior written approval from the COPS Office. Without an approved extension, your funding will automatically stop at the end of the original grant period. However, where justified, the COPS Office seeks to accommodate reasonable requests for additional time to complete a grant.

**What You Should Do:** The COPS Office will mail an Extension Request Worksheet to your agency in the last quarter of your TRGP grant. If your agency needs more time to complete the grant, simply complete the form and mail or fax it back to:

**Tribal Resources Grant Program Control Desk  
U.S. Department of Justice/COPS  
1100 Vermont Avenue, N.W.  
Washington, D.C. 20530  
Fax: 202.514.9272**

## 5. GRANT MODIFICATIONS

**Occasionally, a change in an agency's fiscal or law enforcement situation necessitates a change in its TRGP award. For example, a grantee was awarded a desktop computer, but would now like to modify the awarded item to a laptop computer due to changing law enforcement needs.**

Grant modifications under TRGP are evaluated on a case-by-case basis. All modification requests must be approved, in writing, by the COPS Office, prior to their implementation. In addition, please be aware that the COPS Office will not approve any modification request that results in an increase of federal funds. You must seek prior approval if you plan to make grant changes relating to any of the following issues:

- Budget changes (e.g., your agency was awarded four computers but now wants to purchase five with the same amount of funding);
- Major programmatic changes, such as changes to your community policing plan.

**Why This Condition:** Under federal regulations, you are required to expend funds only as approved in the Financial Clearance Memorandum. Any requests to change or alter grant awards require prior written approval. Without prior written approval, you must continue to implement your grant as it was originally awarded and accepted by your agency.



**What You Should Do:** If you wish to modify your grant award, you must submit a written request on your agency's letterhead referencing your grant number, the proposed changes, details of why the change is needed, etc. The COPS Office will then evaluate your request, and notify your agency, in writing, of our decision. Your agency must wait until receiving written approval from the COPS Office before implementing the proposed changes to the grant. Please call your Tribal Grant Program Specialist at 800.421.6770 for additional assistance.

## **6. EVALUATIONS**

**The COPS Office may conduct or sponsor national evaluations of the community policing activities of its grantees and other COPS-funded initiatives. The grantee agrees to cooperate with the evaluators.**

**Why This Condition:** The Public Safety Partnership and Community Policing Act of 1994 states that evaluations of the program may be carried out or commissioned by the Attorney General for the furtherance of the purposes of the Act. The COPS Office conducts evaluations to determine what programs are working, how programs may be improved, and why certain programs are working better than others. Specifically, the COPS Office may assess the way in which your agency implements its community policing program. In some jurisdictions, COPS staff or evaluators may study the effectiveness of funded programs, projects, and activities. Evaluators may collect information about the programs' effects on crime, victims of crime, and the quality of life in communities. In addition, they may ask questions about 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 department, observe activities of your department, and obtain written reports about and from your department. You will be asked to facilitate any site visits and information-gathering activities. In addition, you will be asked to provide accurate and timely information about your grant activities.

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## 7. GRANT OWNER'S MANUAL

**The grantee agrees to abide by the terms, conditions, and regulations as found in this COPS Tribal Resources Grant Program Grant Owner's Manual and the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, 28 C.F.R. Part 66.**

**Why This Condition:** This manual has been designed to inform you of the laws, regulations, and policies that apply to your grant. Your agency will be responsible for the information and rules contained in this manual. More detailed guidance can be requested through your Tribal Grant Program Specialist.

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

## 8. GRANT BENEFITS

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

**Why This Condition:** The TRGP grant program was created under a congressional appropriation specifically designated for tribal law enforcement agencies to improve public safety in Indian communities.

**What You Should Do:** Your law enforcement agency should avoid any agreements with other jurisdictions to share awarded equipment, technology, and/or vehicles unless the agreement specifically addresses the requirement that COPS-funded items must exclusively benefit the grantee service population. For example, if your jurisdiction has both a tribal police department and a Bureau of Indian Affairs (BIA) Department, items funded under the grant might be able to be utilized by the BIA department as long as this would result in an exclusive benefit to the population that you serve. You may not, however, allow equipment, technology, or vehicles funded under the grant to be



utilized by any agency or transferred to any agency that does not exclusively benefit the population that you serve. For example, you cannot during the grant term loan two of your awarded computers to a neighboring county's sheriff's department. Before you enter into any agreement with another law enforcement agency, you should contact your COPS Grant Program Specialist at 800.421.6770 for additional guidance.

## 9. CRIMINAL INTELLIGENCE SYSTEMS

**Grantees using TRGP funds to operate an interjurisdictional criminal intelligence system must comply with the operating principles of 28 C.F.R. Part 23.**

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

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

**What You Should Do:** All TRGP grantees were required to submit the signed Criminal Intelligence Systems/28 C.F.R. Part 23 Compliance Special Condition as part of the TRGP application kit so that the COPS Office can track which agencies intend to use their TRGP funds to operate interjurisdictional criminal intelligence systems. If your agency intends to use TRGP funds to operate an interjurisdictional criminal intelligence system, you should have indicated this on the Special Condition 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 by the TRGP grant.



## 10. SOLE SOURCE JUSTIFICATION

**Grantees who have been awarded funding for the procurement of an item (or group of items) in excess of \$100,000 and who have already identified a vendor through a non-competitive process must provide a written sole source justification to the COPS Office prior to obligating, expending, or drawing down grant funds for that item.**

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

**What You Should Do:** If you have received an award for an item (or group of items) or service in excess of \$100,000, and have already identified a vendor through the solicitation of only one source, you must provide a written justification that explains why it is necessary to contract noncompetitively.

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

1. The item (or group of items) or service is available only from a single source;
2. A competitive solicitation would create an undesirable delay affecting the grantee's ability to meet program requirements;  
or
3. A number of sources were solicited but were considered inadequate.

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

## 11. COMMUNITY POLICING

**TRGP grants must be linked to the implementation or enhancement of community policing. All equipment and technology items must be used to enhance community policing as outlined in your application.**



**Why This Condition:** Community oriented policing is a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder. This is achieved through problem-solving approaches and community police partnerships. It enhances police professionalism by providing officers with the skills, technology, and motivation to act in innovative ways to solve community crime-related problems. Among other things, the COPS Office is charged with fulfilling the mandates under the Public Safety Partnership and Community Policing Act of 1994 with regard to enhancing community policing.

