



Manual

COPS MORE '98 Grant Owner's Manual

A step-by-step guide
to assist law enforcement agencies
in carrying out and reporting on
their COPS MORE '98 grant

COPS MORE '98

Grant Owner's Manual

The following manual was created to assist COPS MORE (Making Officer Redeployment Effective) '98 grantees with the administrative and financial matters associated with the grant.

For more information about your MORE '98 grant, contact your COPS grant advisor. If you do not know who your grant advisor is, or do not know the telephone number of your grant advisor, contact the U.S. Department of Justice Response Center at 1-800-421-6770.



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

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

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GETTING STARTED

Congratulations on receiving a grant from the Office of Community Oriented Policing Services (COPS). Your grant, COPS MORE '98, provides funding directly to local, state and tribal jurisdictions for the purchase of technology and equipment, and for the procurement of support resources (including civilian personnel). COPS MORE '98 was designed to expand the implementation of community policing through redeployment, rather than by hiring or rehiring additional law enforcement officers.

This COPS MORE '98 Grant Owner's Manual will assist you with the administrative and financial matters associated with your grant. It was developed by the COPS Office in conjunction with the Office of the Comptroller (Office of Justice Programs) to ensure that all COPS MORE '98 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.

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

For assistance, call the COPS Office
at 1-800-421-6770.

GLOSSARY OF TERMS

Allowable Costs

Allowable costs are those costs covered by this grant. COPS MORE '98 provides for the purchase of technology and equipment and the funding of support resources (salaries and fringe benefits of nonsworn, civilian personnel). Upon review of your submitted budget, any nonallowable costs were removed and your total budget amount was revised accordingly. A copy of the budget clearance memorandum from the Office of the Comptroller (Office of Justice Programs) identifying these revisions is included in your award package.

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.

Catalog of Federal Domestic Assistance (CFDA)

The CFDA is an annual, government-wide publication produced by the General Services Administration. The CFDA contains a description and index of all forms of assistance available from the Federal government. Each program is assigned a CFDA number, which is used by auditors in tracking grant revenues under the Single Audit Act. It is also used in participating states by state Single Points of Contact for intergovernmental reviews under Executive Order 12372. **The COPS MORE '98 CFDA number is 16.710.**

Cognizant Federal Agency

Your Cognizant Federal Agency is generally the agency that provides you with the most Federal money. Your Cognizant Federal Agency may have already been assigned to you by the Office of Management and Budget. If this is the first Federal grant that your organization has received, the U.S. Department of Justice (DOJ) is your Cognizant Federal Agency. Your audit reports should be sent to the DOJ Regional Audit Offices. A list of the audit offices is provided in Appendix C.

COPS Office

The Office of Community Oriented Policing Services (COPS) is the division of the U. S. Department of Justice that is your "grantor agency" for the COPS MORE '98 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.

FTE (Full-time Equivalent)

The COPS Office uses a full-time equivalent standard of 1,824 hours (228 shifts) per year to calculate redeployment.

Grant Number

For grants awarded in FY 1998, this number is in the following format: 98-CL-WX-0000 or 98-CM-WX-0000; for those awarded in FY 1999, the format is 99-CL-WX-0000 or 99-CM-WX-000. This number can be found in the upper right-hand corner of your Award Page. It is assigned by the Office of the Comptroller, and should be used when corresponding with that office. This will aid the comptroller's staff in determining which grant you are referring to.

Matching Funds

Under the COPS MORE '98 program, unless a waiver has been granted because of severe fiscal distress, the COPS Office provides up to 75 percent of the cost of technology, equipment, and salaries and fringe benefits of civilian personnel for one year. COPS MORE '98 grantees are responsible for a cash match of at least 25 percent of the total cost of allowable items. See "Meeting the Local Cash Match," Section IV of this manual, for more information.

Obligation of Funds

Federal funds are considered "obligated" when the grant award document is signed by the director of the COPS Office or his designated official. Funds are reserved against the grant until all grant monies are spent or refunded to the Federal government. Local funds are considered "obligated" when the salaries and benefits of the nonsworn civilians have been paid or will be paid for work performed by the civilian(s) or when the monies for the purchase of approved items (equipment and technology) have been spent.

Office of the Comptroller/Financial Analyst

The Office of the Comptroller (Office of Justice Programs) handles your financial and budgetary needs related to the COPS MORE '98 grant. There is a financial analyst assigned to your state from that Office who is available to answer any questions that you may have concerning the financial aspects of your COPS MORE '98 grant. To identify your financial analyst, refer to the Budget Clearance Memorandum enclosed in your award package, or call the U.S. Department of Justice Response Center at 1-800-421-6770.

OJP EIN Number / Vendor Number

This number is your agency's nine-digit Federal tax identification number assigned by the IRS. Your accounting/bookkeeping department should have this number. In some cases, the EIN has been previously assigned to another agency within your jurisdiction. In that instance, a new vendor number will be assigned to you by the Office of the Comptroller. The new assigned 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 and is your agency's 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 the county. It can be located in the upper right-hand corner of your grant award. 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. The purposes of the law 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.

Redeployment

Redeployment refers to sworn officers currently employed by the grantee who will be able to participate in community policing as a direct result of the purchase of the technology/equipment/support services.

Supplanting

For the purpose of your COPS MORE '98 grant, supplanting means replacing state or local funds that otherwise would have been spent on law enforcement purposes with Federal COPS office funds. You are prohibited from supplanting throughout the grant period. This means that you may not use COPS funds to (1) pay for any nonsworn civilian who otherwise would have been employed with state or local funds regardless of the COPS program or (2) pay for any technology/equipment that otherwise would have been purchased with state or local funds regardless of the COPS program. COPS funds must instead be used to supplement your law enforcement budget. For further information, please contact the COPS Office Legal Division at 202-514-3750.

Support Resources

Nonsworn personnel funded under this grant should allow for the redeployment of currently employed, sworn officers into community policing.

Technology and Equipment - Technology and equipment include electronic communication or data processing hardware or software that directly contributes to an agency's community policing presence through redeployment of currently employed, sworn officers.

