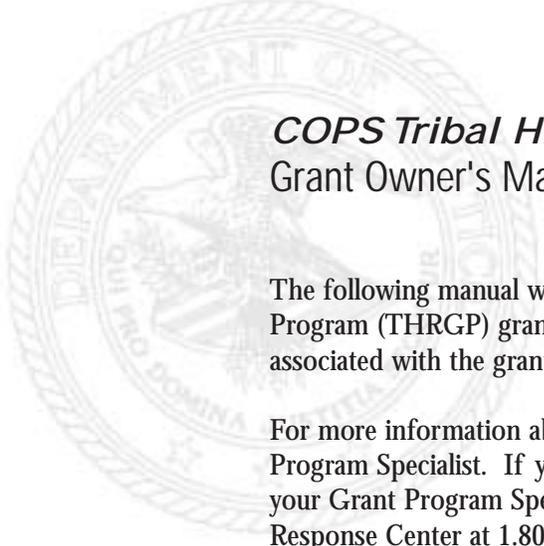




## *Tribal Hiring Renewal Grant Program*

# **THRGP** **Grant Owner's Manual**

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



***COPS Tribal Hiring Renewal Grant Program***  
**Grant Owner's Manual**

The following manual was created to assist Tribal Hiring Renewal Grant Program (THRGP) grantees with administrative and financial matters associated with the grant.

For more information about your THRGP grant, contact your COPS Grant Program Specialist. If you do not know the name or telephone number of your Grant Program Specialist, please contact the U.S. Department of Justice Response Center at 1.800.421.6770.

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

COPS Office Internet web site: <http://www.cops.usdoj.gov>

March 2002

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## *Table of Contents*

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Section	Page
<b>Getting Started</b> .....	<b>iii</b>
<b>I. Grant Acceptance, Terms, and Conditions</b> .....	<b>1</b>
The Award Document.....	1
Grant Conditions.....	2
Reasons for Grant Conditions .....	2
Review of Grant Conditions.....	3
1. Allowable Costs .....	3
2. Supplementing, Not Supplanting .....	5
3. Retention .....	6
4. Reports.....	7
5. Extension.....	8
6. Modifications .....	8
7. Evaluations.....	10
8. Grant Owner's Manual.....	10
9. Employment Eligibility.....	11
10. Grant Benefits .....	11
11. Community Policing.....	12
12. Grant Monitoring Activities .....	12
Assurances and Certifications .....	14
Accepting the Grant Award.....	14
Who should sign the award for my agency? .....	14
When do the grant materials need to be returned?.....	15
Why might our agency be subject to sanctions or grant termination and what are the possible sanctions? .....	15
How are changes to the grant made? .....	16
Withdrawing from the grant .....	17
Other questions about accepting the grant .....	17
<b>II. Accessing Grant Funds</b> .....	<b>19</b>
Payment Methods .....	19
PAPRS – Phone Activated Paperless Request System.....	19
LOCES – Letter of Credit Electronic Certification System.....	20
Setting up Your Account.....	20
How do I fill out the payment enrollment forms? .....	20
Do I need a Financial Status Report to open my account?.....	21
Additional Payment Questions .....	22
Can we receive advances? .....	22
How often do we request reimbursement of costs?.....	22
Can we earn interest on our grant funds?.....	22

---



<b>III. Financial Record Maintenance</b> .....	<b>23</b>
Accounting Systems .....	23
What records should be kept? .....	23
How long should documents be kept? .....	23
What if we have more than one grant? .....	24
Who may access our records? .....	24
<b>IV. Federal Audit Requirements</b> .....	<b>25</b>
Audit Requirements .....	25
What are the regulations governing SAA requirements? .....	25
Who must have an SAA audit? .....	25
What is the role of the Office of the Inspector General .....	26
On what basis are COPS grantees selected for an OIG audit? .....	26
<b>V. Reports</b> .....	<b>27</b>
Program Progress Reports .....	27
How often will Progress Reports be requested? .....	27
What kind of information will these reports require? .....	27
Financial Status Reports .....	27
How will grant funds be monitored? .....	27
How do I file Financial Status Reports under PAPRS? .....	27
How do I file Financial Status Reports under LOCES? .....	28
Contact Points to Obtain Technical Assistance and Report Non-Compliance ..	29
<b>VI. When The Grant Period Ends</b> .....	<b>31</b>
Grant Close Out .....	31
Final Financial Status Report .....	31
When should all the grant monies be spent? .....	31
Final Progress Report .....	31
<b>VII. Conclusion</b> .....	<b>33</b>
<b>Glossary of Terms</b> .....	<b>35</b>
<b>Appendices</b> .....	<b>41</b>
Appendix A – List of Source Documents .....	41
Appendix B – Assurances .....	43
Appendix C – Certifications .....	45



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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 Hiring Renewal Grant Program (THRGP), which provides funding directly to Federally Recognized Tribes.

COPS THRGP is intended to assist fiscally distressed Tribes by renewing previous COPS hiring grant positions that have been exempted from the retention requirement on recently expired COPS hiring grants. THRGP provides 100% of allowable salary and benefit costs for renewed officer positions with no local match requirement for an additional two-year period. This program focuses on tribal communities which have limited resources and many of which are affected by high rates of crime and violence. The program focuses on enhancing law enforcement infrastructures and community policing efforts in these communities.

