



Edward Byrne Memorial Justice Assistance Grant (JAG)

Prohibited and Controlled Expenditures

Prohibited Expenditures under JAG:

- Any items listed below or projects related to these items **are strictly prohibited** under JAG per the [Executive Order 13688 on Federal Support for Local Law Enforcement Equipment Acquisition](#). These projects and/or items cannot be approved under any circumstances.

1. Tracked armored vehicles
2. Weaponized aircraft, vessels and vehicles of any kind
3. Firearms and/or ammunition with a caliber of .50 or higher
4. Grenade Launchers
5. Bayonets
6. Camouflage Uniforms (digital pattern) *Woodland and desert patterns are allowable

Controlled Expenditures under JAG:

- Any projects and/or items listed within the “**Controlled Expenditures**” table below are only allowable under JAG with prior approval from BJA. This list is a combination of items controlled under [Executive Order 13688 on Federal Support for Local Law Enforcement Equipment Acquisition](#) and/or statutorily by the JAG Program. **To submit a request for approval to purchase a controlled item, please follow the instructions on page three of this document.**

1. Unmanned Aircraft (UA), Unmanned Aerial Vehicle (UAV) and/or Unmanned Aerial System (UAS)
2. Armored Vehicles (wheeled)
3. Command and Control Vehicles (Bus, Recreational Vehicle, etc.)
4. *Boats (Non-Police Patrol)
5. *Tactical and/or passenger SUVs, Vans and Trucks (excluding SUVs that are used for Police Patrol)
6. Manned aircraft, fixed and/or rotary wing
7. Specialized firearms and ammunition under .50 caliber (excludes firearms/ammunition for service-issued weapons)
8. Breaching Apparatus (battering ram or similar entry device)
9. Riot Helmets, shields and/or batons (excluding service-issued telescopic or fixed-length straight batons)
10. Explosives and pyrotechnics
11. Luxury items and Real estate
12. Construction projects (other than penal/correctional institutions)
13. *Segway, ATV and Golf Cart (Non-Police Patrol)
*Controlled Expenditure request is required if the vehicle is not being used in the ordinary course by police forces in the United States for patrol activities. Additionally, Segways, ATVs and golf carts never require a controlled expenditure request in states which do not require licensing and registration for those vehicle types.

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Controlled Expenditures Justification Template

This template is based on recommendations pursuant to [Executive Order 13688 on Federal Support for Local Law Enforcement Equipment Acquisition](#). To utilize JAG funds to support a project and/or purchase an item listed within the “**Controlled Expenditures**” table above, applicants/grantees must attach a letter on their agency’s letterhead, addressed to the BJA Director. The letter can be included as an attachment to an application pre-award or a Program Office Approval Grant Adjustment Notice (GAN) post-award. **This letter must fully address all 11 elements listed below and applicants/grantees may not obligate and/or expend any JAG funds until prior approval has been granted by BJA to do so.**

1. A general description of the requesting agency;
2. A detailed justification for supporting the controlled project and/or acquiring the controlled items, including a clear and persuasive explanation of the need for and appropriate criminal justice purpose that it will serve. (If applicable, please describe any previous instance in which the controlled item was used in a manner that deviated from the detailed justification supporting the application for that equipment.);
3. The number of units of the requested controlled item(s) that are currently in your agency’s inventory;
4. Categories of other controlled equipment acquired through Federal programs during the past three (3) years that the requesting agency currently has in its inventory;
5. Whether the requested controlled equipment currently could reasonably be accessed through loans or mutual assistance or mutual aid agreements;
6. Certification (written assurance) that the requesting agency has adopted required protocols ([see Recommendation 2.1](#): Agencies that acquire controlled equipment through Federal programs must adopt robust and specific written policies and protocols governing General Policing Standards and Specific Controlled Equipment Standards.) or will adopt those protocols before physical acquisition or purchase of controlled equipment or transfer of funds;
7. Certification (written assurance) that the requesting agency has provided required training ([see Recommendation 2.2](#): Agencies that acquire controlled equipment through Federal programs must ensure that its personnel are appropriately trained and that training meets the specified requirements.) or will provide that training before physical acquisition or purchase of controlled equipment or transfer of funds;
8. Evidence of civilian governing body’s review and approval or concurrence of the requesting agency’s acquisition of the requested controlled equipment;
9. Whether the requesting agency has applied, or has a pending application(s), for this type of controlled equipment from another Federal agency during the current fiscal year;
10. Whether any prior application for controlled equipment has been denied by a Federal agency during the past three (3) years, and, if so, the reason for the denial; and
11. Whether the requesting agency has been found to be in violation of a Federal civil rights statute or programmatic term during the past three (3) years and, if so, whether any disposition was reached or corrective actions were taken.