**What You Should Do:** You should ensure that any training, equipment, or technology awarded enhances your agency's ability to implement or increase community policing. How community policing will be implemented or enhanced by such items was stated in your grant application and you will be required to adhere to these plans as outlined in your application. Significant changes to the community policing activities identified in your grant application must receive prior written approval from the COPS Office. Changes are "significant" if they deviate from the range of possible community policing activities identified and approved in your grant application.

## **12. TRAINING**

**For those grantees who have not previously been awarded a TRGP grant, community policing and grant management training are mandatory. Grantees must send at least two representatives to community policing training, and two representatives to grant management training.**

**Why This Condition:** The TRGP grant program is designed to increase police professionalization and officer training in tribal communities.

**What You Should Do:** Information on both community policing and grant management training will be sent to the grantee law enforcement executive. You should ensure that the number of persons approved to attend community policing training and grant management training (as outlined in your TRGP Final Funding Memo) attend this training within the grant period.

### 13. GRANT MONITORING ACTIVITIES

**The COPS Office performs various functions to ensure compliance with all grant requirements, to assess the implementation of community policing in awarded jurisdictions, and to provide technical assistance to grantees. Grant monitoring activities are routine during the grant period and may occur up to three years following the end of the grant funding. These functions, and others, often require the production of grant-related documentation and other materials. As a COPS TRGP grantee, you agree to cooperate with any such requests for information.**

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

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

1. Site Visits – Certain grants are selected for on-site monitoring visits. If selected, your agency will be notified in writing in advance of any on-site review of your COPS grants. This review is generally performed over a one or two day period and also provides an opportunity for agency representatives to seek assistance on any grant implementation issues. Your agency will be notified in writing of the results and any action required to remedy identified grant violations.
2. Office Based Grant Reviews (OBGRs) – Certain grants are selected for a review conducted at the COPS Office. If selected, your agency will be contacted at the start of this review and our staff will correct any grant problems or deficiencies through telephone, fax and/or written correspondence with your agency.
3. Complaints – The COPS Office responds to complaints from citizens, labor associations, media, and other sources. Written complaints or allegations are reviewed by the COPS Office Grant Monitoring Division, and may result in a review of your agency's grants to determine compliance with grant conditions.



Grantees are responsible for remedying any grant noncompliance that is identified through these or other monitoring or auditing activities. Remedies for noncompliance may include, but are not limited to: suspending grant funding, repaying misused grant funds, voluntary withdrawal from or involuntary termination of remaining grant funds, and bars from receiving future COPS grants. To avoid findings of noncompliance, grantees are strongly encouraged to contact the COPS Office at any time during the life of a COPS grant with questions concerning grant requirements and also to maintain all relevant documentation which may demonstrate grant compliance. The COPS Office Grant Monitoring Division can be reached by calling 800.421.6770 or 202.514.9202 or by mail at:

**1100 Vermont Ave., N.W.  
Washington, D.C. 20530**

## Assurances & Certifications

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

Although the COPS Office has made every effort to simplify the process of applying for and receiving grants, provisions of federal law require us to seek your certification regarding certain matters. Most of these Assurances and Certifications apply to all grants provided by the federal government. Your agency signed the Assurances and Certifications forms at the time of application. Your agency is responsible for reviewing and ensuring that the terms agreed to when signing the Assurances and Certifications are fulfilled. Additional copies of the Assurances and Certifications forms are contained in Appendices B and C of this manual. If you have any questions about them, please contact your Tribal Grant Program Specialist.

## Accepting the Grant Award

After you have reviewed the conditions of your TRGP award and your agency agrees with those conditions, you are ready to accept the award. The Director of the COPS Office has signed the Award Document indicating approval of your grant, an obligation of federal funds to your organization, and our commitment to the award. To officially begin your grant and draw down your funds, the **authorized officials** (the law enforcement and government executives) must sign the Award Document and return the original document to:

**COPS Tribal Resources Grant Program Control Desk  
Office of Community Oriented Policing Services  
1100 Vermont Ave., NW 8th Floor  
Washington, DC 20530**

*(For overnight delivery, please use 20005 as the zip code.)*

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

Who should sign the award for my agency?

The "authorized officials" are the law enforcement executive and government executive who have final responsibility for all programmatic and financial decisions regarding this grant as representatives of the legal grantee. COPS grants require that both the top law enforcement executive (e.g., Chief of Police, Director of Public Safety or equivalent) and the top government executive (e.g., Tribal President, Governor or equivalent) sign the Award Document. Typically, these are the same executives who signed the TRGP application documents (if one or both of these individuals have changed, please complete a Change of Information form and submit it to the COPS Office). If you have any questions as to who should sign the award, please contact your jurisdiction's local legal advisor.



When do the grant materials need to be returned?

Please return the original signed Award Document within 90 days of receipt. Grant funds will not be released until we have received your agency's original signed Award Document, your budget has received final clearance, and any other relevant grant conditions particular to your agency have been satisfied. *Failure to submit your signed Award Document within the 90-day award acceptance period may result in your TRGP grant being withdrawn and the funds deobligated.* If your agency requires an extension for accepting the award beyond the 90-day acceptance time frame, please submit a written request to your Tribal Grant Program Specialist. Be sure to explain the circumstances that prevent your agency from returning the Award Document within the 90-day award acceptance period.

What are the specific rules regarding termination of grant funding?

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

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

In these instances, the COPS Office may:

- Temporarily stop payments pending correction of the situation by your agency;
- Disallow all or part of the cost of the activity or action not in compliance;
- Wholly or partly suspend or terminate your grant award;
- Require that some or all of the grant amounts be remitted to the U.S. Department of Justice;
- Condition a future grant or elect not to provide future grant funds to your agency until appropriate actions are taken to ensure compliance;



- Withhold or bar your agency from obtaining future awards;
- Recommend civil or criminal enforcement; and/or
- Take other remedies that may be legally available.

False statement or claims made in connection with COPS grants may result in fines, imprisonment, debarment from participating in federal grants or contracts, and/or any other remedies available by law. In the event that sanctions are imposed or a grant is terminated, your agency will be notified in writing of our decision and the reasons for the decision.

How Are Changes to the Grant Made?

Your agency must seek and receive prior written approval if you plan to make programmatic changes in your grant, including but not limited to:

- Extensions to the length of the standard grant period;
- Major programmatic changes;
- Major budget changes (e.g., your department was awarded four computers, but will purchase five with the same amount of money); or
- Significant changes to your community policing plan.