This 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 COPS Tribal Hiring Renewal Grant Program grantees clearly understand and meet the requirements of their grants. Please do not hesitate to call the COPS Office at 1.800.421.6770 if you need assistance with the implementation of your grant or visit [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

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

For assistance, call the  
U.S. Department of Justice  
Response Center at  
1.800.421.6770  
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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In order to officially begin your grant, you will need to review the Award Document(s) and Conditions, sign the Award Document(s) and any applicable special conditions, and return them to:

**Office of Community Oriented Policing Services  
Tribal Control Desk, 7<sup>th</sup> floor  
1100 Vermont Ave., NW  
Washington, DC 20530**

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

You will be able to draw down grant funds after:

1. The COPS Office approves your budget.
2. You sign your Award Document(s) and return it to the COPS Office.
3. You sign any special conditions of your award and return them to the COPS Office.
4. After steps one through three are completed, you may access your grant funds through the PAPRS or LOCES systems. The Office of Justice Programs, Office of the Comptroller will forward information to you regarding how to access funds.

See Section II, Accessing Grant Funds, for more information on the steps you need to take to ensure that you have met all of the financial reporting requirements and have completed the payment enrollment forms.

### ***The Award Document***

The Award Document is the one-page, double-sided document indicating your official grant funding amount, the award number, the award date, and the official grant period.

The Award Document also contains pre-printed information of your law enforcement and government officials' names and addresses. If this information is incorrect or has changed, please correct it on the change of information sheet provided in the Award Packet.

Your grant award number is in this format: YEAR-HRWX-000. It is used for financial purposes and should be referred to when you contact the Office of Justice Programs, Office of the Comptroller or 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 Grant Program Specialist.

### *Grant Conditions*

The grant conditions are the terms 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, you agree to these grant conditions (and possibly additional conditions specific to your agency). The section that follows describes in detail each of the award conditions, their rationale and their implications. It also addresses many commonly asked questions.

Reasons for Grant Conditions

The requirements of your Tribal Hiring Renewal Grant Program grant are established within:

- The Public Safety Partnership and Community Policing Act of 1994 under which the COPS Office was established; and
- 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.

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**

You may request COPS documents from the COPS Office.



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Review of Grant Conditions

**1. Allowable Costs**

A. Allowable Costs: Salaries and Approved Fringe Benefits for Renewed Officers.

Grants awarded under this program are restricted to the payment of approved salaries and benefits for the renewal of COPS-funded sworn career law enforcement officers that were officially exempted on previous COPS hiring grants from the COPS Office's retention period. Grant awards are for a two-year period. A "career law enforcement officer" is a person hired on a permanent basis who is authorized by law or by a state, local, or tribal agency to engage in or oversee the prevention, detection or investigation of crime. Grant awards reflect a 100% federal share of the approved salary and fringe benefits of renewed officer positions. Grant awards are based on the fourth and fifth-year salary levels of police positions being renewed.

**It is important to note that if a department is planning to refill a grant-funded position that was lost due to an inability to retain at the conclusion of a prior COPS grant, the department must pay the officer hired into the position the appropriate salary and benefits according to that department's salary structure.**

**Funding under the THRGP program may not exceed the current fourth and fifth-year salary levels for an officer within your department. However, if the renewal officer hired into the position is an entry-level officer, your agency would pay that officer the appropriate entry-level salary for first and second-year officers. Depending on your particular agency's circumstance, and since you were required to submit fourth and fifth-year salary and benefit figures with your THRGP application, you may have surplus grant funding at the end of the grant period. Any surplus grant funding should be returned to the COPS Office during the closeout of your grant and may not be used for any expenditures that exceed the two-year grant term per renewal position or to cover any unallowable costs.**

Grant funds may not be used retroactively for salaries paid prior to the grant award. If you are hiring a new officer to refill the renewal grant position(s) that your agency was unable to retain under previous COPS-funded positions, then your agency must hire the renewal officer(s) after the official award start date of the grant. Alternatively, if you are still completing the original grant period at the time that the

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THRGP grant award is made, your agency must complete the original grant period before starting to use THRGP funds. All renewal grant funds can only be used after the THRGP award start date. The hiring of new personnel must follow your existing local recruitment and selection procedures, and reflect, at a minimum, the Bureau of Indian Affairs standards.

**Why This Condition:** The COPS Tribal Hiring Renewal Grant Program is a program that can only fund up to fourth and fifth-year approved salary and fringe benefits for the renewal of previously awarded COPS hiring grant officer position(s) that were officially exempted from the COPS Office's retention requirement.

**What You Should Do:** Salaries and benefits covered by COPS grants must be based on your agency's standard salary structure and cannot exceed fourth and fifth-year salary and benefits packages. Grant funds must be paid for the approved salary and benefits of a renewed officer on or after the grant award start date. Salary payments must be based on payroll records supported by time and attendance records or the equivalent. The types of records you must keep to document that you are following this grant condition are described in Section III of this manual.

Fringe benefits may be paid if they are part of a reasonable compensation package offered to your employees and if they fall within the categories authorized by the COPS Office on your Financial Clearance Memorandum, which include FICA (Social Security and Medicare), health insurance, life insurance, vacation, sick leave, retirement, worker's compensation, and unemployment insurance. Overtime and compensatory time costs are not allowed. However, if you are rehiring into the renewal positions and you train your officers prior to swearing them in, grant funds may be applied to salaries and benefits paid to the renewed officers during training. As long as you spend the funds on salary and benefit costs that were approved on your Financial Clearance Memorandum, this condition will be satisfied.

