



**U.S. Department of Justice**

Office of Legislative Affairs

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*Office of the Assistant Attorney General*

*Washington, DC 20530*

The Honorable Jim Jordan  
Chairman  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

Dear Chairman Jordan:

This responds to your letters to the Department of Justice's (Department) Office of Community Oriented Policing Services (COPS Office) dated June 30, 2023, and August 15, 2023, requesting information about the COPS Office's grantmaking process. We appreciate the Committee's interest in the administration of grants by the COPS Office and have enclosed documents responsive to your requests, Bates numbered HJC-COPS-0000001 to HJC-COPS-0001281. In addition to producing these documents, we are providing further responsive information below.

Funds distributed by the Department's grantmaking components, including the COPS Office, impact almost every community throughout the country. These funds support many of the Department's key priorities, including reducing violent crime and gun violence, preventing overdose deaths, and upholding the rule of law. The Department works diligently across its components to ensure we continue to support our state, local, territorial, and Tribal law enforcement counterparts to promote safer and healthier communities; provide vital resources and support to victims of crimes and individuals impacted by the justice system; reduce and prevent domestic and sexual violence; improve our juvenile justice system; enhance our data collection efforts; and elevate evidence-based policies to improve the way we structure our programs and respond to needs of law enforcement and communities across the country.

The COPS Office was created by the Violent Crime Control and Law Enforcement Act of 1994 to advance community policing by the nation's state, local, territorial, and Tribal law enforcement agencies through information, technical assistance, training and grant resources. The COPS Office serves as the cornerstone of the nation's community policing strategy, with grants that help hire police officers and support a variety of knowledge resource products and training and technical assistance directly to state, local, territorial, and Tribal law enforcement. Since its inception, the COPS Office has been appropriated more than \$20 billion to advance community policing, including grants awarded to more than 13,000 state, local, territorial, and Tribal law enforcement agencies to fund the hiring and redeployment of more than 136,000 officers. In fiscal year (FY) 2022, the COPS Office made 860 awards totaling \$454.6 million. In

FY 2021, the COPS Office made 670 awards totaling \$311.3 million. In FY 2020, the COPS Office made 952 awards totaling \$536.7 million.

During FY 2023, the COPS Office received approximately \$662.9 million in funding. The Department publishes its budget requests at <https://www.justice.gov/doj/budget-and-performance>. Every fiscal year, the Department submits its requests for both its budget and allocated number of personnel per component pursuant to Congressional Budget Act of 1974, as amended. This information is sent to Congress and made public. In addition, annual appropriations bills generally require that the Department submit a “Spend Plan” to its appropriators of jurisdiction. This document describes the Department’s plans for spending its appropriated funds and is provided annually to the Appropriations Committees.

### **COPS Office Structure and Management**

You requested an accounting and breakdown of the COPS Office’s staffing. The COPS Office is headed by a Director appointed by the Attorney General and is organized into three primary Directorates: (1) Community Policing Advancement, (2) Grant Operations, and (3) Management Services. Currently, the COPS Office employs 75 federal employees (full-time equivalents or FTEs) and 41 contractors.<sup>1</sup>

#### ***Leadership***

The Director’s Office, which includes the Office of the General Counsel (OGC) and Human Resources (HR), has nine full-time employees consisting of the Director, Senior Counsel to the Director, OGC employees, and HR employees.

The Community Policing Advancement Directorate is managed by a Deputy Director plus two Assistant Directors while the Grant Operations and Management Services Directorate currently share a Deputy Director and have two Assistant Directors for each directorate.

The COPS Office Executive Senior Management Team currently consists of the Director, Senior Counsel to the Director, General Counsel, Deputy Directors, Budget Officer, Supervisory Information Technology Specialist, and Assistant Director of External Affairs.

#### ***Community Policing Advancement Directorate***

The Community Policing Advancement (CPA) Directorate has 19 full-time employees and manages the COPS Office portfolio of training, technical assistance, resource development, and community policing demonstration projects. CPA consists of the Research and Development Division, Partnerships and Technical Assistance Division, and Customer Information and Support Division. CPA staff primarily support the administration of the following programs:

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<sup>1</sup> You also expressed an interest in what you characterize as the COPS Office’s “Human Capital Planning Outlook.” To our knowledge, the COPS Office does not maintain a document with this title. The Department follows a human capital operating plan consistent with 5 C.F.R. § 250.205, but individual Department components, including the COPS Office, do not maintain their own such plans.