To make such changes, your agency is required to request prior approval in writing from the COPS Office. Please document your reason(s) for the proposed changes, how they will affect your grant project, and any other information that will assist us in reviewing the changes. All change requests for your TRGP grant should be sent, in writing, to your Tribal Grant Program Specialist. Upon reviewing your request, COPS may contact you for additional information or clarification. The COPS Office reserves the right to deny any request to change a grant.

1) Extending the grant

No-cost time extensions will be given, if necessary, to grantees in order to complete grant requirements and draw down all grant funds. Extensions do not affect the amount of the grant, only the end date of the grant. If extensions to complete grant requirements are necessary, they may be requested no earlier than 90 days before the end of the grant period. The COPS Office will send information to you regarding the criteria and procedure for requesting an extension before the end of the initial grant period.



## 2) Modifying the grant

You must seek prior approval if you plan to make grant changes relating to any of the following issues:

- major programmatic changes;
- major budget changes (e.g., your department was awarded ten laptop computers, but will purchase two special conveyance vehicles with the same amount of money).

In order to make one of these changes, you are required to submit your plans in writing to the COPS Office for prior approval. Please submit a new budget detailing the proposed changes and accounting for all total project costs. Please document your reasons for the proposed changes and any information that will assist us in reviewing the changes.

## 3) Withdrawing from the grant

The COPS Office allows grantees to request to withdraw from their Tribal Resources Grant Program award at any point during the grant period. However, if federal funding has been drawn down, grantees must comply with all COPS grant conditions (such as the local match) and may not withdraw to avoid remedying any previous grant violations.

If you wish to withdraw from your Tribal Resources Grant Program grant, there is a specific withdrawal process which includes (1) sending your withdrawal request to the COPS Office in writing and (2) sending an up-to-date Financial Status Report (SF269A). There may also be other requirements that you must complete. Please contact your Tribal Grant Program Specialist at 800.421.6770 for further guidance on the withdrawal procedures.

## 4) Other questions about accepting the grant

If you have questions about accepting this grant, please contact your Tribal Grant Program Specialist to discuss your options by calling 800.421.6770. If your agency decides not to accept this grant, you must notify us of your decision in writing. A completed Financial Status Report (Standard Form 269-A) should accompany any written request to withdraw, even if no grant funds have been drawn down.



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## II. Procurement Process

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- Grantees will be required to submit a Sole Source Justification (SSJ) request if a competitive bidding process will not be possible and the threshold of \$100,000 for goods or services procured from a sole source is met. The COPS Office will review your request and supporting information to determine whether an exception can be granted to the general rule of open competition. All grantees are expected to review and abide by 28 C.F.R. Part 66.36 Procurement (or 28 C.F.R. Part 70.40 - 70.48 for institutions of higher education, hospitals and other non-profit organizations) in determining if an SSJ must be completed. Please contact your Tribal Grant Program Specialist at 1.800.421.6770 for further assistance with this federal regulation.
  
- The initial determination that competition is not feasible can be made if one of the following circumstances exists:
  1. The item (or group of items) or service is available only from a single source;
  2. A competitive solicitation would create an undesirable delay affecting the grantee's ability to meet program requirements;
  3. A number of sources were solicited but were considered inadequate.

If your agency is submitting the written request for approval for a Sole Source Justification, the documentation should follow the format provided below.

**Paragraph 1** – A brief explanation of the program and what requested goods or services will be procured without competition (from a sole source).

**Paragraph 2** – An explanation of why it is necessary to procure non-competitively, including the following information:

- Expertise of contractor/consultant/manufacture
  - Management
  - Responsiveness
  - Knowledge of program
  - Experience of contractor/consulting/manufacturing personnel
  - Results of a market survey to determine competition availability, or if one was not conducted, an explanation why not
-



**Paragraph 3 – Time Constraints**

- When goods or services are required and why
- Impact on the program if dates are not met
- How long it would take another contractor/consultant/manufacture to reach the same level of competence (equate to dollars, if possible)

**Paragraph 4 – Uniqueness**

**Paragraph 5 – Other points that should be covered to justify the sole source**

**Paragraph 6 – A declaration that this action is in the "best interests" of the agency.**

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### III. Accessing Grant Funds

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This section provides answers to payment-related questions. Your award packet contains a number of financial documents including all the information needed to set up your payment method. For assistance with financial management and grant administration, please refer to the COPS Office's [Grant Monitoring Standards and Guidelines](#) available online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) or by calling the COPS Response Center at 800.421.6770.

#### Payment Methods

For first-time grantees, there is one method of payment available for accessing federal grant funds – the Phone Activated Paperless Request System, or PAPRS. Existing grantees that are already using PAPRS for previously awarded grants must also use PAPRS for the TRGP program (only existing grantees that are currently using LOCES for previously awarded COPS grants can elect to continue to use LOCES for any new grants).

##### A. PAPRS (Phone Activated Paperless Request System)

PAPRS enables grantees to use their touch-tone telephone to request funds. Approved payment requests will be automatically scheduled for payment by the U.S. Treasury Department. The system also provides online information to grantees about the status of their requests. If you do not have a touch-tone telephone, please contact the COPS Response Center help line at 800.421.6770. If you need to request a reprinted PAPRS package, please contact the Office of the Comptroller, Customer Service Center, Office of Justice Programs at 800.458.0786.

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

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



## B. LOCES (Letter of Credit Electronic Certification System)

Only existing grantees who are currently using LOCES for previously awarded COPS grants can elect to use LOCES for any new grants. LOCES is a modem communication system that allows recipients of COPS funds to electronically request payment from any of their grant funds, and receive direct deposit to their bank accounts within 48 hours. You will need a computer with a dedicated modem to use this system.

1. To make requests for payments through LOCES, you must have a personal computer operating DOS 3.1 or higher. We recommend at least a 28.8-baud modem.
2. Complete and return the LOCES Automation Survey Form. Upon receipt, your LOCES software will be customized for your use and forwarded to you.
3. Complete an ACH Vendor / Miscellaneous Payment (SF-3881) enrollment form and forward it to your bank.

## Setting Up Your Account

How do we fill out the payment enrollment forms?

In the packet, your agency received an Automated Clearinghouse (ACH) Vendor / Miscellaneous Payment (SF-3881) enrollment form. The ACH Vendor / Miscellaneous Payment (SF-3881) enrollment form needs to be completed regardless of the payment method. Prior to accessing your grant funds, your agency must mail the original form to:

**Office of Justice Programs  
Office of the Comptroller  
810 7th Street, NW 5th Floor  
Washington, DC 20531**

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

If you are already a COPS grantee, you should already have selected one of the two payment methods and filled out an ACH Vendor/Miscellaneous Payment (SF-3881) enrollment form.