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## B. Unallowable Costs

**THRGP funding may only be used for the allowable salary and fringe benefit costs as outlined in your Financial Clearance Memorandum.** THRGP funds **cannot** be used for any of the following:

- Civilian salaries and benefits
- Compensatory time
- Overtime
- Salaries and benefits of existing locally-funded employees
- Training
- Weapons
- Vehicles

**In addition, this program does not provide funding for any position(s) which are funded in the grantee agency's budget through other sources of funding (state, local, or BIA). The THRGP funding can only be used for otherwise unfunded positions 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 Hiring Renewal 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 existing local, state, or Bureau of Indian Affairs funds which otherwise would have been made available for these purposes.

**What You Should Do:** Tribal Hiring Renewal Grant Program grantees may not use grant funds to pay for any sworn officer positions that the grantee has already committed to fund with state, local, or Bureau of Indian Affairs funds. Instead, the grant funds may be used only to renew sworn officer positions that have been exempted from the COPS Office retention requirement after the



official award start date. For example, if a THRGP grantee committed to fund two new officer positions with Bureau of Indian Affairs funds prior to receiving a THRGP grant for one renewed officer position, then the grantee must hire those two officer positions with committed Bureau of Indian Affairs funds and then also renew one additional officer with the THRGP funds. 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 THRGP funds.

To meet this grant condition, you will need to ensure that:

- Each officer position that you renew under the COPS Tribal Hiring Renewal Grant Program is paid from renewal funding on or after the award start date.
- The officer position(s) that you are renewing brings your force to a number over and above your locally budgeted (funded) sworn force as of the date of your THRGP grant application, plus any positions budgeted with local (non-COPS) funds during the grant period.
- During the life of your grant, you must continue to hire as many new, locally (non-COPS) funded officers as you would have if you had not received your grant. You may not cancel or postpone spending money in your budget that is committed to hiring other new officers.
- You must take positive and timely steps to fill vacancies and locally-funded sworn officer positions that were created on or after your grant award start date by retirement, resignation, or other reasons with new locally (non-COPS) funded officers.

### **3. Retention**

Your agency is expected to implement its plan to retain the positions funded by the COPS Tribal Hiring Renewal Grant Program at the conclusion of the 24-month grant term. The retention requirement is a condition of the THRGP grant. When your agency accepts renewal officer positions under this COPS program, it must plan to commit to retaining the COPS-funded renewal officer positions once the 24-month COPS grant period ends. COPS-funded positions must be retained over and above the number of locally funded officer positions that the agency would fund regardless of the grant. Officer positions must be retained with local (non-COPS) funds for one full local budget cycle after the expiration of the 24-month grant funding



period for each officer position awarded. These positions must be retained using state, local, tribal, or other (non-COPS) funding. You cannot use attrition to meet the retention requirement. The COPS Office will monitor retention for one full local budget cycle after the expiration of the grant funding period for each COPS-funded grant position. If a grantee is unable to retain at the end of the grant period, they may request an exemption from the retention requirement based on severe fiscal distress. The COPS Office must authorize any exemptions from the retention requirement in writing.

**Why This Condition:** The Public Safety Partnership and Community Policing Act of 1994 envisions that positions for officers should be maintained by localities beyond the federal funding period.

**What You Should Do:** At the time of application, your agency submitted a signed retention plan or retention plan certification form. The COPS Office will monitor your retention planning efforts as outlined in your application. Your retention plan focused on maintaining the renewed officer position(s), rather than a specific officer, for a minimum of one full local budget cycle beyond the 24-month grant period per position. If, for any reason, the officer originally filling the position funded by the COPS Tribal Hiring Renewal Grant Program grant leaves your department during the retention period, you are required to fill the position with a new locally (non-COPS) funded officer. If, at the end of the grant period, your agency finds that it cannot retain the renewal officer position(s), you are required to contact your COPS Grant Program Specialist to request an exemption from the COPS Office retention requirement. No additional renewal funding will be available at the end of your 24-month THRGF grant period.

#### **4. Reports**

To assist the COPS Office in the monitoring of your award, your agency will be responsible for submitting programmatic annual progress reports and quarterly Financial Status Reports.

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



**What You Should Do:** This grant condition is to make you aware of your responsibilities in assisting us with reporting requirements. These reports are discussed extensively in Section V of this manual. To meet this condition, you will fill out one program progress report per year and four Financial Status Reports per year. A failure to submit timely reports may result in grant enforcement actions against your agency.

## 5. Extensions

Requests for extensions of time, without additional funding, of the grant award period should be submitted in writing to your Grant Program Specialist within 90 days of the official end date of the award. Extensions may be requested in order to complete the programmatic grant requirements and/or draw down all grant funds. Extensions do not affect the amount of the grant, only the end date of the grant.

**Why This Condition:** Under federal regulations, requests to extend the grant period require prior approval. Without an approved extension, your funding will automatically stop at the end of the grant period.

**What You Should Do:** In an effort to reduce the number of extensions made during the grant period, the COPS Office asks that you delay any request for an extension until 90 days prior to the official end date of the award. The COPS Office will contact your agency in the last quarter of your grant period to determine if you need an extension of your grant. When the COPS Office receives and approves your extension request, we will ensure that you have continued access to your grant monies.

## 6. Modifications

Occasionally, a change in your agency's fiscal situation or law enforcement needs necessitates a change in your THRGF award. For example, your agency may have been awarded two full-time renewal positions, but now prefers to modify the renewal positions to one full-time and two part-time positions due to changing law enforcement needs.

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

- changes in grant officer position(s);
- salary and benefit changes;
- major programmatic changes, such as significant changes to your community policing plan (changes to your community policing plan that were not identified in your agency's originally submitted plan).