GRANT ACCEPTANCE, TERMS, AND CONDITIONS

In order to officially begin your grant, you will need to review the Award Page and conditions, sign the Award Page or Modified Award Page, and return it to:

COPS MORE '98 Control Desk
Office of Community Oriented Policing Services (COPS)
1100 Vermont Avenue NW, 3rd Floor
Washington, DC 20530
(For overnight delivery, please use 20005 as the zip code.)

You will not be able to draw down any grant funds until the COPS Office receives your signed Award or Modified Award Page and special conditions page, and your budget has been cleared by the Office of the Comptroller.

THE AWARD PAGE

The Award Page is the one-page, double-sided document indicating your official grant funding amount, the award number, the award date, the grant time period and the required level of redeployment (FTE).

The award date for your COPS MORE '98 grant can be found on the Award Page. The Federal share of any allowable costs you incur on or after the award date will be reimbursed. The duration of your COPS MORE '98 grant is one year.

Your grant award number is in the following format: 98-CL-WX-0000, 98-CM-WX-0000, 99-CL-WX-0000 or 99-CM-WX-000. If you have any questions regarding your grant, please refer to your grant award number or your agency's ORI number when calling for assistance. Both can be found on your Award Page.

The Award Page is preprinted with your law enforcement and government officials' names and addresses. If this information is incorrect or has changed, please correct it on the enclosed change of information page and mail it to your grant advisor.

What is a Modified Award?

In a small number of cases, a Modified Award Page may be included in this mailing. The final grant amount on this document may differ from the estimated amount on your original Award Page, because the final grant

amount is based upon your approved budget. If you are receiving a Modified Award, take careful note of the change between your estimated award amount on the original document and the actual amount on the Modified Award Page. If you have any questions about the modification, refer to your budget clearance memorandum. If you still have questions, please contact your financial analyst. After you review and understand the award document, please sign, make a copy for your records, and mail the **original** with your payment selection sheet to the COPS Office.

GRANT CONDITIONS

The grant conditions are the terms listed on the back of your Award Page. 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 13 grant conditions (and possibly additional conditions specific to your agency). The section that follows describes in detail each of the award conditions, its rationale and its implications. It also addresses many commonly-asked questions.

By accepting this grant, you agree to 13 grant conditions.

In some cases, your agency may receive a special grant condition. You will be unable to access your grant funds until you have satisfied this condition. For example, you will not be able to draw down funds until your budget receives final clearance. If you receive an award with a budget special condition, your budget has not received final clearance. In those cases, you will receive notification in writing when your special condition has been met. After reviewing your Award Page and other grant documents, it should be clear to you which grant conditions, if any, would prevent draw-downs until satisfied. If you have any questions about these conditions, please call your grant advisor.

Reasons for grant conditions

The requirements of your COPS MORE '98 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.

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

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

or from either the COPS Office or the Office of the Comptroller.

Review of each condition

1. DRAW-DOWN OF FUNDS

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

Rationale:

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.

Action:

If you have received an award for an item 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 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 Procedures, when submitting your justification for noncompetitive procurement to your grant advisor.*

2. ALLOWABLE COSTS

*The funding under this project is for the payment of **support resources** (including the salaries and benefits of non-sworn civilian personnel) and **technology and equipment** that have been approved by the COPS Office.*

Rationale:

As the program materials state, COPS MORE '98 is a program that can fund only technology, equipment and support resources that directly contribute to an increased community policing presence through redeployment.

Action:

Support Resources – To be eligible for payment under the grant, a salary must be reasonable for the services rendered, and must be paid to a person appointed under the law or rules governing hiring by your agency. Salary payments must be based on payroll records and supported by time and attendance records or their equivalent. The types of records you must keep to document that you are following this grant condition are described in Section V of this manual.

Fringe benefits may be paid if they are part of a reasonable compensation package offered to your employees. Particular items of fringe benefits must fall within the categories authorized by the COPS Office. Authorized fringe benefits include FICA, Social Security, health insurance, life insurance, vacation, sick leave, retirement, worker's compensation and unemployment insurance.

Technology and Equipment – To be eligible for payment under this grant, the purchase of technology and equipment must meet the guidelines described in Section II, Procurement Procedures, of this manual.

Section V of this manual outlines the types of records you must keep to document that you followed this grant condition. As long as you spend the funds on the salary and benefits or technology and equipment that you documented in your budget summary and that were approved by your financial analyst, this grant condition will be satisfied.

3. A) SUPPLEMENTING, NOT SUPPLANTING

*COPS MORE '98 grant funds must be used to hire one or more civilians beyond the number of civilians that would be hired or employed by the grantee in the absence of the grant, or they must be used to purchase technology and equipment **beyond** what the grantee already is obligated or funded to purchase.*

Rationale:

The Public Safety Partnership and Community Policing Act of 1994 specifically states that Federal funds under the COPS programs are not to be used to supplant existing local or state funds.

Action:

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

- Each civilian that you hire under COPS MORE '98 is newly hired on or after the beginning of your grant period, unless an exception is authorized in writing by the COPS Office;
- The civilian(s) that you are hiring brings your civilian force to a number over and above the number of civilians and funded civilian positions that you had on the date of your COPS MORE '98 application;
- During the life of your grant, you must continue to hire as many new, locally-funded civilians 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 civilians; and
- You must take positive and timely steps to fill any vacancies that were created on or after the date of your grant application by retirement, resignation or other reasons with new civilians other than your COPS MORE '98 civilians. Again, any exception must be authorized in writing by the COPS Office.

Technology and Equipment – To meet this grant condition, you will need to ensure that:

- Technology or equipment purchased is in addition to purchases that the grantee is obligated or funded to pay in the current budget. Funds currently allocated to purchase technology or equipment may not be reallocated to other purposes or refunded upon award of a COPS MORE '98 grant.

B) RETENTION

Your agency is expected to develop a plan to retain the civilian positions funded by the COPS MORE '98 program as well as to maintain the level of redeployment of officers resulting from the purchase of the equipment/technology funded by the COPS MORE '98 program at the conclusion of the grant;

***Support Resources** – Grantees are expected to develop a plan to retain the position(s) funded by the COPS MORE '98 grant funds at the conclusion of the grant. Throughout the grant period, your grant advisor will provide needed guidance in the creation of a retention plan; and*

***Technology and Equipment** – Grantees are expected to develop a plan to continue the proposed redeployment of officers into community policing that results from the funding of technology and equipment under COPS MORE '98. Throughout the grant period, your grant advisor will provide needed guidance in the creation of a retention plan.*

Rationale:

The Public Safety Partnership and Community Policing Act of 1994 envisions that newly-created positions and proposed redeployment should be maintained by localities beyond the Federal funding period.