However, your agency will be required to complete and submit a new ACH Vendor/Miscellaneous Payment (SF-3881) enrollment form with each new grant awarded. If you have any questions, please call the COPS Response Center at 800.421.6770.

When should Financial Status Reports be filed?

After your agency returns the signed award to the COPS Office, you are required to submit quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269A). This report reflects the actual monies spent and unliquidated obligations incurred by your agency. You will not be able to make drawdowns from your grant account if the SF-269A for the most recent reporting quarter is not on file with the COPS Office by the deadline date. Effective October 1, 2004 grantees must submit their SF-269 via the internet at: <http://grants.ojp.usdoj.gov>.

For your first SF-269A submission, use the chart below to determine when the most recent SF-269A reporting quarter ended and complete an SF-269A to cover the period from the award start date of your grant to that particular end date. You are required to submit an SF-269A even if you have not spent any money or incurred any costs during a reporting period.

<u>SF-269A Reporting Quarters</u>	<u>Due Date</u>
1/01/YY to 3/31/YY	No later than 5/15/YY
4/01/YY to 6/30/YY	No later than 8/15/YY
7/01/YY to 9/30/YY	No later than 11/15/YY
10/01/YY to 12/31/YY	No later than 2/15/YY

**Example:**

If your award start date is 02-1-04 and the current date is 04-15-04, then your first SF-269A would be due no later than 05-15-04 and would cover the period 02-01-04 (award start date) through 03-31-04 (end of the most recent reporting quarter). This SF-269A must be on file with the COPS Office so that you can successfully complete a drawdown of funds through PAPRS or LOCES.

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

Filing the Financial Status Report identifies your federal and local expenditures made during that calendar quarter. However, to receive actual payment, you must request it through PAPRS or LOCES (see the section on payment methods).



## 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 grants. This concept requires that your agency request funds based upon immediate cash disbursement needs. You should time your request for payment to ensure that federal cash on hand is the minimum that you need.

There should be no excess federal grant funds on hand, except for advances not exceeding 10 days, as noted above.

The federal government has four basic rules regarding advances. Advances can be terminated if the grantee:

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

How often do we request reimbursement of costs?

There are no limitations on how often your agency may request reimbursements. However, reimbursement is only for allowable training, technology, and equipment. Please refer to your Financial Clearance Memorandum for an outline of your allowable costs.

Can we earn interest on our grant funds?

Your agency should minimize the time between your draw down of grant funds and your payment of grant costs to avoid earning excess interest on your grant funds. You must account for interest earned on advances of federal funds as follows:

- Your agency may keep interest earned on all advances of federal grant funds up to \$250 per fiscal year; and
- Your agency must annually pay back interest earned (over and above \$250 per fiscal year) on advances of federal grant funds to the U.S. Department of Health and Human Services, Payment Management Systems, Rockville, MD 20852.



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## IV. Meeting the Local Match

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The COPS Tribal Resources Grant Program provides up to 75 percent of the cost of allowable items. TRGP grantees are responsible for at least 25 percent of the total cost of allowable items unless the local match requirement has been waived in whole or in part, and has been approved in writing by the COPS Office. The match must be a cash match made from tribal, local, state, or other non-COPS funds. Federal funds (other than COPS Office funds) may be used to meet your local match only if the federal funds are authorized by statute for that purpose and approved by the federal agency providing those funds and the COPS Office.

Contributions may be applied at any time during the life of your grant, provided that the full matching share is obligated by the end of the grant period. The local match may not be paid from funds already budgeted for a specific law enforcement purpose (you may not reallocate funds from within your law enforcement budget to pay the local match). The local match must be in addition to funds previously budgeted for specific law enforcement purposes.

### Matching Funds

What are some sources of matching funds?

Sources for local match requirements may include:

- Program income funds from asset forfeitures;
- Funds from state, local, and/or tribal governments that are committed to matching funds for your program;
- Funds from federal programs whose statutes specifically authorize their use as matching funds, such as the Housing Community Development Act of 1974, the Equitable Sharing Program or Bureau of Indian Affairs Funding; or
- Funds contributed by private sources.

When and how must the match be made?

Matching contributions may be applied at any time during the life of your grant provided that the full matching share is obligated by the end of the grant period.

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Should I maintain records of the match?

Yes, your agency must maintain records of your local share. These records should clearly show the source of the match, the amount of the match, and when the match was contributed. This is necessary to establish that the matching funds were not previously budgeted for law enforcement purposes. You do not need to provide these supporting documents to the COPS Office, but such records must be produced in the event of an audit or site visit. In addition, grantees are required to report the amount of local match contributed on the quarterly Financial Status Report SF-269A under "line B."

## Waivers of the Local Match

Can the matching requirement be waived?

To maximize the number of communities that can take advantage of COPS grants, only a small portion of local match waiver requests are actually granted. Waiver requests are typically considered when a jurisdiction makes the request at the time of application. Applicants that were able to provide satisfactory documentation of *severe fiscal distress* may be granted waivers. Post-award waivers will be considered only under the most extreme circumstances and are subject to funding availability.

How are waivers granted?

It is the responsibility of the waiver applicant to demonstrate extreme fiscal distress and its negative impact on the agency's ability to adequately provide law enforcement services to its jurisdiction. Waivers are evaluated on a case-by-case basis, and are based on an agency's ability to demonstrate severe fiscal distress and how it has adversely impacted law enforcement services. Any agency requesting a waiver of the local match must submit relevant documentation to support the request. Relevant factors reviewed in a waiver request may include:

- Budgetary imbalance or expenditure cutbacks resulting in significant reductions in other services provided by the applicant;
- Significant downgrading of the applicant's bond rating due to