Modifications are evaluated on a case-by-case basis. In order to make one of these changes, you are required to submit your plans in writing to the COPS Office for prior approval.

**Why This Condition:** Under federal regulations, requests to change or alter your grant award 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 these changes are needed, etc. Please submit a new budget detailing the proposed changes and accounting for all total project costs. Please make sure to outline and differentiate the changes that you propose from the original total project costs and federal share. In addition, please be aware that the COPS Office will not approve any modification requests that result in an increase in federal funds.

If your request is approved, you must wait until receiving the approval in writing before implementing the proposed changes to your grant award. The approval letter will be accompanied by a Modified Award Document reflecting the approved changes. To officially accept the modification, the Modified Award Document must be signed and returned to the COPS Office. Please call your Grant Program Specialist at 1.800.421.6770 for additional assistance.



## 7. Evaluations

The COPS Office may conduct 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 plans to conduct 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 you implement your 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' effect 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.

## 8. Grant Owner's Manual

The grantee agrees to abide by the terms, conditions, and regulations as found in this COPS Tribal Hiring Renewal 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 policies, procedures, and regulations 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 Grant Program Specialist.

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

## **9. Employment Eligibility**

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

## **10. Grant Benefits**

Renewal officers funded under the THRGF program may only be involved in activities or perform services that exclusively benefit your agency and the population that it serves.

**Why This Condition:** The THRGF program was created under a Congressional appropriation specifically designated for tribal law enforcement agencies to improve public safety in Indian communities. The grant is intended to benefit your population exclusively, rather than "contracting out" the COPS-funded renewal officer(s) to other jurisdictions.

**What You Should Do:** The renewal officer position(s) that have been funded under THRGF cannot be contracted out by your agency to other agencies unless they will benefit the population that you serve. For example, you cannot contract your THRGF position to a neighboring county sheriff's department. However, if your agency directly provides law enforcement services to several tribal communities in your area, you may contract with those tribes to provide them with the services of your THRGF officer.



## 11. Community Policing

THRGP grants must be linked to the implementation or enhancement of community policing. All renewal officers (or an equal number of redeployed veteran officers) under the THRGP grant must engage in community policing.

**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 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 renewal officers under the THRGP grant (or an equal number of redeployed veteran officers) engage in community policing activities.

## 12. Grant Monitoring Activities

The COPS Office performs various functions to ensure compliance with grant requirements, assess the implementation of community policing, and provide technical assistance. The following monitoring activities are routine during the grant period, and may occur up to three years following the expiration of grant funding. These functions, and others, may require the production of grant-related documentation and other materials. By accepting your THRGP award, 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 evaluations of the program may be carried out or commissioned by the Attorney General for the furtherance of purposes of the Act. The COPS Office plans to conduct evaluations to determine the total effect of COPS hiring and redeployment programs on the number of law enforcement officers implementing community policing, to measure how closely our grantees are adhering to COPS grant regulations, and to develop 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 to examine what you are doing with federal funds, both programmatically and financially. The most common methods of such monitoring efforts include:

1. Site Visits – 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 your agency to seek assistance on any grant implementation issues. A report is written following the visit and your agency is notified in writing of the results.
2. Office Based Grant Reviews – Certain grants are selected for a review conducted at the COPS Office. Your agency is contacted at the start of this review and our staff attempts to correct any grant problems or deficiencies through telephone, fax, or written correspondence with your agency.
3. Allegations of Noncompliance – The COPS Office responds to allegations of noncompliance from citizens, labor associations, media, and other sources. Written complaints or allegations are reviewed by the COPS Office Monitoring and Compliance Division, who may contact your agency to determine compliance with grant conditions or federal regulations.

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, 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 produce all relevant documentation which may demonstrate grant compliance.

For more information please call the Grant Monitoring and Compliance Division at 800.421.6770 or 202.514.9202, or by mail at 1100 Vermont Avenue, NW, Washington, DC 20530.



### ***Assurances and Certifications***

In addition to the grant conditions, your agency remains bound by the signed Assurances and Certifications that it provided to the COPS Office upon application to the Tribal Hiring Renewal Grant Program.

Although the U.S. Department of Justice has made every effort to simplify the process for 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. When you completed your original application, the Assurances and Certifications that you agreed to by signing the application were included in the application kit. Another copy of the Assurances and Certifications is contained in Appendix B of this manual. If you have any questions about them, please contact your Grant Program Specialist.

### ***Accepting the Grant Award***

After you have reviewed the conditions of the award and your agency agrees with those conditions, you are ready to accept the award. At the bottom of the Award Document are three signature lines. 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 the grant and to be able to draw down your funds, your authorized officials (e.g., law enforcement executive and government executive) must sign the Award Document and return the original copy to:

**COPS Tribal Control Desk  
Office of Community Oriented Policing Services  
1100 Vermont Ave., NW 7<sup>th</sup> Floor  
Washington, DC 20530**

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

Sine COPS is required to have 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 law enforcement executive and government executive who have final responsibility for all programmatic and financial decisions regarding this grant award must sign the Award Document. The police chief or director of public safety is generally the law



enforcement executive. The head of the tribal government is the government executive. Typically, these are the same authorized officials who signed the THRGP application documents. If these officials have changed, please complete a Change of Information form and submit it to the COPS Office with your Award Document. If you have any questions as to who should sign the award, please contact your agency's local legal advisor.

When do the grant materials need to be returned?

You must return the signed Award Document within 90 days of receipt. No grant funds may be released until we have received your signed Award Document, 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 will result in a letter being sent from the COPS Office requesting the immediate return of the signed award. If the signed, original Award Document is not immediately returned after such notice, it could result in your THRGP grant being withdrawn and the funds deobligated.

