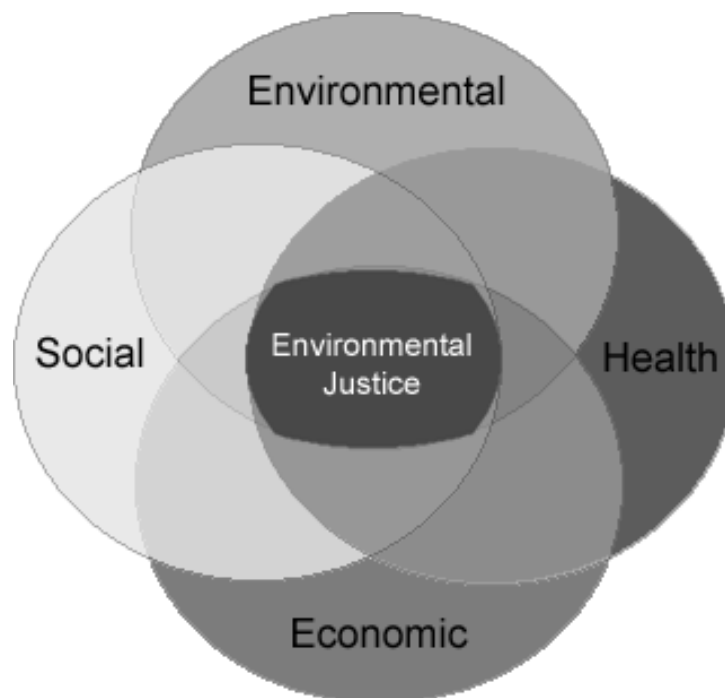




Environmental Justice Hazardous Substance Research Small Grants Program

Application Guidance FY 2004



United States
Environmental Protection
Agency

Enforcement and
Compliance Assurance
(2201A)

February 2004

http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html

Office of Environmental Justice

FOR ADDITIONAL COPIES CONTACT

Office of Environmental Justice

1-800-962-6215

or send an e-mail to

environmental-justice-epa @epa.gov

inside front cover

INTRODUCTION

The purpose of this grant program is to provide financial assistance to affected local community-based organizations to support projects to examine issues related to a community's exposure to multiple environmental harms and risks. Projects must be of a research nature only, i.e., survey, research, collecting and analyzing data which will be used to expand scientific knowledge or understanding of the subject studied. The EPA's grant regulations define "research" as "systematic study directed toward fuller scientific knowledge or understanding of the subject studied," 40 CFR 30.2(dd). Research activities under this grant program do not include "development" as defined in 40 CFR 30.2 (dd). The EPA has interpreted "research" to include studies that extend to socioeconomic, institutional, and public policy issues as well as the "natural" sciences. Research projects need not be limited to academic studies. EPA intends for the results of these research projects to be disseminated to members of the affected community. Funds can be used to develop a new activity or substantially improve the quality of existing programs that have a direct impact on affected communities. During FY 2004 (October 1, 2003 - September 30, 2004), the EPA will make available \$500,000 in grant funds to local community-based organization. The applications **must be date stamped by courier service or postmarked by the U. S. Postal Service by midnight, Friday, April 30, 2004.**

Catalogue of Federal Domestic Assistance Number: 66.604 Environmental Justice Hazardous Substances Research Small Grants Program.

This guidance includes the following:

- I. Funding Opportunity Description
- II. Award Information
- III. Eligibility Information
- IV. Application and Submission Information
- V. Application Review Information
- VI. Award Administration Information
- VII. Agency Contact(s)
- VIII. Other Information

Application Package Checklist

Appendix A: Application Forms, Completed Sample Forms and Budget Detail

Appendix B: 40 CFR 30.27 "Allowable Costs".