Action:

Your retention plan should focus on maintaining the position(s) and redeployment levels beyond the life of the grant. If, for any reason, the civilian(s) originally filling the position(s) funded by the COPS MORE '98 grant leaves your department, it is anticipated that you will fill the position with a new civilian(s).

4. CONTRACTS WITH OTHER JURISDICTIONS

Civilians, technology and equipment funded under this grant may only be involved in activities or perform services that exclusively benefit your agency and the popula-

Grantees are expected to develop a plan to retain the position(s) funded by the COPS MORE '98 grant funds at the conclusion of the grant.

tion that it serves. If your agency provides police services through a contractual arrangement, your agency is responsible for ensuring that the utilization of civilians, technology and equipment is in compliance with the conditions of your grant.

Rationale:

Occasionally, small towns enter into contracts with county or state law enforcement agencies. When a small town uses its COPS MORE '98 grant to contract for civilian services from a local police department or sheriff's office, the small town must ensure that the activities of the civilian are in accordance with the terms and conditions of its COPS MORE '98 grant.

Action:

The civilian services that have been funded under the COPS MORE '98 program cannot be hired out by your agency to other agencies unless they will benefit the population that you serve. If, for example, you are a sheriff's department serving a county with eight small towns, you may contract with one of those small towns to provide them with the services of a COPS MORE '98 civilian, provided such a contract is done in accordance with all of the rules and regulations laid out in this manual. You may not, however, offer this COPS MORE '98 civilian to a neighboring county. Similarly, if you are a small town grantee and you contract with a law enforcement agency, you must use the civilian in a manner that would not violate the rules and regulations of the COPS MORE '98 program.

Technology and equipment that has been funded under the COPS MORE '98 program cannot be utilized by other agencies unless it benefits the population that you serve. For example, if you receive funding for five computers, you cannot loan two computers to a neighboring county.

5. ASSURANCES AND PROGRAM GUIDELINES

The grantee acknowledges its agreement to comply with the assurances and certifications submitted with the COPS MORE '98 application.

Rationale:

Although the U. S. Department of Justice 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 apply to all grants provided by the Federal government.

Action:

When you submitted your original application, there was a list of assurances that you signed and included with your completed application. This condition merely restates your agreement to comply with those assurances.

Another copy of the assurances is contained in Appendix B of this manual. If you have any questions about them, please contact your grant advisor.

6. REPORTS

In order to assist the COPS Office in the monitoring of the award, your agency will be responsible for submitting annual Progress Reports and quarterly Financial Status Reports. As these reports become due, your grant advisor and financial analyst will assist you with the forms and information necessary for compliance.

Rationale:

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 Federal funds. In addition, the COPS Office seeks to document, on a continuing basis, the progress of our programs and our grantees. This grant condition is to make you aware of your responsibilities in assisting us with reporting requirements. These reports are discussed extensively in Section VII of this manual.

Action:

To meet this condition, you will be required to complete a baseline survey (the Community Policing Information Worksheet that was included in your application kit), and to fill out one program Progress Report for each year of your COPS MORE '98 grant and four Financial Status Reports per year. We are currently exploring ways to reduce the amount of reporting that is required of an agency, while ensuring that adequate information is collected.

7. EXTENSIONS

Requests for extensions of the grant award period that merely involve additional time, not additional funding, should be submitted in writing to your grant advisor not earlier than 90 days before the end of your grant period. (For information on renewing grant funding, refer to the section of this manual entitled "Renewing/Extending Your Grant.")

Rationale:

Under Federal regulations, grant extensions which merely involve additional time, not additional funding, require prior approval. Without an approved extension, your funding will be automatically stopped at the end of the grant period.

Action:

In an effort to reduce the number of extensions during the grant period, the COPS Office asks that you delay any request for an extension until you are well into your grant and are able to determine accurately when you expect all grant conditions and redeployment to be met and all grant funds to be drawn down. When the COPS Office receives and approves your extension request, we will ensure that you have continued access to your grant monies.

8. EVALUATION

The COPS Office may conduct or sponsor national evaluations of the Community Oriented Policing Services program and the COPS MORE '98 program. The grantee agrees to cooperate with the evaluators.

Rationale:

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 to further 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 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 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.

Action:

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.

9. GRANT OWNER'S MANUAL

The grantee agrees to abide by the terms, conditions and regulations as found in the COPS MORE '98 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.

Rationale:

This manual has been tailored to inform you of the policies, procedures and regulations that apply to your grant. You will be responsible for the information and rules contained in this manual. More detailed guidance can be requested through your grant advisor.

Action:

Please read the entire COPS MORE '98 Grant Owner's Manual carefully prior to signing the grant Award Page. If you have any questions, please contact your grant advisor to discuss them. When you sign the Award Page, you should ensure that the proper reporting and financial systems are in place to satisfy the requirements.

10. EQUAL EMPLOYMENT OPPORTUNITY PLAN (EEOP)

For grants of \$500,000 or more (or \$1,000,000 or more in grants over an 18-month period), the grantee acknowledges that failure to submit an acceptable Equal Employment Opportunity Plan (if the grantee is required to submit one under C.F.R. 42.302) that is approved by the Office of Justice Programs, Office for Civil Rights, is a violation of its assurances and may result in the suspension of the draw-down of funds. For grants under \$500,000, the grantee must submit a completed EEOP Certification form and return it to the Office of Justice Programs, Office for Civil Rights, within 120 days of the grant award.

Rationale:

The purpose of an Equal Employment Opportunity Plan is to ensure full and equal participation of men and women, regardless of race or national origin, in the workforce of the recipient agency. EEOPs do not impose quotas or hir

ing requirements. The U.S. Department of Justice regulations regarding the requirements of an EEOP for Federal grant recipients and the required contents of the document are fully explained in 28 C.F.R. §42.301 et seq.