- fiscal distress;
- Bureau of Indian Affairs funding cuts that have negatively impacted your jurisdiction's ability to serve tribal community members and have caused financial hardship;
  - Other federal or state funding cuts that have negatively impacted your jurisdiction's ability to serve tribal community members and have caused financial hardship;
  - Funding cuts that have caused:
    - a) Layoffs within the tribal government
    - b) Layoffs within the police department
    - c) A reduction in necessary overtime expenses for your law enforcement agency
    - d) A reduction in your law enforcement agency's ability to purchase necessary supplies, equipment, and/or vehicles;
  - Loss or relocation of a major employer or job layoffs which have a significant economic impact on the applicant;
  - Private enterprises in which the tribal government engages that are currently experiencing financial hardship;
  - Budget deficit within the tribal community;
  - Poverty rate within the tribal community;
  - Unemployment rate within the tribal community;
  - Location within an area in which a declaration of major disaster has been made pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act;
  - A natural disaster that has recently affected your tribal lands and has caused financial hardship;
  - Extraordinary and/or unanticipated non-recurring expenses and/or loss of revenue resulting in severe financial distress;
  - A current determination by another federal or state agency of qualification of matching funds based on severe fiscal distress;
  - A declaration as a fiscally distressed area by the state where the tribe is located;
  - Declaration of bankruptcy by a court of law;
  - Being placed in receivership, or its functional equivalent, by a state or the federal government;
  - Filing for bankruptcy, receivership, or similar measure, with the request for relief pending; or
  - Other documentation of severe financial distress not accounted for by the above criteria.
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How are we notified if a waiver is granted?

Generally, the cover letter and Financial Clearance Memorandum in your grant award package will indicate whether your request for a waiver was granted. If your agency applied for a post-award waiver, you will also receive written notification of our decision. Under some circumstances, agencies that receive waiver approval will receive a Modified Award Document and budget clearance documents. If so, the Modified Award Document must be signed and returned to the COPS Office to accept the waiver. If your agency received a waiver and you have additional questions, please contact your Tribal Grant Program Specialist.

How do we appeal the denial of a waiver?

If your agency's waiver request was denied and you would like to appeal the decision, please submit your written appeal to:

**U.S. Department of Justice/COPS  
Attn: Deputy Director for Operations  
1100 Vermont Avenue, NW  
Washington, DC 20530**



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## V. Financial Record Maintenance

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Under the TRGP grant, 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 all matching funds.

### Accounting Systems

What accounting systems are required?

Your agency needs to establish and maintain accounting systems and financial records to accurately account for the funds awarded. These records must include both the federal funds and matching funds from state, local, and tribal governments and/or private sources.

Your accounting system should:

- Present and itemize approved costs of training, equipment, and technology, and show the actual costs of these items;
- Demonstrate that funds are spent in compliance with your grant conditions; and
- Be able to provide the necessary information for periodic review and audit.

What records must be kept?

Your agency's fiscal control and accounting systems should enable you to make accurate, current, and complete disclosure of the financial activity under your TRGP grant. Your accounting records should contain information showing expenditures under the grant and must be supported by items such as canceled checks or similar documents. Your agency must adequately safeguard grant funds and make sure that they are used for authorized purposes only. Your agency will be responsible for refunding any unallowable expenses.

How long must documents be kept?

All financial records, including canceled checks and similar documents, associated with your COPS TRGP grant should be kept for at least three years from the date COPS officially closes the grant. If any litigation, claim, negotiation, audit, or other action involving these records has been started before the end of the three-year period, the records should be kept until completion of the action. These records

**Records should be kept for at least three years from the date that the COPS Office officially closes the grant.**



should be easily located and should be properly protected against fire or other damage. *Failure to maintain adequate records to document grant expenditures may result in a requirement to repay all federal funds that cannot be supported with appropriate records.* Your agency should maintain records so that you can identify them by grant year or by fiscal year, whichever you find more convenient.

What if we have more than one grant?

If your agency has more than one COPS grant or grant from another federal agency, funds received under one project may not be used to support another project. Your accounting systems and financial records must reflect expenditures for each project separately.

Who may access our records?

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

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



## VI. Federal Audit Requirements

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### Audit Requirements

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

What are the regulations governing SAA requirements?

The Single Audit Act of 1984 established uniform guidelines for state and local governments receiving federal financial assistance. The 1984 Act was amended in July 1996 to reflect revised audit criteria and reporting requirements. The Office of Management and Budget Circular A-133, Audits of States, Local Governments and Non-Profit Organizations, provides additional guidelines regarding the implementation of SAA requirements.

Who must have an SAA audit?

Each non-federal entity that expends \$300,000 (\$500,000 for fiscal years ending after December 31, 2003) or more in a fiscal year shall have a Single Audit conducted except when it elects to have a program-specific audit conducted. SAA audits are conducted annually unless a state or local government is required by constitution or statute, in effect on January 1, 1987, to undergo audits less frequently than annually. The primary objective of an SAA audit is to express opinions on the grantee's financial statements, internal controls, major and non-major grant programs, and compliance with government laws and regulations. Single audits may also address specific compliance issues with respect to COPS grant requirements.

If the U.S. Department of Justice is your Cognizant Federal Agency (see Glossary of Terms for definition), your Single Audit Act reports should be sent to the Federal Audit Clearinghouse at:

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



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

What is the role of the Office of the Inspector General?

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

On what basis are COPS grants selected for an OIG audit?

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

The COPS Audit Division serves as the liaison between grantees and the OIG's Audit Division, which conducts the audit. Questions and comments regarding the administration of your TRGP grant, not specifically related to an audit, should be referred to your Tribal Grant Program Specialist.



## Typical Audit Findings

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

- Unallowable costs – Grantee incurred costs which were not approved in the original budget, were in excess of the approved budget, or were charged to the grant after the expiration date and a grant extension was not obtained.
- Unsupported costs – Specific grant expenditures and reimbursements could not be supported, or grant expenditures were in excess of actual grant costs.
- Unsupported local match contributions – Grantee did not have adequate accounting and record keeping systems to identify the source(s) of local matching contributions, when the local matching contributions were made, and/or the amount of contributions.
- Lack of complete programmatic and financial reporting – Grantee failed to submit required programmatic and financial reports in a timely manner and/or had inadequate record keeping systems.
- Lack of adequate community policing – Grantee had difficulty demonstrating community policing activities.





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## VII. Reports

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Periodically, your agency will be asked to provide two types of reports: Program Progress Reports and Financial Status Reports. *Failure to submit complete reports, or submit them in a timely manner, may result in the suspension and possible termination of your agency's COPS grant funding or other remedial actions.*

### Program Progress Reports

**The Program Progress Report** – This report is required as requested by the COPS Office during the life of the grant (not to exceed one per year). It will be mailed to the grantee and must be completed and returned within 45 days of its receipt.

How often will Progress Reports be requested?

The Program Progress Report will be requested not more than once a year.

What kind of information will these reports require?

These reports will request information about the status of your grant in terms of the purchase of equipment and technology and general information about your department. You also will be asked about progress you have achieved in implementing community policing.