If you require an extension for accepting the award beyond the 90-day time frame, please request the extension in writing, stating the reason for the delay.

Why might our agency be subject to sanctions or grant termination, and what are the possible sanctions?

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

- Are not substantially complying with the requirements or guidelines of the Public Safety Partnership and Community Policing Act of 1994, or with other provisions of federal law;
- Are failing to make satisfactory progress toward the goals or strategies in your application, as reflected by performance and status reports;
- Do not adhere to grant agreement requirements or conditions;
- Propose substantial plan changes to the extent that, if originally submitted, would have resulted in the application not being selected for funding;
- Do not submit reports (in a timely manner);
- File false certification in connection with an application, periodic report, or other document submitted to the COPS Office or to the Office of the Comptroller; or
- Provide other good cause for termination as determined by the COPS Office.



In these instances, we may:

- Temporarily withhold payments pending correction of the situation;
- Disallow all or part of the cost of the activity or action not in compliance;
- Wholly or partly suspend or terminate the current 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 until appropriate actions are taken to ensure compliance;
- Withhold further awards for the program;
- Recommend civil or criminal enforcement by other agencies; or
- Take other remedies that are legally available.

In the event that sanctions are imposed or a grant is terminated, you will be notified in writing of our decision and the reason(s) for that decision. You also will receive reasonable time to either discontinue operations or seek support from other sources.

**Be advised that false statements 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 remedy available by law to the federal government.**

How are Changes to the Grant Made?

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

- Changes in the number of officers that will be renewed under your COPS grant;
- Extensions to the length of the standard 24-month grant period;
- Salary and benefit changes;
- Major programmatic changes;
- Changes in plans to retain positions following the expiration of the COPS grant; or
- Significant changes to your community policing plan (changes to your community policing plan that were not identified in your agency's originally submitted plan).

In order to make one of these changes, you will need to submit your proposed changes in writing to the COPS Office for prior approval. Please document your reasons for the proposed changes and add any other information that will assist us in reviewing the changes.



#### Withdrawing from the grant

The COPS Office allows grantees to request to withdraw from the Tribal Hiring Renewal Grant Program at any point during the grant period. However, if federal funding has been drawn down, grantees must comply with all COPS grant conditions and may not withdraw to avoid remedying any previous grant violations.

If you wish to withdraw from your Tribal Hiring Renewal Grant Program grant, there is a specific withdrawal process which includes (1) sending your withdrawal request to the COPS Office in writing and (2) submitting an up-to-date Financial Status Report (SF-269A). There may also be other requirements that you must complete. Please contact your Grant Program Specialist at 1.800.421.6770 for further guidance on the withdrawal procedures.

#### Other questions about accepting the grant

If for any reason you have questions about accepting this grant, please contact your Grant Program Specialist by calling 1.800.421.6770.

If you have decided not to accept this grant, please send us a letter advising us of your decision. However, prior to deciding not to accept your COPS Tribal Hiring Renewal Grant Program grant, please do not hesitate to contact your Grant Program Specialist to discuss other options, such as modifying your grant to fund fewer renewal positions, for example.





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## *II. Accessing Grant Funds*

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This section provides information about how your department receives funds and gives answers to payment-related questions. Your award packet contains a number of financial documents containing all the information needed to set up your payment method. A Financial Guide to assist you with financial management and grant administration can be obtained by faxing a request to the Office of Justice Programs, Office of the Comptroller Customer Service at 202.353.9279, by calling the U.S. Department of Justice Response Center at 1.800.421.6770 or you can download a guide at [www.ojp.usdoj.gov/FinGuide](http://www.ojp.usdoj.gov/FinGuide).

### *Payment Methods*

Grantees who are already using PAPRS for previously awarded grants must also use PAPRS for the THRGF program.

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

PAPRS replaces the paper H-3 (Request for Payment) by enabling 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 U.S. Department of Justice Response Center at 1.800.421.6770 for further instructions of the payment process.

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

*Since you are already a COPS grantee, you should already have a PAPRS account and a PAPRS package.* The award packet contains all of the information that you need to set up your payment method. You will receive a PAPRS user's manual under separate cover from the Office of the Comptroller, Accounting Division. Once you receive your OJP Vendor Number (which may or may not be the same as your taxpayer identification number), PIN number, and Grant ID number, you can follow the directions in the user's manual to access your funds. If you need to request a reprinted PAPRS package, please contact the Office of the Comptroller, Customer Service Center at 1.800.458.0786.



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 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 in order 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 Enrollment Form (SF-3881) and forward to your bank.

If you have any questions about LOCES, contact the U.S. Department of Justice Response Center at 1.800.421.6770.

*Setting Up Your Account*

How do I fill out the payment enrollment forms?

In the packet of financial documents you received is an Automated Clearinghouse (ACH) Vendor / Miscellaneous Payment Enrollment Form (SF-3881). The ACH Vendor / Miscellaneous Payment Enrollment Form (SF-3881) needs to be filled out regardless of the payment method. Prior to trying to access your funds, you must mail the original to:

**Office of Justice Programs  
Office of the Comptroller  
810 7<sup>th</sup> Street, 5<sup>th</sup> Floor  
Washington, DC 20531**

The COPS Finance Division has filled out the "Agency Information" section of this form. Your agency needs to fill out the "Payee / Company Information" section following the directions on the back of the form. You also need to provide the grant number (printed on the Award Document). Then your financial institution must complete the "Financial Institution Information" section and have the appropriate financial official sign the form.