Action:

U. S. DOJ regulations require you to prepare and maintain an EEOP if your organization:

- Has 50 or more employees; **and**
- Received a total of \$25,000 or more in grants or subgrants; **and**
- Has 3 percent or more minorities in its service population. Even if there are less than 3 percent minorities in the service population, the DOJ regulations require that the EEOP be written to focus on women.

If you meet the above criteria **and** receive over \$500,000 or a total of \$1 million in grant funds during an 18-month period, you are required to submit an EEOP to:

**Office of Justice Programs
633 Indiana Avenue NW
Washington, DC 20531**

If you meet the above criteria, but your grant is for under \$500,000, or you have received less than \$1 million in grant funds during an 18-month period, you need to complete and return the one-page COPS EEOP Certification form within 120 days of your grant award to advise us whether you have an EEOP in effect or whether you are exempt from this requirement. If you need help preparing an EEOP, please consult the Seven Step Guide to Preparing an EEOP previously mailed to you or included in this mailing.

11. EMPLOYMENT ELIGIBILITY

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

12. REDEPLOYMENT

The grantee agrees to monitor, track and exercise best efforts to maintain the level of redeployment of current sworn officers that is the result of COPS MORE '98 funding.

Rationale:

As the program materials state, COPS MORE '98 is designed to **expand** the time available for community policing by current law enforcement officers. Under COPS MORE '98, the expansion of community policing is through redeployment, rather than by hiring or rehiring additional law enforcement officers.

Action:

To meet this grant condition, you will need to ensure through tracking that the redeployment that is the result of COPS MORE '98 funding is **over and above the time** currently spent on community policing activities. The level of redeployment or FTE that is indicated on the Award Page is the result of the funding of your application. The COPS Office will work with you to develop a plan to ensure that this condition is met, if necessary.

13. CRIMINAL INTELLIGENCE SYSTEMS

If any part of the funded project is subject to the requirements of the Criminal Intelligence Systems Operating regulation, 28 C.F.R. Part 23, the grantee agrees to comply with this federal regulation and submit a system operating manual to the COPS Office for approval.

Rationale:

If your COPS MORE '98 grant provides funding to purchase, maintain or enhance equipment (hardware or software) that will enable your agency to receive criminal intelligence information, store it, exchange it with other agencies, disseminate it or analyze it, then you may be operating an interagency criminal intelligence system subject to the mandates of 28 C.F.R. Part 23. This federal regulation exists to ensure that your agency operates and maintains such a system in compliance with the constitutional and privacy rights of individuals. 28 C.F.R. Part 23 also provides guidance that will assist you in understanding the applicability and operating principles of criminal intelligence systems.

Action:

If you think that your COPS MORE '98 grant may have provided funding for a system as described above, please take the following steps:

1. Review 28 C.F.R. Part 23. See Appendix D.

2. Create a description of your criminal intelligence system and a system operating manual which specifies how your system will comply with the operating principles set forth in 28 C.F.R. Part 23.20

If you don't know whether you have a criminal intelligence system or if you aren't sure how to prepare the documentation required, please contact the COPS Legal Division at (202) 514-3750, and we will assist you.

HOW TO ACCEPT THE 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 Page are two signature lines. The director of the COPS Office has signed the Award Page indicating approval of your grant, the 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 official** must sign the Award Page and return the **original** copy to:

COPS MORE '98 Control Desk
Office of Community Oriented Policing Services (COPS)
1100 Vermont Avenue NW, 3rd Floor
Washington, DC 20530
(For overnight delivery, please use 20005 as the zip code.)

Faxes cannot be accepted.

Who should sign the award for my agency?

The "authorized official" is the individual in the organization accepting this grant who has final responsibility for all programmatic and financial decisions of the organization. In some jurisdictions, police chiefs and sheriffs have the authority to accept grant awards. In others, the mayor or county executive may have this sole authority. Before signing the grant, you should determine who in your jurisdiction has the legal authority to accept the award. If you have any questions as to who should sign the award, please contact your city's or county's legal advisor.

When do the grant materials need to be returned?

Please return the original signed Award Page within 45 days of your receipt of it. No funds may be released until we have received your signed Award Page, your budget has received final clearance, and any other rele-

vant grant conditions particular to your agency have been satisfied.

If you require an extension for accepting the award beyond the 45-day time frame for any reason, please request it in writing from your grant advisor.

What are the specific rules regarding termination of grant funding?

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

- Are not substantially complying with the requirements of the Act, the guidelines, or other provisions of Federal law;
- Are failing to make satisfactory progress toward the goals or strategies in your application and other submitted information, 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 (OJP); and/or
- Provide other good cause for termination.

In these instances, we may:

- Temporarily withhold payments pending correction of the situation by you;
- Disallow all or part of the cost of the activity or action not in compliance;
- Wholly or partly suspend or terminate the current award for your grant;
- 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 you until appropriate actions are taken to ensure compliance;
- Withhold further awards for the program;
- Recommend civil or criminal enforcement by other agencies; and
- Take other remedies that may be 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 either to discontinue operations or to seek support from other sources.

CHANGES IN YOUR GRANT

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

- Key personnel change(s)
- Extensions
- Salary and benefit changes
- Major programmatic changes (including changes in required redeployment levels)
- Major budget changes (i.e., your department was awarded 10 laptop computers, but will purchase 12 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. Extensions will allow you to extend your grant period to ensure that you are able to support the program requirements for a full year. Please document your reasons for the proposed changes, how they will affect your required level of redeployment, and add any other information that will assist us in reviewing the changes.

RENEWING / EXTENDING YOUR GRANT

If sufficient appropriations are received, funding for **civilians only** may be renewed for up to two additional years, contingent on a showing of how COPS MORE '98 funds have resulted in the required increase in the number of officers deployed into community policing, and future appropriations. **Equipment awards are not eligible for renewal.** Renewal funding may not exceed the amount of the original award for civilians. The renewal period runs exactly one year from the end of the original grant period. To be eligible for a renewal, grantees must have hired all civilians. The COPS Office will send information to you regarding the criteria and procedure for renewal sometime before the end of the initial grant period.