### Financial Status Reports

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

How are grant funds monitored?

The COPS Office and designated representatives from the Office of the Comptroller, Office of Justice Programs monitor the financial aspects of your agency's grant through financial reports, meetings, telephone contacts, reports, audits, review of grant change requests, and special request submissions. Information may also be requested during an on-site visit.

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How do we file Financial Status Reports?

The FSR is due at the COPS Office no later than 45 days following each calendar quarter. A chart showing the reporting quarter end dates and due dates is provided in the section of this manual entitled "Setting Up Your Account." A Helpful Hints Guide for Completing FSRs is available at the COPS web site ([www.cops.usdoj.gov](http://www.cops.usdoj.gov)) or by calling the COPS Response Center at 800.421.6770.

A blank copy of an SF-269A is included in your award package. Please make copies of the blank form (both sides) and retain them for future use. Fax completed forms to:

**COPS Finance Division Control Desk fax: 202.616.9004**  
**Alternative Fax: 202.514.2852**

Or mail to:

**U.S. Department of Justice**  
**Office of Community Oriented Policing Services**  
**1100 Vermont Ave., NW**  
**Attention: COPS Finance Control Desk**  
**Washington, DC 20530**

In continuing efforts by the Office of Justice Programs to better serve award recipients, effective April 1, 2004, quarterly Financial Status Reports, also known as the SF-269A Form, can be filed on-line through the Internet at:

<http://grants.ojp.usdoj.gov/>

The due dates for on-line filing of SF-269As remain the same. The SF-269As must be submitted on-line not later than 45 days after the last day of each reporting quarter as follows:

<b>Reporting Quarter</b>	<b>Date Due</b>
Jan 1-Mar 31	May 15
April 1-June 30	Aug 15
July 1-Sept 30	Nov 15
Oct 1-Dec 31	Feb 15

The online SF-269A requires the same reporting information as the paper version. The use of this on-line application enables authorized users to view current and past SF-269As, and allows them to file or amend the SF-269A for the current quarter. Please note effective **October 1, 2004**, online SF-269A filing is mandatory for all grantees.

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

An email confirmation of OJP receipt of the SF-269A will be sent to the grantee at the email address listed by the grantee's registered user. Subsequent email reminders will be sent to the grantee at that email address if/when future SF-269As are delinquent.

For general information concerning on-line filing of SF-269A reports, go to [www.ojp.usdoj.gov/oc](http://www.ojp.usdoj.gov/oc) or contact the OJP Office of the Comptroller, Customer Service Center by phone at 800.458.0786 (at option 2) or by email at [askoc@ojp.usdoj.gov](mailto:askoc@ojp.usdoj.gov).

## Contact Points to Obtain Technical Assistance and Report Violations

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

- If you suspect violations of a criminal nature, please contact the Office of the Inspector General's Hotline at 800.869.4499.
- If you suspect non-compliance (not criminal in nature) as it relates to the grant conditions listed in this manual, please contact the COPS Grant Monitoring Division at 202.514.9202.
- If you have any questions and/or need assistance regarding your grant, please contact your COPS Tribal Grant Program Specialist at 800.421.6770.

Assistance regarding community plans and practices may also be obtained by contacting the COPS Office Training and Technical Assistance Division at 800.421.6770.





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## VIII. When the Grant Period Has Ended

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At the end of your agency's TRGP grant period, the COPS Office is responsible for the "closeout" of your grant. As part of this process, the COPS Office requires documentation demonstrating that your grant is eligible for closeout.

After the end of the grant period, your agency will be asked to submit a final financial status report and any applicable final program reports.

### Final Financial Status Report

The final Financial Status Report (SF-269A) for your grant is due to the COPS Office no later than 90 days after the end of the grant period. The final report should reflect the total amount of federal expenditures, the total amount of matching contributions, and the amount of unobligated funds, if any. Any unobligated or unspent funds will be deobligated from the award amount.

When should all of the grant monies be spent?

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

### Final Progress Report

Your agency may be sent a Final Progress Report from the COPS Office and asked to complete it. This will serve as your agency's final report on the grant and should only be completed by agencies that have completed the grant period. The information your agency provides in the Final Progress Report will be used to make a final assessment of your grant progress. The COPS Office will also use it to determine if your grant is ready for financial and programmatic closeout.



## IX. Conclusion

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

**COPS Tribal Resources Grant Program  
Grant Owner's Manual  
U.S. Department of Justice/COPS  
1100 Vermont Ave., N.W.  
Washington, D.C. 20530**

*(For overnight delivery, please use 20005 as the zip code.)*

If you have any questions about your grant, please call your Tribal Grant Program Specialist at 800.421.6770.





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## Glossary of Terms

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### **Allowable Costs**

Allowable costs are expenses that may be funded by this grant program. The COPS Tribal Resources Grant Program (TRGP) provides funding for background checks, training, equipment, and technology. Upon review of your submitted budget, any unallowable costs were removed, and your total budget amount was revised accordingly. The Financial Clearance Memorandum that was included in your award package will outline your allowable costs and note any relevant revisions that were made to your original budget submission.

### **Authorized Official**

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

### **Award Start Date**

This is the date on or after which your agency is authorized to spend funds to purchase any allowable items approved under your TRGP grant. The award start date is found on your grant Award Document. Grantees may not expend funds prior to this date without the written approval of the COPS Office.

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

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



### **Closeout**

After the end of your grant period, the COPS Office is responsible for the "closeout" of your grant. To fulfill this requirement, we will determine that you, as well as the COPS Office, have completed all of the work required by the grant.

### **Cognizant Federal Agency**

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

### **Community Policing**

Community policing is a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder through problem solving tactics and community-police partnerships. A fundamental shift from traditional, reactive policing, community policing stresses the prevention of crime before it occurs. Community policing is an integral part of combating crime and improving the quality of life in the nation's cities, towns, tribal communities, and rural areas. Core components of community policing include partnering with the community; problem solving; and transforming policing agencies to support and empower frontline officers, decentralize command and encourage innovative problem solving. All federal funds received from the COPS Office are to be applied to the implementation and promotion of the community policing philosophy in law enforcement. Under the Tribal Resources Grant Program, community policing training is mandatory for all grantees that have not previously been awarded a TRGP grant. Training will be delivered by the Regional Community Policing Institutes under the auspices of the COPS Office. If you are a first-time TRGP grantee, your agency will be contacted about such training in the near future. Information about the Regional Community Policing Institutes may be obtained from COPS Online at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) or by contacting COPS at 800.421.6770.

