

and COPS FAST grant excluded equipment, uniforms, vehicles and overtime.

4.2.2 In order to make funds available to the widest number of communities and to expedite the processing of applications, the Department of Justice has determined that no waivers of the restrictions of 4.2 will be granted in connection with the COPS FAST and COPS AHEAD programs. Accordingly, applicants should not apply for more funding than is permitted in accordance with the maximum per officer grant amount as described above. The availability of waivers in connection with other COPS programs will be set forth in future program announcements.

4.2.3 Guidance concerning the matching and non-federal share requirements applicable to all Department of Justice grants is set forth in Title 28, Part 66 of the Code of Federal Regulations.

4.2.3.1 The non-federal share of hire/rehire grants may be applied from the following sources:

(a) Funds from States and local units of government that have a binding, nonspeculative commitment (as of the time of the grant application) of matching funds for programs or projects, including funds appropriated by the State and available to local units of government for the purpose of satisfying the non-federal share requirement;

(b) Funds from the following, where consistent with applicable regulations:

(1) Housing and Community Development Act of 1974, 42 U.S.C. 5301, *et seq.*;

(2) asset forfeiture equitable sharing program, 21 U.S.C. 881(e);

(c) Funds contributed from private sources;

(d) Program income funds from seized assets and forfeitures;

(e) Funds appropriated by the Congress for the activities of any agency of either an Indian tribal government or the Bureau of Indian Affairs performing law enforcement functions on any Indian lands; and

(f) Sources otherwise authorized by law.

4.2.4 The non-federal share of costs must consist of costs incurred during the grant period. In particular, COPS AHEAD grantees may not treat costs incurred or paid prior to the beginning of the grant period as the non-Federal share of grant costs.

4.2.5 COPS AHEAD and COPS FAST grants will be made for a period of three years. The federal share of a hire/rehire grant will decline year by year over the course of the grant, looking toward the continuation of the

increased hiring level using State or local sources of funding following the conclusion of federal support.

4.2.5.1 The rate at which the federal share will decline will be determined, prior to grant award, on a case-by-case basis in a flexible manner. Generally, efforts will be made to accommodate the circumstances and budget requirements of the grantee in the determination of the decrease in federal share.

4.3 If an officer hired or rehired using COPS grant funds leaves a grantee's force during the grant period, the grantee should seek to replace the former officer with a newly hired or rehired officer. The portion of grant funding allocable to such a position will be suspended during the period of time in which the position remains vacant.

4.4 Subject to the limitations of this subsection and requirements of applicable nondiscrimination or other laws, the selection, training and recruitment of career law enforcement officers to be hired or rehired is within the discretion and judgment of the grantee.

4.4.1 In order to further effective law enforcement, grantees will, to the extent practicable and consistent with applicable law, seek, recruit, and hire qualified persons who are members of racial and ethnic minority groups and qualified women to increase their ranks within the sworn positions in the law enforcement agency.

4.4.2 Grantees may hire former members of the Armed Forces to serve as career law enforcement officers, particularly in communities that are adversely affected by a recent military base closing.

4.4.2.1 "Former member of the Armed Forces" means a member of the Armed Forces of the United States who is involuntarily separated from the Armed Forces within the meaning of section 1141 of Title 10, United States Code.

4.4.3 In order to maintain the high quality and preparedness of the nation's law enforcement officers, in hiring new officers, grantees may not reduce the scope of their customary screening and training procedures, and must include community policing principles in their training curricula (including refresher training where appropriate).

4.4.3.1 Assistance in the development or adaptation of training curricula dealing with community policing is available upon request from the COPS Office.

4.5 No grant may be made without the submission and approval of a grant application in the form and manner prescribed by the COPS Office.

4.6 Grant funds must be used in accordance with these guidelines, applicable statutes, DOJ regulations, Notices, Handbooks, OMB circulars, grant agreements and award documents, budget documents, narratives and timetables. Copies of applicable requirements may be obtained from the COPS Office.

4.7 Each grant shall contain a monitoring component. Monitoring will include periodic financial and programmatic reporting and, in appropriate circumstances, on-site reviews. Guidelines for monitoring components will be issued by the COPS Office.

4.8 Selected grant recipients will be evaluated on the local level or as part of a national evaluation. Evaluation means the administration and conduct of studies and analyses to determine the impact and value of a project or program. These evaluations may include assessments of individual program implementations. In selected jurisdictions that are able to support outcome evaluations, an evaluation of the effectiveness of funded programs, projects, and activities may be undertaken. Outcome measures may include crime and victimization indicators, quality of life measures, community perceptions, and police perceptions of their own work.

4.9 Funds made available to States or units of local government shall not be used to supplant or replace State or local funds, or, in the case of Indian tribal governments, funds supplied by the Bureau of Indian Affairs, but shall be used to increase the amount of funds that would, in the absence of a COPS grant, be made available from State or local sources, or in the case of Indian tribal governments, from funds supplied by the Bureau of Indian Affairs.

4.9.1 Each application for a COPS grant shall contain a certification or assurance that COPS grant funds will not be used to supplant State or local funds, or, in the case of Indian tribal governments, funds supplied by the Bureau of Indian Affairs. The certification also must state that funds required to pay the non-federal portion of the cost of each program and project for which such grant is made shall be in addition to funds that would otherwise be made available for law enforcement.

4.9.2 To prevent supplanting, grantees must devote additional resources to law enforcement beyond those that would have been made available irrespective of the application for or receipt of a COPS grant. In general, absent a demonstrated justification unrelated to the COPS grant, COPS grants will be expected to