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 90 days before the end of the grant period. The COPS Office will send information to you regarding the criteria and procedure for an extension sometime before the end of the initial grant period.

QUESTIONS ABOUT ACCEPTING THE GRANT

If for any reason you have questions about accepting this grant, please call your grant advisor or contact the U.S. Department of Justice Response Center at 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 MORE '98 grant, please contact your grant advisor to discuss other options.

PROCUREMENT PROCEDURES

JUSTIFICATION FOR NON-COMPETITIVE PROCUREMENT

Please review the enclosed *Uniform Requirements for Grants and Cooperative Agreements to State and Local Governments*. If you have any questions regarding the Federal Government requirements that guide procurement procedures, please call 1-800-421-6770. All grantees must follow the regulations listed in 28 C.F.R. 66.36 Procurement. If you have determined that noncompetitive procurement applies to your award, you must request, in writing, an exception to the general rule regarding competition using the following format:

Paragraph 1 – A brief description of the program and what is being contracted for

Paragraph 2 – Explanation of why it is necessary to contract noncompetitively, including the following:

- Expertise of the contractor
- Management
- Responsiveness
- Knowledge of the program
- Experience of contractor personnel
- Results of a market survey to determine competition availability or, if one was not conducted, explain why not

Paragraph 3 – Time Constraints

- When contractual coverage is required and why
- Impact on program if dates are not met
- How long it would take another contractor to reach the same level of competence (equate to dollars, if desired)

Paragraph 4 – Uniqueness

Paragraph 5 – Other points that should be covered to “sell the case”

Paragraph 6 – A declaration that this action is in the “best interests” of the agency

Requests for noncompetitive procurement should be sent to:

**COPS MORE '98 Control Desk
Office of Community Oriented Policing Services (COPS)
1100 Vermont Avenue NW, 3rd Floor
Washington, DC 20530**

ACCESSING GRANT FUNDS

This section provides information about how you receive funds and gives answers to payment-related questions. If you are a new COPS Office grantee, you should have received a packet of financial documents shortly after receipt of your award package. This packet will contain all of the information that you need to in order to set up your payment method and a Financial Guide to assist you with financial management and grant administration. Currently, there are two methods of payment that you can use to access your grant funds: PAPRS (payment by phone) and LOCES (electronic payment). In an emergency situation, you may use a Revised H-3 (Request for Payment) form. Your use of the Revised H-3 must be cleared with the Office of the Comptroller prior to submission.

The following explanation of payment methods will assist you in determining which payment method you would like to use in accessing your COPS grant funds.

PAYMENT METHODS

These are the two methods that you may use to access your grant funds:

A. PAPRS (Phone Activated Paperless Request System)

PAPRS replaces the paper form H-3 (Request for Payment) requests 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. The system also provides online information to grantees about the status of their requests.

If you do not have a touch-tone phone, please contact the Accounting Division helpline at (202) 307-5909.

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 receipt of your award package. This packet will contain all of the information that you need to set up your payment method. You will receive a PAPRS user's manual under a 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) and PIN number, you can follow the directions in the user's manual to access your funds.

B. LOCES (Letter of Credit Electronic Certification System)

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 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 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 to your bank.

A complete LOCES form and manual package may be requested by contacting the Accounting Division helpline at (202) 307-5909. In addition, the Accounting Division can provide technical assistance on using the LOCES system.

What are the benefits of LOCES?

The LOCES method is a completely computerized method of payment. It also allows you to file your quarterly Financial Status Reports (SF-269) electronically.

SETTING UP YOUR ACCOUNT

How do I fill out the payment enrollment forms?

In the packet of financial documents you received is an Automated Clearing House (ACH) Vendor /Miscellaneous Payment (SF 3881) enrollment form. The ACH Vendor /Miscellaneous Payment (SF 3881) enrollment form needs

LOCES is an electronic, paperless payment system available for agencies with a computer and a modem.

to be filled out regardless of the payment method. Prior to trying to access your funds, you must return this form to:

**Office of the Comptroller
U.S. Department of Justice
1100 Vermont Avenue NW, 2nd Floor
Washington, DC 20530**

The “Agency Information” section has been filled out by our Accounting Division. 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 page) on this form. Then you must have your financial institution complete the “Financial Institution Information” section and have the appropriate financial official sign the form.

If you are already a COPS Office grantee, you should already have selected one of the two payment methods and filled out an ACH Vendor/Miscellaneous Payment (SF 3881) enrollment form. If you have any questions, please call the Accounting Division helpline at (202) 307-5909.

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

As part of Federal auditing requirements, your agency has to complete a Financial Status Report (Standard Form 269) quarterly. Payment requests will be denied if the current 269 is overdue. Please make blank copies of the form (both sides) provided in your award packet and retain them for future use. This form is a report of your expenditures for the grant. The Financial Status Report is due 45 days following the end of a calendar quarter (calendar quarters end March 31, June 30, September 30 and December 31). Even when you have not expended any funds during a quarter, the Financial Status Report should be submitted with zeros in the appropriate spaces. When setting up your account, check to see when the last quarter ended and fill out a Financial Status Report to reflect the amount of your agency’s expenditures for the grant during that quarter, and submit the form along with the ACH Vendor form. For the rest of the year, please submit Financial Status Reports no later than May 15, August 15, November 15 and February 15.

Completing the Financial Status Report does not mean that you will be reimbursed for the amount you show as being expended. You must still request payment through PAPRS or LOCES (see the section on payment methods).

For more information, see the section of this manual entitled “Reports.”

ADDITIONAL PAYMENT QUESTIONS

Can we receive advances?

Yes. If you receive funds through electronic transfer, the period allowed is ten (10) days in advance. If you receive funds by Treasury check, the period allowed is 28 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 to make your immediate salary and fringe benefit payments. 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;
- 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 definitive guidelines on how often you should request reimbursements. Only reimbursements for actual salaries and benefits of COPS Universal Hiring Program officer(s) can be made.

Can we earn interest on our grant funds?

You should minimize the time between your draw-down of grant funds and your payment of grant costs. You need to 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.