### **COPS Finance Division**

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

**COPS Office**

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

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

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

**Federally Recognized Tribes**

These are tribal entities that are Federally Recognized and are eligible for funding and services from the Bureau of Indian Affairs by virtue of their status as Indian tribes. They are acknowledged to have the immunities and privileges available to other federally acknowledged Indian tribes by virtue of their government-to-government relationship with the United States as well as the responsibilities, power, limitation and obligations of such tribes. For further information, contact: Bureau of Indian Affairs, Division of Tribal Government Services, MS-4631-MIB, 1849 C Street N.W., Washington, D.C. 20240, 202.208.2475.

**Financial Clearance Memorandum**

A Financial Clearance Memorandum is generated and signed by a Finance Staff Accountant providing approval of the budget and detailing the total project cost, federal share, and applicant share.

**Grant Number**

The grant number identifies your agency's specific TRGP grant, and can be found on your grant Award Document. This number should be used as a reference when corresponding with the COPS Office.



### **Matching Funds/Local Match**

Under the Tribal Resources Grant Program, the COPS Office provides up to 75 percent of the total project costs. The maximum that the COPS Office can pay is 75 percent of project costs associated with training, technology, equipment, and/or vehicles. Grantees are responsible for a local match of at least 25 percent of the total project cost, unless a waiver of the local match is granted (see "Meeting the Local Match," Section IV of this manual, for more information). The match must be a cash match, and paid with state, local, tribal and/or other non-COPS funds. Bureau of Indian Affairs funding may be used for this purpose. Additionally, the source of your agency's local match may not be from any funds previously budgeted for law enforcement purposes. Grantees are responsible for any additional project costs in excess of approved funding as outlined in the agency's Financial Clearance Memorandum.

### **Obligation of Funds**

The COPS Office obligates federal funds when the Director or his/her designated official signs the grant Award Document. For the grantee, grant funds are obligated when monies are spent or orders are placed for purchasing approved items under the TRGP program. 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).

### **OJP Vendor Number/EIN Number**

The EIN number is your agency's nine-digit federal tax identification number as assigned to you by the IRS. In some cases, the EIN has been previously assigned to another agency within your jurisdiction. In that instance, a new vendor number will be assigned to you by the Office of the Comptroller. The newly assigned OJP vendor number is to be used for administrative purposes only and should not be used for IRS purposes.

### **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. It can be found on your grant Award Document. If your agency does not have an ORI number assigned by the FBI, the COPS Office assigns a non-official ORI code to use as an agency identifier (the last two digits will be "Z" if your code is a non-official ORI code). When you contact the COPS Office with a question, please reference your ORI number (and/or your grant number).



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

The purposes of the Act are to:

- Substantially increase the number of law enforcement officers interacting with members of the community;
- 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; and
- 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.

The COPS Office is charged with fulfilling the mandates of this law.

### **Supplanting**

For the purpose of your COPS TRGP grant, supplanting means replacing state, local, tribal, and/or Bureau of Indian Affairs funds that otherwise would have been spent on law enforcement purposes with federal COPS funds. Your agency is prohibited from supplanting throughout the one-year grant period. This means that your agency may not use COPS funds to purchase anything that otherwise would have been purchased with state, local, tribal, and/or BIA funds in the absence of the COPS program. COPS funds must instead be used to supplement, or increase, your law enforcement budget. For additional information on supplanting, please review Grant Condition #2 in this manual.

### **Technology**

Allowable technology items can include computer hardware, software, mobile data computers, communication systems, dispatch systems, NIBRS-compliant crime data systems, and installation and training costs associated with technologies.

### **Training**

Community policing and grant management training are required for all grantees that have not previously been awarded a TRGP grant. Basic law enforcement training, computer training, and/or technical assistance for systems, hardware, and/or software are allowable as set forth in your approved Financial Clearance Memorandum.

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### **Uniforms and Basic Issue Equipment**

Allowable uniforms and basic issue equipment include items that are standard issue for new recruits, such as standard attire, dress attire, outerwear, footwear, hats, caps, gloves, badges, primary issue handgun, holster, bullet-proof vest, portable radio and holder, gun belt and accessories, pepper spray and holder, baton and baton holder, handcuffs and case/holder, manuals, reference books, notebooks, etc. All approved items were outlined on your Financial Clearance Memorandum.

### **Vehicles**

Allowable vehicles include standard police vehicles and basic vehicle accessories. Allowable vehicles may also include special conveyances such as motorcycles, snowmobiles, ATVs, or vehicles standard to the law enforcement agency and must be based on demonstrated need.

### **Waivers of the Local Match**

A waiver of the 25 percent local match requirement is available to applicants that demonstrate severe fiscal distress resulting in an inability to provide adequate law enforcement services. Requests for a waiver are considered on a case-by-case basis and must be made at the time of the application. Waivers are described in their entirety in the "Guidelines for Waivers of Local Match" section of the Tribal Resources Grant Program Application Kit and Instructions. Contact your Tribal Grant Program Specialist for further assistance. Except in extreme circumstances, and subject to funding availability, waiver requests will not be considered if they were not submitted with the original TRGP application.

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## X. Appendices

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### **Appendix A – List of Source Documents**

Primary Sources:

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

COPS Office Grant Monitoring Standards and Guidelines.

Additional Sources:

Code of Federal Regulations (CFR)

28 CFR Part 23 Criminal Intelligence Systems Operating Procedures

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

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

28 CFR Part 69 Government-wide New Restrictions on Lobbying

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

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

OMB Circular A-87 Cost Principles for State and Local Governments

OMB Circular A-133 Audits of Educational Institutions

Assurances for COPS TRGP 2004 (Included)

Executive Order 12547 "Non-Procurement Debarments and Suspension"

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

OMB Circular A-129 Managing Federal Credit Programs

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

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

Executive Order 12291 "Regulations"

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

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## Appendix B – Assurances

Several provisions of federal law and policy apply to all grant programs. We (the Office of Community Oriented Policing Services) need to secure your assurance that the applicant will comply with these provisions. If you would like further information about any of these assurances, please contact your state's COPS Grant Program Specialist at (800) 421-6770.