- Community Policing Development (CPD);
- Collaborative Reform Initiative (CRI);
- Preparing for Active Shooter Situations (PASS); and
- Law Enforcement Mental Health and Wellness Act (LEMHWA).

CPA's major functions include: (1) providing funding for innovative community policing strategies; (2) partnering with law enforcement experts, the academic community, and other stakeholder organizations to develop and produce resources for law enforcement that highlight ongoing and new law enforcement issues and/or successful community policing strategies; (3) providing tailored training and technical assistance to assist requesting law enforcement agencies and the communities they serve in identifying and implementing organizational improvements and reforms; and (4) convening stakeholders around critical public safety issues resulting in reports that inform the law enforcement field.

### ***Grant Operations Directorate***

The Grant Operations Directorate (GrantOps) has 30 full-time employees and manages the COPS Office portfolio of programs that advance community policing through hiring, equipment, technology, Tribal resources, school violence prevention, anti-drug efforts, and other public safety issues. GrantOps consists of the Grants Administration Division (GAD), Grants Monitoring Division (GMD), and Audit Liaison Division (ALD). GrantOps staff primarily support the administration of the following programs:

- Anti-Heroin Task Force Program (AHTF),
- Blue Alert (BA),
- COPS Anti-Methamphetamine Program (CAMP),
- COPS Hiring Program (CHP),
- School Violence Prevention Program (SVPP), and
- Coordinated Tribal Assistance Solicitation (CTAS)/Tribal Resources Grant Program (TRGP).

GAD is organized into three main sections. The Program Development Section works with leadership on solicitations managed by GAD. The Grant Management Section leverages technology resources to improve outreach and technical assistance on common and key areas that are essential to successful grants administration. Finally, the Divisional Management Section operates the COPS Office Customer Care Center, which supports telephone and email inquiries from the field, applicants, and the public.

GMD and ALD are charged with annual monitoring and audit compliance for all programs, projects, and activities managed by the COPS Office.

The COPS Office FY 23 application resource guide enclosed in this production describes the award terms, conditions, and additional requirements that applicants should be aware of before applying to the COPS Office programs that fall under GAD.

### ***Management Services Directorate***

The Management Services Directorate (MSD) has 17 full-time employees and provides several essential business operations for the COPS Office. MSD comprises the Administration Division, External Affairs Division, and Policy and Project Management Division.

The Administration Division includes Budget, Facilities, Finance, Information Technology (IT), and Procurement Business Units. The Budget Business Unit is responsible for every aspect of all federal budget requirements for the COPS Office in three major areas: Budget Formulation, Budget Execution, and Monitoring of the Fiscal Year Funding. The Facilities Business Unit is responsible for internal maintenance, office space and inventory management, building security coordination, and emergency planning for the COPS Office. The Finance Unit is also responsible for all financial management activities for the COPS Office. This business unit processes all financial commitment and obligation actions and monitors the COPS Office's financial management activities and internal controls. The Information Technology (IT) Business Unit is responsible for designing, implementing, and supporting IT systems, applications, and processes that support COPS Office internal and external stakeholders. The Procurement Business Unit is responsible for ensuring federal acquisition requirements are followed and managing continued compliance with the negotiated procurement contracts and agreements of the COPS Office. This unit also coordinates closely with the Justice Management Divisions Procurement Services Staff.

The External Affairs Division has three primary areas of responsibility including media relations, legislative and Congressional affairs, and intergovernmental outreach.

The Policy and Project Management Division encompasses the Organizational Development, Policy, and Review Business Unit, which provides oversight and guidance to the COPS Office for program audits and internal reviews, policy management, organizational performance measurement, and records management.

### **Overview of the COPS Office Grants**

You have also expressed an interest in the COPS Office's current operations and processes. As of FY 2023, the COPS Office administers 22 discretionary grant programs. A discretionary grant program is one where the COPS Office is responsible for selecting award recipients based on merit and eligibility in accordance with authorizing legislation.<sup>2</sup> The COPS Office's funding plans for the fiscal year are made available for inclusion in the DOJ Program Plan, which is a public online database that provides detailed summaries of the funding opportunities each Department grantmaking component is expecting to release or has released in the current fiscal year. The DOJ Program Plan is available at <https://www.justice.gov/dojgrantsprogramplan>. The DOJ Program Plan assists applicants in

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<sup>2</sup> See 2 C.F.R. § 200.1 (a discretionary award “means an award in which the Federal awarding agency, in keeping with specific statutory authority that enables the agency to exercise judgment (“discretion”), selects the recipient and/or the amount of Federal funding awarded through a competitive process or based on merit of proposals. A discretionary award may be selected on a non-competitive basis, as appropriate.”).

identifying funding opportunities (i.e., solicitations) that address their criminal, juvenile, victim services, and civil justice needs.