MEETING THE LOCAL CASH MATCH

The COPS MORE '98 program provides up to 75 percent of the cost of allowable items. COPS More '98 grantees are responsible for at least 25 percent of the total cost of allowable items, unless the requirement of a local cash match has been waived in whole or in part. 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.

SOURCES FOR MATCHING FUNDS

- Funds from state or local units of government that are committed to matching funds for your program;
- Funds from Federal programs which specifically authorize use as matching funds such as the Housing and Community Development Act of 1974 or the Equitable Sharing Program;
- Funds contributed by private sources; and/or
- Program income funds from asset forfeitures.

Should I maintain records of the match?

You should 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.

WAIVERS

Can the matching requirement be waived?

In order to maximize the number of communities that can take advantage of COPS grants, only a very small portion of waiver requests are granted at the time of application. Waiver requests can be considered only when a jurisdiction makes the request at the time of application. Applicants able to provide satisfactory documentation of severe economic distress may be granted waivers. Except in extreme situations, waiver requests received after an award has been made will not be considered.

How are waivers granted?

It is the burden of the jurisdiction to demonstrate extreme economic distress at the time of application. Waivers fall under two categories: presumptive and case-by-case. If, at the time of application, the applicant is declared bankrupt

by a court of law or placed in receivership by the state or Federal government, a presumptive waiver is granted. Following are examples of case-by-case waivers that must be reviewed by the COPS Office and must demonstrate severe fiscal distress:

- Budgetary imbalance or expenditure cutbacks resulting in significant reductions in other services provided by the applicant;
- Significant layoffs of personnel within the applicant department;
- Significant downgrading of applicant's bond rating due to fiscal stress;
- 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; and/or
- Other circumstances demonstrating severe fiscal distress.

How are we notified whether or not a waiver was granted?

The cover letter and financial clearance memo in your grant award package will indicate whether your request for a waiver was granted. If you received a waiver and have additional questions, please contact your grant advisor.

Please note that if you did receive a waiver, you are still expected to develop and implement a plan for the continuation of the funded activity following the conclusion of the Federal assistance.

How do we appeal the denial of a waiver?

If your waiver request was denied and you would like to appeal the decision, please make your appeal to:

U.S. Department of Justice
Office of Community Oriented Policing Services (COPS)
Attn: Assistant Director for Grants Administration
1100 Vermont Avenue NW, 10th Floor
Washington, DC 20530
(For overnight delivery, please use 20005 as the zip code.)

Waivers of the local match may be granted to jurisdictions demonstrating severe fiscal distress.

FINANCIAL RECORD MAINTENANCE

Under your COPS MORE '98 grant, you are required to establish and maintain accounting systems and financial records to accurately account for funds awarded and disbursed. These records need to include both Federal funds and all matching funds from state, local and private organizations.

ACCOUNTING SYSTEMS

What Accounting Systems Are Needed?

You need to establish and maintain accounting systems and financial records to accurately account for funds awarded to you. These records should include both Federal funds and matching funds of State, local, and private organizations.

Your accounting system should:

- Present and itemize approved costs of salaries, benefits, technology and equipment, and show the actual cost of each item funded;
- Assure responsible use of grant funds;
- Assure that the expenditure of funds is in compliance with your grant conditions; and
- Be able to provide the necessary information for periodic financial review and audit.

What records should be kept?

Your fiscal control and accounting systems should enable you to make accurate, current and complete disclosure of the financial activity under your COPS MORE '98 grant. Your accounting records should contain information showing expenditures under the grant, and must be supported by items such as payroll, 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 auditors.

How long should documents be kept?

All financial records, including payroll, time and attendance records, canceled checks, and similar documents

associated with your COPS MORE '98 grant should be kept for at least three years from the grant closing audit report date. If any litigation, claim, negotiation, audit or other action involving these records has been started before the end of the three-year period, the records should be kept until completion of the action. These records should be easily located and 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.

Federal funds may be used to meet your match only if they are approved specifically by the COPS Office. If Federal funds are being used to meet your match, your accounting system should document accurately how the funds are being used and the programmatic intent of the matching funds.

Who may access our records?

Authorized Federal representatives, including representatives of the U.S. Department of Justice and the Comptroller General for the United States, may access these records as long as they exist for the purposes of making audits, examinations, excerpts or transcripts.

FEDERAL AUDIT REQUIREMENTS

Federal audit requirements were revised recently (July 1, 1996) for all organizations with a fiscal year beginning on or after July 1, 1996. Also, OMB Circular A-128 will be rescinded and OMB Circular A-133 will be revised to reflect this change. State and local governments previously subject to audit requirements under OMB Circular A-128 will be subject to audit requirements under revised OMB Circular A-133, as amended.

AUDIT REQUIREMENTS

Who must have an audit?

Audit requirements: State and local governments, nonprofit organizations and institutions of higher education are governed by OMB Circular A-133, as amended. Whether an audit is required under this circular is dependent upon the amount of Federal funds that can be audited during the recipient's fiscal year. If the organization receives \$300,000 or more per year in Federal funds, the organization must have an organization-wide financial and compliance audit.

State and local governments, nonprofit organizations and institutions of higher education receiving less than \$300,000 a year in Federal awards are exempt from Federal audit requirements, but records must be available for review by appropriate officials of the Federal grantor agency or subgranting entity.

Commercial (for profit) organizations shall have financial and compliance audits performed by qualified individuals who are independent from those who authorized the expenditure of Federal funds. This audit must be performed in accordance with Government Auditing Standards. The audit thresholds contained in OMB Circular A-133, as amended, apply.

What is an organization-wide financial and compliance audit?

An organization-wide financial and compliance audit is an audit conducted by an independent auditor covering the entire operations of the state and local government, nonprofit organization and institution of higher education. At the option of a particular government entity, an organization-wide financial and compliance audit can be performed only on the specific departments or agencies that will receive, expend or otherwise administer Federal funds during the fiscal year, rather than on the entire state or government entity.

What is a “single audit”?

The “single audit” is an audit made by an independent auditor covering the entire operations of the state or local government. At the option of that particular government, a single audit can be performed only on the specific departments or agencies that will receive, expend or otherwise administer Federal monies during that year, rather than on the entire state or local government entity.

What is the purpose of an audit?