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

1. It has been legally and officially authorized by the appropriate governing body (for example, mayor or city council) to apply for this grant and that the persons signing the application and these assurances on its behalf are authorized to do so and to act on its behalf with respect to any issues that may arise during processing of this application.
2. It will comply with the provisions of federal law which limit certain political activities of grantee employees whose principal employment is in connection with an activity financed in whole or in part with this grant. These restrictions are set forth in 5 U.S.C. § 1501, et seq.
3. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if applicable.
4. It will establish safeguards, if it has not done so already, to prohibit employees from using their positions for a purpose that is, or gives the appearance of being, motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
5. It will give the Department of Justice or the Comptroller General access to and the right to examine records and documents related to the grant.
6. It will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant, including but not limited to: the requirements of 28 CFR Part 66 and 28 CFR Part 70, or the Federal Acquisition Regulations, as applicable (governing cost principles); OMB Circular A-133 (governing audits) and other applicable OMB circulars; the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; 28 CFR Part 38.1; the current edition of the COPS Grant Monitoring Standards and Guidelines; and with all other applicable program requirements, laws, orders, regulations, or circulars.
7. If applicable, it will, to the extent practicable and consistent with applicable law, seek, recruit and hire qualified members of racial and ethnic minority groups and qualified women in order to further effective law enforcement by increasing their ranks within the sworn positions in the agency.
8. It will not, on the ground of race, color, religion, national origin, gender, disability or age, unlawfully exclude any person from participation in, deny the benefits of or employment to any person, or subject any person to discrimination in connection with any programs or activities funded in whole or in part with federal funds. These civil rights requirements are found in the non-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. § 3789(d)); Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Indian Civil Rights Act (25 U.S.C. §§ 1301-1303); Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794); Title II, Subtitle A of the Americans with Disabilities Act (ADA) (42 U.S.C. § 12101, et seq.); the Age Discrimination Act of 1975 (42 U.S.C. § 6101, et seq.); and Department of Justice Non-Discrimination Regulations contained in Title 28, Parts 35 and 42 (subparts C, D, E and G) of the Code of Federal Regulations.
9. Pursuant to Department of Justice guidelines (June 18, 2002 Federal Register (Volume 67, Number 117, pages 41455-41472)), under Title VI of the Civil Rights Act of 1964, it will ensure meaningful access to its programs and activities by persons with limited English proficiency.
10. It will ensure that any facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the project are not listed on the Environmental Protection Agency's (EPA) list of Violating Facilities and that it will notify us if advised by the EPA that a facility to be used in this grant is under consideration for such listing by the EPA.
11. If the applicant's state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, it has made this application available for review by the state Single Point of Contact.
12. Pursuant to Executive Order 13043, it will enforce on-the-job seat belt policies and programs for employees when operating agency-owned, rented or personally-owned vehicles.



13. It will not use COPS funds to supplant (replace) state, local, or Bureau of Indian Affairs funds that otherwise would be made available for the purposes of this grant, as applicable.

14. If the awarded grant contains a retention requirement, it will retain the increased officer staffing level and/or the increased officer redeployment level, as applicable, with state or local funds for a minimum of one full local budget cycle following expiration of the grant period.

15. 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.

False statements or claims made in connection with COPS grants (including cooperative agreements) may result in fines, imprisonment, disbarment from participating in federal grants or contracts, and/or any other remedy available by law. I certify that the assurances provided are true and accurate to the best of my knowledge.

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

\_\_\_\_\_  
Signature of Law Enforcement Executive (or Official with Programmatic Authority, as applicable)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Government Executive (or Official with Financial Authority, as applicable)

\_\_\_\_\_  
Date



## Appendix C – Certifications

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

Although the Department of Justice has made every effort to simplify the application process, other provisions of federal law require us to seek your agency's certification regarding certain matters. Applicants should read the regulations cited below and the instructions for certification included in the regulations to understand the requirements and whether they apply to a particular applicant. Signing this form complies with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying," 28 CFR Part 67, "Government-Wide Debarment and Suspension (Nonprocurement)", 28 CFR Part 83 Government-Wide Requirements for Drug-Free Workplace (Grants)," and the coordination requirements of the Public Safety Partnership and Community Policing Act of 1994. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered grant.

1. Lobbying

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

A. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the making of any federal grant; the entering into of any cooperative agreement; and the extension, continuation, renewal, amendment or modification of any federal grant or cooperative agreement;

B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions;

C. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

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

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.440 -

A. The applicant certifies that it and its principals:

(i) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from

covered transactions by any federal department or agency;

(ii) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) or private agreement or transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property, making false claims, or obstruction of justice, or commission of any offense indicating a lack of business integrity or business honesty that seriously affects your present responsibility.

(iii) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (A)(ii) of this certification; and

(iv) Have not within a three-year period preceding this application had one or more public transactions (federal, state or local) terminated for cause or default; and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

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

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 83, for grantees, as defined at 28 CFR Part 83, Sections 83 and 83.510 -

A. The applicant certifies that it will, or will continue to, provide a drug-free workplace by:

(i) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(ii) Establishing an on-going drug-free awareness program to inform employees about -

(a) The dangers of drug abuse in the workplace;



- (b) The grantee's policy of maintaining a drug-free workplace;
- (c) Any available drug counseling, rehabilitation and employee assistance programs; and
- (d) The penalties that may be imposed upon employees for drug-abuse violations occurring in the workplace;
- (iii) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (i);
- (iv) Notifying the employee in the statement required by paragraph (i) that, as a condition of employment under the grant, the employee will -
  - (a) Abide by the terms of the statement; and
  - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
  - (v) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (iv)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: COPS Office, 1100 Vermont Ave., NW, Washington, D.C. 20530. Notice shall include the identification number(s) of each affected grant.
  - (vi) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (iv)(b), with respect to any employee who is so convicted -

- (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency;
- (vii) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (i), (ii), (iii), (iv), (v) and (vi).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:  
 Place of performance (street address, city, county, state, zip code)

\_\_\_\_\_

\_\_\_\_\_

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

4. Coordination

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

Grantee Agency Name and Address:

\_\_\_\_\_

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

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

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

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

Typed Name and Title of Law Enforcement Executive (or Official with Programmatic Authority, as applicable):

\_\_\_\_\_

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

Typed Name and Title of Government Executive (or Official with Financial Authority, as applicable):

\_\_\_\_\_

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



## Appendix D – National Institute of Justice (NIJ)

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

**National Institute of Standards and Technology  
Office of Law Enforcement Standards (OLES)  
Technology Building (225), Room A323  
Gaithersburg, MD 20899  
(301) 975-2757**

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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



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

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

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

### **Special Type**

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

FOR MORE INFORMATION:

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