For discretionary grant programs, the COPS Office publishes all open competitive solicitations on its website, and applications are subject to review. The solicitations for these programs for FY 2021-2023 are included in the accompanying production. The COPS Office's 22 discretionary grant programs for FY 2023 are:

- Coordinated Tribal Assistance Solicitation (CTAS);
- Collaborative Reform;
- Law Enforcement Mental Health and Wellness Act (LEMWHA): Implementation Projects;
- LEMWHA: National Level Resources, Training, and Technical Assistance;
- Preparing for Active Shooter Situations (PASS);
- Anti-Heroin Task Force (AHTF);
- COPS Anti-Methamphetamine Program (CAMP);
- Community Policing Development (CPD) Microgrants;
- CPD – Implementing Crisis Intervention Teams;
- COPS Hiring Program (CHP);
- CPD Accreditation: Accreditation Resources and Implementation Support;
- CPD Accreditation: Supporting Law Enforcement Agencies in Seeking Accreditation;
- CPD Accreditation: Enhancing Existing Law Enforcement Accreditation Entities;
- CPD Accreditation: Addressing Gaps in State Accreditation;
- School Violence Prevention Program (SVPP);
- CPD De-Escalation Training: Continuation and Expansion of Regional De-Escalation Training Centers;
- CPD De-Escalation Training: Law Enforcement Agency De-Escalation Grants;
- CPD Critical Topics: Emerging Issues Forums;
- CPD Critical Topics: Innovations in Recruitment, Retention, and Workforce Diversification;
- CPD Critical Topics: Tolerance, Diversity, and Anti-Bias Training;
- Tribal Resources Grant Program – Technical Assistance; and the
- Blue Alert Program.

### **COPS Office Grant Award Process**

The COPS Office subjects all grant applications to a rigorous review and approval process prior to award. The COPS Office's award process is governed by the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, as adopted by the Department at 2 C.F.R. § 2800.101.

### ***Solicitation Process***

The COPS Office's award process for grants begins with the issuance of a solicitation (known at some agencies as a "request for proposals" or "notice of funding opportunity"). A

solicitation is a public announcement of the underlying funding opportunity and must comply with the requirements set forth in 2 C.F.R. § 200.204, Notice of Funding Opportunities, and Appendix I, Full Text of Notice of Funding Opportunity. These provisions require that, among other things, a solicitation include a full programmatic description of the funding opportunity, the amount and duration of awards, eligibility information, submission dates and times, and the criteria and process to evaluate applications. The COPS Office solicitations are developed to be consistent with the appropriations language and explanatory statement guidance, statutory and regulatory requirements, and any published priority considerations. The COPS Office's solicitations are made available on Grants.gov and the COPS Office website and are enclosed within this production for FYs 2021 to 2023.

The COPS Office provides applicants with a wide range of resources, including an Application Resource Guide enclosed within this production. The resources provide information about the program, eligibility, funding, and instructions. Applications received by the COPS Office undergo a rigorous, multi-stage, objective review process that starts with a review of basic minimum requirements (BMR) pursuant to the solicitation requirements. BMR ensures that each applicant is eligible to apply for funding and all required elements of the solicitation are addressed in the application. For certain programs such as CHP and SVPP, the BMR is used to assist in reviewing the required crime and fiscal data.

Following the applicant's submission of the BMR, the COPS Office conducts a data verification process. Applicant agencies may be contacted by the COPS Office to verify their application information. This verification process ensures applicants are properly evaluated based on accurate and reliable data.

Following the BMR review, all competitive COPS Office applications are subject to a review in their entirety by the COPS Office pursuant to 2 C.F.R. § 200.204.<sup>3</sup> During this review process, the COPS Office scores each application. The scoring accounts for priorities as designated by the solicitation. Certain programs, as designated by the COPS Office, also have a second review involving teams of supervisors and managers overseeing those programs, the purpose of which is to review first panel recommendations in light of total funding available, administrative compliance, and grantee past performance information.