Audits review your administration of grant funds, including your local cash match. Audits specifically determine whether:

- You have established an accounting system which will provide reasonable assurance that your organization is managing the COPS MORE '98 funds in compliance with the laws and regulations documented in this manual and in the assurances which were part of your application. Your accounting system must provide for adequate review and control by your authorized officials to provide accountability for grant draw-down amounts, grant payments for salaries and benefits, and purchases of technology and equipment, as well as matching fund payments and bank account balances;
- You or your financial manager have prepared financial statements that are accurate and in accordance with generally accepted accounting principles;
- You have prepared financial reports, including Financial Status Reports, cash reports, and claims for advances and reimbursements which contain accurate and reliable financial data, and are represented in accordance with the conditions of your COPS MORE '98 grant and the COPS MORE '98 Grant Owner's Manual; and
- You have spent the grant funds in accordance with the conditions of your COPS MORE '98 grant and provisions for Federal law that may bear on your financial statements.

What are the audit requirements?

If an auditor becomes aware of any issues or illegal acts, the auditor is required to give prompt notice of the problem to the management official in your department. The management official is required to promptly notify your Cognizant Federal Agency of the issues or illegal acts and of the proposed and actual actions to solve the problem.

The COPS Office must inform the appropriate officials, including state and local law enforcement agencies or prosecuting authorities, of any known violations of the law within their respective areas of jurisdiction.

Your auditor may request from you the CFDA number for the COPS MORE '98 program. That number is 16.710.

AUDIT REPORTING REQUIREMENTS

What is the due date of audit reports?

- 1) A grantee whose fiscal year begins before July 1, 1998 must submit an audit report within 13 months after the fiscal year ends.
- 2) A grantee whose fiscal year begins on or after July 1, 1998 must submit an audit report within 9 months after the fiscal year ends.

Audit reports are due nine months after the end of the agency's fiscal year.

Where are the audit reports to be submitted?

Audit reports are to be submitted to your Cognizant Federal Agency and to other Federal agencies that provide direct Federal funding to your organization.

A Cognizant Federal Agency is generally the agency that provides you with the most Federal money. If this is the first Federal grant that your organization has received, the Department of Justice is your Cognizant Federal Agency. In that case, your audit reports should be sent to the appropriate Department of Justice Regional Inspector General's Office. In addition, a copy of your audit transmittal letter (cover letter) addressed to the Department of Justice Regional Inspector General's Office must be sent to:

**Office of the Comptroller, Control Desk
Office of Justice Programs
633 Indiana Avenue NW, Room 942
Washington, DC 20531**

A list of offices for the Department's Regional Inspectors General is provided in Appendix C.

If this is not your first Federal grant, please check with your financial analyst or the auditor within your department to determine which agency is your Cognizant Federal Agency. If you are unable to determine which agency this is, please contact your COPS financial analyst.

What if there are problems with our audit report?

Your management officials will need to develop recommendations for timely action that will resolve issues that the audit identifies. Prior to your audit, you must develop policies and procedures for action on audit recommendations. These policies and procedures should designate officials to be responsible for:

- Follow-up on audit findings;
- Maintaining a record of the actions taken on recommendations and time schedules;
- Responding to and acting on audit recommendations; and
- Submitting periodic reports to the Cognizant Federal Agency on recommendations and actions taken.

How are audit requirements monitored?

The Office of the Comptroller, in coordination with the COPS Office, will track audit requirements. Audit reports will be tracked until all issues are resolved and the audit is closed.

How can our agency receive technical assistance with audit requirements?

The Office of the Inspector General, at the U.S. Department of Justice, is available to provide you with technical assistance in implementing audit requirements when the U.S. Department of Justice is your assigned Cognizant Federal Agency. You may receive assistance on the following matters by contacting your Regional Inspector General (See Appendix C for addresses and phone numbers):

- Review of audit arrangements;
- Review of audit programs or guides to be used for the conduct of the audit; and
- On-site assistance in performing the audit, when necessary, as a result of complex problems that may arise.

You may request technical assistance by contacting your regional Inspector General's office, Department of Justice, listed in Appendix C.

What are the consequences of not complying with audit requirements?

Future grants will not be awarded to any applicant who has an overdue audit report or an open audit report, if the grantee has not attempted to respond or has taken no action to resolve findings. You must be in compliance with the audit requirements to receive grant funds. Exceptions to this policy are by the recommendation of the Office of the Comptroller.

REPORTS

Periodically, you will be asked to respond to three types of reports: 1) Program Progress Reports; 2) Quarterly Financial Status Reports; and 3) telephone calls about redeployment. In addition, a baseline survey of current community policing activities and levels of redeployment in community policing will be conducted at the beginning of the grant period, through the Community Policing Information Worksheet that your department submitted with its application. Funds and future awards may be withheld if reports are not returned or are excessively late.

PROGRAM PROGRESS REPORTS

How often will Progress Reports be requested?

Program Progress Reports will be requested for each year of the grant.

What kind of information will be requested?

These reports will request information about the increased levels of community policing that have resulted from funding under COPS MORE '98. The information requested will include documentation that demonstrates that the required level of redeployment is being maintained and monitored.

How and when will these forms be sent?

These reports and instructions will be mailed to you near the end of your grant period. You will also receive periodic phone calls from your grant advisor regarding the status of your grant. In addition, a COPS Office representative may make a site visit to your agency during the grant period.

FINANCIAL STATUS REPORTS

How will grant funds be monitored?

The Office of the Comptroller monitors the financial aspects of your grant through financial reports, meetings, telephone contacts, reports, audits, review 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?

Under the COPS PAPRS system, you are required to complete and return quarterly Financial Status Reports (SF-269) within 45 days after the end of each calendar quarter. The Financial Status Reports request information on your monies spent, including amounts for Federal expenditures, local matching contributions and the unobligated balance of the award. Much of the standard information will be completed by the Office of the Comptroller for your review only. These Financial Status Reports will be mailed to you after the end of each calendar quarter.

You will be unable to access funds in the PAPRS system if you have not submitted these Financial Status Reports or your signed Award Page.

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-269A) within 45 days after the end of each calendar quarter. You have the option of completing those reports electronically.