*Since you are already a COPS grantee, you should already have completed an ACH Vendor / Miscellaneous Payment Enrollment Form (SF-3881). If you have any questions, please call the U.S. Department of Justice Response Center at 1.800.421.6770.*

Do I need a Financial Status Report to open my account?

After your agency returns the signed award to the COPS Office, you are required to begin submitting 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 draw down from your grant account if the SF-269A for the most recent reporting quarter is not on file with the COPS Office.

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

<u>SF-269A Reporting Quarter End Date</u>	<u>Due Date</u>
3/31/YY	No later than 5/15/YY
6/30/YY	No later than 8/15/YY
9/30/YY	No later than 11/15/YY
12/31/YY	No later than 2/15/YY

**Example:**

Your award start date is 2/1/02 and your signed award was received and processed at COPS on 4/15/02. If the current date is 4/15/02, your first SF-269A would be due no later than 5/15/02 and would cover the period 2/1/02 (award start date) through 3/31/02 (most recent reporting quarter end date). This SF-269A must be on file with the COPS Office so that you can successfully request a draw down of funds through PAPRS or LOCES as applicable.

For information as to how to complete and where to submit your quarterly Financial Status Reports, see the section of this Grant Owner's Manual entitled "Reports."



### *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. The minimum cash on hand concept requires that you 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 approved advances discussed 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;
- Retains excessive cash on hand;
- Does not adhere to the terms and conditions of the grant; or
- Fails to submit reliable and timely reports.

How often do we request reimbursement of costs?

There are no definitive guidelines on how often your agency should request reimbursement. However, note that reimbursement is only for the allowable actual salaries and benefits of renewal officers under the THRGP grant.

Can we earn interest on our grant funds?

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

- You may keep interest earned on all advances of federal grant funds up to \$250 per fiscal year; and
- 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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### *III. Financial Record Maintenance*

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Under your COPS Tribal Hiring Renewal Grant Program grant, you are required to establish and maintain accounting systems and financial records to accurately account for funds awarded and disbursed.

#### *Accounting Systems*

You need to establish and maintain accounting systems and financial records to accurately account for funds awarded to you.

Your accounting system should:

- Present and itemize approved costs for salaries and benefits and show the actual costs of salaries and benefits;
- Assure responsible use of grant funds;
- Assure that funds are spent in conformance with your grant conditions; and
- Be able to provide the necessary information for periodic review and audit.

What records should 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 COPS Tribal Hiring Renewal Grant Program grant. Your accounting records should contain information showing expenditures under the grant and must be supported by items such as payrolls, time and attendance records, canceled checks, or similar documents.

You must adequately safeguard grant funds and make sure that they are used for authorized purposes. You will be responsible for refunding expenditures disallowed by your grant.

How long should documents be kept?

All financial records, including payroll, time and attendance records, canceled checks, and similar documents associated with your COPS Tribal Hiring Renewal Grant Program grant should be kept for at least three years from the date that the COPS Office 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.

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These records should be easily located and should be properly protected against fire or other damage. You should maintain your records so that you can identify them by grant year or by your fiscal year, whichever you find more convenient.

What if we have more than one grant?

If you have more than one federal grant, 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 and the Comptroller General, may access these records as long as they exist for the purposes of making audits, examinations, excerpts, or transcripts.

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## *IV. 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 a total amount of federal awards equal to or in excess of \$300,000 in a fiscal year is required to have an SAA audit for that fiscal year. 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 Federal Cognizant Agency (see Glossary of Terms for definition), your Single Audit Act reports should be sent to the U.S. Department of Justice Clearinghouse at:

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



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 Monitoring and Compliance Division serves as the liaison between grantees and auditors in the conduct of OIG audits. 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 Department of Justice Response Center at 1.800.421.6770. Questions and comments regarding the administration of your THRGP grant, not specifically related to an audit, should be referred to your Grant Program Specialist.



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## ***V. Reports***

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Periodically, you will be asked to provide two types of reports: Program Progress Reports and Financial Status Reports. Funds and future awards may be withheld if reports are not returned or are excessively late.

### ***Program Progress Reports***

The Department Annual Report is required once a year during the life of the grant. 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 Department Annual Report will be requested 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 selection, hiring, or training (if rehiring into the renewal positions); characteristics of the officers you have renewed/re-hired; descriptions of officer activities; and general information about your department. You also will be asked about progress you have achieved in implementing community policing.

### ***Financial Status Reports***

How will grant funds be monitored?

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

How do I file Financial Status Reports under PAPRS?

Your agency is required to submit quarterly Financial Status Reports (FSRs) using a Standard Form 269A (SF-269). This report reflects the actual federal monies spent and unliquidated obligations incurred, local matching contributions (if, any), and the unobligated balance of federal funds. The FSR is due at the COPS Office no later than 45 days following each calendar quarter. A chart showing the reporting

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quarter 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 U.S. Department of Justice Response Center at 1.800.421.6770.

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

**COPS Finance Control Desk: 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**

How do I file Financial Status Reports under LOCES?

Under the LOCES payment method, you are required to complete and return quarterly Financial Status Reports (SF-269) within 45 days after the end of each calendar quarter. However, you have the option of completing those reports electronically each quarter.

### ***Contact Points to Obtain Technical Assistance and Report Non-Compliance***

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 1.800.869.4499.
- If you suspect non-compliance (not criminal in nature) as it relates to the grant conditions listed in this manual, please contact the COPS Monitoring and Compliance Division at 202.514.9202.
- If you have any questions and/or need assistance regarding your grant, please contact your COPS Grant Program Specialist at 1.800.421.6770.