Program offices, after conducting the reviews described above, prepare a funding recommendation memorandum (FRM) (except for congressionally directed technology and equipment awards). The FRM describes the applications being recommended for funding and other contextual information. The FRMs are reviewed and approved by the COPS Office Director. The FRM documents information about the solicitation, the purpose of the program, the list of applications received and corresponding scores or recommendation designations, the list of applications being recommended, narrative justification for the recommendation, an overview of the review process, and pre-award risk evaluation.

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<sup>3</sup> The Tribal Resource Grant Program (TRGP) is not subject to this same review. TRGP is part of the Department's Coordinated Tribal Assistance Solicitation, which uses external peer reviewers across all programs. Further, sole source procurement or procurement by noncompetitive proposals adhere to the standards set forth in 2 C.F.R. § 200.322(c) and do not require the same review process. See *COPS Fact Sheet* available at [https://cops.usdoj.gov/pdf/2023ProgramDocs/Sole\\_Source\\_Justification\\_Fact\\_Sheet.pdf](https://cops.usdoj.gov/pdf/2023ProgramDocs/Sole_Source_Justification_Fact_Sheet.pdf).



After funding decisions are made, the COPS Office publicly announces all awards on its website. Each program has an awards list, award owner's manual, fact sheets, frequently asked questions documents and Federal Financial Report (SF-425) guidance. These documents for FYs 2021 and 2022 are included in the enclosed production.

### ***Grant Management and Monitoring***

All grantees must ensure proper compliance and timely reporting on COPS Office grants and cooperative agreements. The COPS Office evaluates compliance with applicable grant requirements such as allowable costs, local source and matching funds, financial and programmatic reporting, retention, and supplanting. The COPS Office assesses compliance through on-site visits and enhanced office-based desk reviews. Grantees are also required to submit performance reports semi-annually to the COPS Office. If reports are not submitted in a timely manner, then funds for that award are put on hold. Lastly, a final performance report is due within 120 days after the period of performance end date. The COPS Office Award Owner's Manuals, which detail all compliance and reporting requirements, and the Department Grant Financial Guide are included in the enclosed production.

You also requested information about all individuals ever employed by the COPS Office who also worked at some point for an organization that receives grants from the COPS Office. We are not aware of any existing COPS Office system or database that maintains comprehensive records of the employment history of all current and former COPS Office employees. The COPS Office complies with federal ethics statutes and regulations designed to ensure that federal officials and employees avoid both actual conflicts of interest and the appearance of such conflicts. Accordingly, under 5 C.F.R. § 2635 Subparts D and E, once an actual conflict (or appearance of conflict) is identified, the individual is recused from participating in decisions or actions affecting the conflicted entity unless he or she receives an authorization under the regulations. This requirement applies to decisions, actions or recommendations regarding a grant application, grant awards or contracts or contract bids with which the individual has a conflict (actual or appearance thereof). The COPS Office personnel also comply with applicable requirements to complete confidential or public financial disclosure reports, and complete annual and topic-specific ethics training. Conflicts are addressed through recusals and delegations of authority or by changing the employee's portfolio of work. If, for example, the Director is recused from making an award decision, the decision is typically delegated to the Principal Deputy Director or a Deputy Director of the office. Likewise, if the designee is recused, they will identify an alternate designee to perform their function in the recommendation process regarding that applicant.

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The Department has worked in good faith to address the Committee's stated interest in the operations and processes of its grantmaking components, and we remain committed to doing so.<sup>4</sup> Based on your letter and our subsequent discussions, we understand the Committee to be

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<sup>4</sup> The Department conveyed its commitment to good-faith, voluntary cooperation during multiple discussions with the Committee, as noted in your letter dated August 15, 2023. We also emphasized the broad nature of your requests

broadly interested in the COPS Office's operations and current processes, including its budgeting and grant evaluation and administration processes. To that end, we would be pleased to arrange a briefing as soon as September 18, 2023, by appropriate COPS Office staff to answer questions about this response and address the COPS Office's work more broadly. A briefing is the most efficient and productive way to address your questions given the general programmatic nature of the Committee's inquiry. We welcome the opportunity to discuss further accommodations if the Committee has additional questions following a briefing. We look forward to scheduling a briefing and to continued engagement with the Committee.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

**CARLOS**  
**URIARTE**

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Carlos Felipe Uriarte  
Assistant Attorney General

Enclosure

cc:

The Honorable Jerrold L. Nadler  
Ranking Member  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, DC 20515

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to three separate Department components and made clear that further guidance on your priorities was necessary to ensure a more efficient response. We indicated during a July 25, 2023, teleconference that we would follow up with a timeline for the Department's anticipated response, which we provided in an email three days later.