CASH RECONCILIATION REPORTS

The Office of the Comptroller, Accounting Division, will send you a Cash Reconciliation report on a semiannual basis. This report includes all cash activities related to your award during that period. You will need to verify the accuracy of that report. No response is necessary if the information reflected in the report is in agreement with your records. If the information differs from your records, please notify the Accounting Division in writing, outlining the identified differences.

TELEPHONE CALLS ABOUT REDEPLOYMENT

How often will calls be made?

The COPS Office will contact your agency periodically, up to three times a year, to determine your grant progress and the number of officers redeployed to community policing to date.

What will be asked during the telephone contact?

The COPS Office will ask for the number of officers redeployed, and a timetable for when future redeployment may occur, if it has not occurred already.

HOW TO REPORT VIOLATIONS (Fraud, Waste and Abuse)

If you are aware of 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, please report them to the U.S. Department of Justice Inspector General Hotline at 1-800-869-4499. We greatly appreciate your cooperation to help us ensure that these Federal grant funds are spent responsibly.

**WHEN THE GRANT PERIOD
HAS ENDED**

GRANT “CLOSE OUT”

At the end of your grant period, the COPS Office is responsible for the “close out” 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 by the grant.

Within 90 days of the end of the grant period, you will be asked to submit final financial and program reports. These reports will be very similar to the reports discussed in Section VII.

Final Financial Status Report

The final Financial Status Report of your grant expenditures is due within 90 days after the end of the grant period. (Example: If the award period is 6/1/98 to 5/31/99, the final report is due by 8/31/99). This final report should reflect the total amount of Federal expenditures, the total amount of matching contributions, and the amount of unliquidated 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 90 days after the end of the grant period to expend grant funds that have been obligated. Any grant funds for which you do not request payment at the end of the 90 days will revert to the COPS Office.

Final Progress Report

Within 90 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 instructions will be mailed to you. It will request information similar to the annual Progress Reports.

CONCLUSION

We hope that this manual has assisted you with your grant questions. We welcome and encourage any comments you have regarding COPS MORE '98 and the materials that we have developed for its administration. If you have specific comments regarding this manual, please send them to:

COPS MORE '98 Grant Owner's Manual
Office of Community Oriented Policing Services (COPS)
1100 Vermont Avenue NW, 3rd Floor
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 the Department of Justice Response Center at 1-800-421-6770 or your grant advisor.

APPENDICES

APPENDIX A

List of Source Documents

Primary Sources:

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

U.S. Department of Justice, Office of Justice Programs, Financial and Administrative Guide for Grants, OJP M 7100.1D:
April 1997

Additional Sources:

Code of Federal Regulations (CFR)

28 CFR Part 23 Criminal Intelligence Systems Operating Policies

28 CFR Part 42 Nondiscrimination; Equal Employment Opportunity; Policies and 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

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*, Part 11: Personnel; Part 19: Equipment and Other Capital Expenditures; Part 22: Gains and Losses on Disposition of Depreciable Property and Other Capital Assets (and substantial relocation of Federal Programs); Part 26: Interest; Part 29: Materials and Supplies; Part 33: Professional Services Costs; Part 38: Rental Costs

OMB Circular A-133 *Audits of Educational Institutions and Other Non-Profit Institutions*

Assurances for COPS MORE '98 (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*

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"

APPENDIX B

Assurances and Certifications

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



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-128 or 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. If you are applying for a grant of \$500,000 or more and Department regulations (28 CFR 42.301 et seq.) require you to submit an Equal Opportunity Employment Plan, you will do so at the time of this application, if you have not done so in the past. If you are applying for a grant of less than \$500,000 and the regulations require you to maintain a Plan on file in your office, you will do so within 120 days of your grant award.
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 devise a plan to retain the increased hiring level with state and local funds after the conclusion of your grant.

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

Signature: _____ Date: _____



Certifications

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

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 and non-supplanting 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 67.510 —

- 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 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.

5. Non-Supplanting

The applicant hereby certifies that Federal funds will not be used to replace or supplant state or local funds, or funds supplied by the Bureau of Indian Affairs, that would, in the absence of Federal aid, be made available to or for law enforcement purposes.

6. Retention

The applicant hereby certifies that it understands that it must abide by its submitted plan to retain the additional officer positions at the conclusion of the grant period.

Grantee Name and Address: _____

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

Typed Name and Title of Law Enforcement Representative: _____

Signature: _____ Date: _____

As the duly authorized representative of the governing body, I hereby certify that the 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 Representative: _____

Signature: _____ Date: _____

APPENDIX C

Regional Offices of the Inspector General for Audit

Regional Audit Office	Geographical Area of Responsibility
<p>Clark F. Cooper Atlanta Regional Audit Manager 101 Marietta Street, Suite 2322 Atlanta, GA 30323 Voice No. (404) 331-5928 Fax No. (404) 331-5046</p>	<p>Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, South Carolina, Puerto Rico, Virgin Islands</p>
<p>Robert C. Gruensfelder Chicago Regional Audit Manager CitiCorp Center, 500 West Madison Suite 3510 Chicago, IL 60661 Voice No. (312) 353-1203 Fax No. (312) 886-0513</p>	<p>Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin</p>
<p>George W. Stendell Dallas Regional Audit Manager c/o David Sheeren Assistant Regional Audit Manager Colonnade Center Federal Building 1244 Speer Boulevard, Suite 640 Denver, CO 80204 Voice No. (303) 844-3638 Fax No. (303) 844 2780</p>	<p>Arkansas, Colorado, Louisiana, Montana, New Mexico, North Dakota, Oklahoma, South Dakota, Texas, Utah, Wyoming</p>
<p>M. Thomas Clark San Francisco Regional Audit Manager 1210 Bayhill Drive, Suite 201 San Bruno, CA 94066 Voice No. (415) 876-9220 Fax No. (415) 876-0902</p>	<p>Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Washington, American Samoa, Guam, Trust Territories of the Pacific Islands, Commonwealth of Northern Marianna Islands</p>
<p>Domenic A. Zazzaro Washington Regional Audit Manager 1425 New York Avenue, NW Suite 6001 Washington, DC 20005 Voice No. (202) 616-4688 Fax No. (202) 616-4581</p>	<p>Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia</p>