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

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### *Grant Closeout*

At the end of your grant period, the COPS Office is responsible for the "closeout" of your grant. To fulfill this requirement, we must determine that you, as well as the COPS Office, have completed all of the work required of the grant. The COPS Office will send you a Closeout Notification Toolkit to assist you with the official closeout of your grant.

#### Final Financial Status Report

The final Financial Status Report of your grant award is due within 120 days after the end of the grant period. [Example: If the renewal grant award period is August 1, 2001 to July 31, 2004, the final report is due by November 30, 2004.] This final report should reflect the total amount of federal expenditures, the total amount of matching contributions (if, any), 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 must be obligated by the end of the grant period. Obligated funds cover expenses that you have incurred but not yet paid. You have up to 90 days after the end of the grant period to request reimbursement for the funds that your organization has obligated.

#### Final Progress Report

Within 120 days of the end of your grant award period, the COPS Office will ask you to submit a final Progress Report. The final Progress Report and its instructions will be mailed to you. It will request information similar to the annual Progress Reports.

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## *VII. Conclusion*

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

**COPS Tribal Control Desk  
THRGP Grant Owner's Manual  
1100 Vermont Ave., NW  
Washington, DC 20530**

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

We will review these comments and make revisions as appropriate.

If you have any questions about your grant, please call your Grant Program Specialist at 1.800.421.6770.





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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 Hiring Renewal Grant Program (THRGP) provides funding for the salary and benefits for renewal officer positions that were exempted from the retention requirement on previous COPS hiring grants. Salary and benefits over the two-year grant term may not exceed the fourth and fifth-year salary and benefits package for your agency. Upon review of your submitted budget, any unallowable costs are removed, and your total budget amount is 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 official is the individual in your organization who has final responsibility for all programmatic and financial decisions regarding this grant award. The law enforcement and government executives listed on your award document should be the authorized officials for your grant award. If the authorized official(s) change during the grant term, you are required to notify the COPS Office and submit a Change of Information Form. You may submit this form 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 renew officer position(s) under your THRGP grant. This date is found on your original THRGP Award Document. Grantees may not expend funds or re-hire/renew COPS-funded officer position(s) prior to this date without the written approval of the COPS Office.

### **Career Law Enforcement Officer**

A career law enforcement officer is an officer hired on a permanent basis who is authorized by law or by a state, local, or tribal government to engage in or supervise the prevention, detection, or investigation of violations of criminal law.

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

The CFDA is a government-wide publication orchestrated by the General Services Administration. It is published annually. The CFDA contains a description and index of all forms of federal assistance available from the Federal Government. Each grant-making agency is responsible for submitting descriptions of their programs. Each program is assigned a "CFDA number" by the editors of the catalog. The CFDA number is used by auditors in tracking grant revenues under the Single Audit Act and State Single Points of Contact in conducting the required intergovernmental reviews under Executive Order 12372 in those states that participate in that program. The COPS CFDA number 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**

This is the federal agency that generally provides the most federal financial assistance to the recipient of funds. The Office of Management and Budget (OMB) assigns cognizance.

### **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. 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 enhancement of the community policing philosophy in law enforcement.



### **COPS Finance Team**

The COPS Finance Team handles the financial and budgetary aspects of your grant. A Staff Accountant has been assigned to your state to answer any financial questions that you may have. To identify your Staff Accountant, refer to the COPS web site at [www.cops.usdoj.gov](http://www.cops.usdoj.gov) or call 1.800.421.6770. Please note that the Staff Accountant listed on your Financial Clearance Memorandum(s) may not be the same as the accountant assigned to your state post-award.

### **COPS Office**

The Office of Community Oriented Policing Services (COPS) is your "grantor" or "awarding" agency for your Tribal Hiring Renewal Grant Program grant. The COPS Office is responsible for administering your grant for the entire grant period. You can reach the COPS Office at 1.800.421.6770.

### **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, DC 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 and federal share. Any unallowable costs that were submitted on your agency's original budget are removed and noted.

### **Grant Number**

This number is in the following format: YEAR-HRWX-0000. It can be found on your grant Award Document. When calling the COPS Office, please have your grant number available, as it will assist staff in determining to which grant you are referring.



### **Grant Program Specialist**

COPS Grant Program Specialists are trained to assist you with implementing and maintaining your THRGP grant. A Grant Program Specialist is assigned to your state and is available to answer any questions that you may have concerning the administrative aspects of your grant. The COPS Office has also assigned points of contacts for tribal grantees that specialize in assisting tribes in implementing their THRGP grants. To obtain the name and phone number of your Grant Program Specialist or tribal point of contact, please contact the U.S. Department of Justice Response Center at 1.800.421.6770, or visit the COPS web site at [www.cops.usdoj.gov](http://www.cops.usdoj.gov).

### **Matching Funds**

Under the COPS Tribal Hiring Renewal Grant Program, there is no local match requirement. Grantees that receive grants under this program are recognized as fiscally distressed and receive 100% federal funding of allowable salary and benefit costs.

### **Obligation of Funds**

The COPS Office "obligates" federal funds when the grant Award Document is signed by the Director or his designated official. Funds are reserved against the grant and made available to a grantee for draw down to cover allowable costs incurred during the period of the grant. For the grantee, grant funds are "obligated" when monies are spent for approved salaries and benefits under the THRGP program. The term encumbrance is often times 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.



### **ORI Number [Originating Agency Identifier]**

This number is assigned by the FBI as a law enforcement 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. It is also a shortened version of the law enforcement agency National Crime Information Center (NCIC) identifier. 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 2 digits will be "Z" if your code is a non-official ORI code). It can be found on your Award Document. When you contact the COPS Office with a question, you can use the ORI number or your grant number, and we will be able to assist you.

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

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

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

### **Retention Period**

After the 24-month grant period, THRGF grantees are required to retain each renewal officer position awarded using local (non-COPS) funds. Each awarded position must be retained for at least one full local budget cycle after the 24 months of funding have expired for that position. This time span is referred to as the "retention period." Please note that if your agency completes its two years of grant funding in the middle of a local budget cycle, your agency is required to retain the COPS-funded position(s) through the remaining budget cycle and through the next complete local budget cycle.



### **Supplanting**

For the purpose of your COPS grant, supplanting means replacing state, local, or Bureau of Indian Affairs funds which otherwise would have been spent on law enforcement purposes with federal COPS funds. You are prohibited from supplanting throughout the two-year grant period, which means that you may not use COPS funds to pay for any sworn officers (full-time, part-time, reserve, or other paid officer positions) who otherwise would have been employed in the absence of the COPS program. COPS funds must instead be used to supplement your law enforcement budget. This means that you can only use COPS THRGP funds to pay for renewal officers' salaries and benefits after the official award start date. In assessing the presence of supplanting, throughout the grant period we will expect you to hire new officers at a level consistent with recent historical practice and to take positive and timely steps to fill all vacancies in your locally funded sworn personnel resulting from attrition. For further information, please review grant condition #2.



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## *VIII. 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.

U.S. Department of Justice, Office of Justice Programs, Financial and Administrative Guide for Grants, Millenium Issue, OJP M 7100.1D: May 15, 1990

Additional Sources:

Code of Federal Regulations (CFR)

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

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

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

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

Assurances for COPS THRGF (Included)

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

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OMB Circular A-129 Managing Federal Credit Programs

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 you (the applicant) will comply with these provisions. If you would like further information about any of the matters on which we seek your assurance, please contact us.

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

1. You have 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 your behalf are authorized to do so and to act on your behalf with respect to any issues that may arise during processing of this application.
2. You will comply with the provisions of federal law which limit certain political activities of your 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. You will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, if they apply to you.
4. You will establish safeguards, if you have 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. You 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. You will comply with all requirements imposed by the Department of Justice as a condition or administrative requirement of the grant; with the program guidelines; with the requirements of OMB Circulars A-87 (governing cost calculations) and A-133 (governing audits); with the applicable provisions of the Omnibus Crime Control and Safe Streets Act of 1968, as amended; with 28 CFR Part 66 (Uniform Administrative Requirements); with the provisions of the current edition of the appropriate COPS grant owner's manual; and with all other applicable laws, orders, regulations or circulars.
7. You 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 your agency.
8. You 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.

A. In the event that any court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin, gender, disability or age against you after a due process hearing, you agree to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs, 810 7th Street, NW, Washington, DC 20531.

B. Grantees that have 50 or more employees and grants over \$500,000 (or over \$1,000,000 in grants over an eighteen-month period), must submit an acceptable Equal Employment Opportunity Plan ("EEOP") or EEOP short form (if grantee is required to submit an EEOP under 28 CFR 42.302), that is approved by the Office of Justice Programs, Office for Civil Rights within 60 days of the award start date. For grants under \$500,000, but over \$25,000, or for grantees with fewer than 50 employees, the grantee must submit an EEOP Certification. Grants of less than \$25,000 are not subject to any EEOP requirement.

9. You will insure that the facilities under your 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 you will notify us if you are advised by the EPA indicating that a facility to be used in this grant is under consideration for listing by EPA.

10. If your state has established a review and comment procedure under Executive Order 12372 and has selected this program for review, you have made this application available for review by the state Single Point of Contact.

11. You will plan to retain each COPS-funded position with state and/or local (non-COPS) funds after the conclusion of your grant for one full local budget cycle.

12. Your agency 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.

I hereby certify compliance with the above assurances that govern the application and use of federal funds.

\_\_\_\_\_  
Signature of Law Enforcement or Government Executive

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





## Appendix C – Certifications

### Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; Drug-Free Workplace Requirements and 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 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. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, “New Restrictions on Lobbying,” and 28 CFR Part 67, “Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants),” and the coordination requirement 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 67.510 -

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) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(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 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620 -

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, DC 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.

Section 67.630 of the regulations provides that a grantee that is a state may elect to make one certification in each federal fiscal year, a copy of which should be included with each application for Department of Justice funding. States and state agencies may elect to use OJP Form 4061/7.

Check  if the state has elected to complete OJP Form 4061/7.

#### 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 Name and Address: \_\_\_\_\_

Application No. and/or Project Name: \_\_\_\_\_ Grantee IRS/Vendor Number: \_\_\_\_\_

Typed Name and Title of Law Enforcement Executive: \_\_\_\_\_

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

As the duly authorized representative of the governing body, I hereby certify that I am binding the governing body to the above certifications, including the plan to retain. Elections of new officials will not relieve the governing body of its obligations under this grant.

Typed Name and Title of Government Executive: \_\_\_\_\_

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

FOR MORE INFORMATION:

U.S. Department of Justice  
Office of Community Oriented Policing Services  
1100 Vermont Avenue, NW  
Washington, D.C. 20530

To obtain details on COPS programs, call the  
U.S. Department of Justice Response Center at 1.800.421.6770

Visit the COPS internet web site at the address listed below.

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