Appendix C: Guidance on Lobbying Restrictions

Translations Available

The Spanish translation of this application is available at 1-800-952-6215. It can also be downloaded from at

http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html

SECTION I - Funding Opportunity Description

Scope of the Environmental Justice Hazardous Substances Research Small Grant Program

In its 1992 report entitled, “*Environmental Equity: Reducing Risk for All Communities*,” the EPA found that minority and/or low-income populations may experience disproportionate exposure to environmental harms and risks. The EPA established the Office of Environmental Justice (OEJ) in 1992 to help, among other things, these communities identify and assess pollution sources, to implement environmental awareness and training programs for affected local community residents, and to work with community stakeholders to devise strategies for environmental and/or public improvements.

In June of 1993, OEJ was delegated grant authority to solicit, select, assist, and evaluate environmental justice-related projects, and to disseminate information on the projects’ content and effectiveness. FY 1994 marked the first year of what is now called the Environmental Justice Hazardous Substances Research Small Grants Program. The chart below shows how the grant monies have been distributed since FY 1994.

<u>Fiscal Year</u>	<u>\$ Amount</u>	<u>Number of Awards</u>
1994	500,000	71
1995	3,000,000	175
1996	2,800,000	152
1997	2,700,000	139
1998	2,500,000	123
1999	1,455,000	95
2000	899,000	61
2001	1,300,000	88
2002	1,113,000	73
2003	920,000	55

Environmental Justice Defined Under the Environmental Justice Hazardous Substances Research Small Grants Program

Environmental justice is the *fair treatment* and *meaningful involvement* of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. *Fair treatment* means that no one group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal environmental programs and policies. *Meaningful involvement* means that: (a) the potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (b) the public’s contribution can influence the regulatory agency’s decision; (c) the concerns of all participants involved will be considered in the

decision-making process; and (d) the decision-makers seek out and facilitate the involvement of those potentially affected.

Purpose of the Environmental Justice Hazardous Substances Research Small Grants Program

The purpose of this grant program is to provide financial assistance to eligible affected local community-based organizations that are working on or plan to carry out projects to address environmental and/or public health concerns. Funds can be used to develop a new activity or substantially improve the quality of existing programs that have a direct impact on affected local communities. All awards will be made in the form of a \$25,000 grant not to exceed one year.

The OEJ, which manages the Agency’s national Environmental Justice Hazardous Substances Research Small Grants Program, is soliciting grant applications for projects intended to examine issues related to a community’s exposure to multiple environmental harms and risks. Issues of environmental justice often involve multiple sources of contamination, their cumulative impacts on the environment, and their effect on human health. Some of these sources may include multiple industrial facilities and the various contaminants they emit, environmental hazards at the workplace or home, transportation-related pollution, contamination from drinking water, or contamination resulting from the consumption of fish or other subsistence food. These situations may occur in urban, suburban, rural or tribal settings. A more holistic approach to environmental protection goes beyond setting limits for individual pollutants and facilities in isolation. Information must take into account the multiple impacts of all pollutants in the environment. In environmentally overburdened low-income, minority or tribal communities, a focus on the impacts from multiple environmental harms and risks can greatly assist the communities in understanding their environmental issues and developing more effective solutions to their environmental and/or public health concerns.

Grant funds shall be used to support research activities that examine issues related to a community’s exposure to multiple environmental harms and risks. Projects must be of a research nature only, i.e., survey, research, collecting and analyzing data which will be used to expand scientific knowledge or understanding of the subject studied. Research projects, however, need not be limited to academic studies. The EPA has interpreted “research” to include studies that extend to socioeconomic, institutional, and public policy issues and the “natural” sciences. Projects may include the following activities: (1) research related to the detection, assessment, and evaluation of the effects on and risks to human health from hazardous substances and the detection of hazardous substances in the environment; (2) design and demonstrate field methods, practices, and techniques, including assessment of environmental and ecological conditions and analysis of environmental and public health problems; (3) identification and assessment of multiple environmental harms and risks and/or public health concerns in the community; (4) case studies on practices and techniques for detecting and effectively responding to hazardous substance contamination; and (5) identification of institutional and public policy barriers to detecting,

assessing and evaluating hazardous substance contamination in communities. Research cannot relate to contamination from petroleum products in accordance with the definition of hazardous substances indicated in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Section 101(14). Projects that involve incidental petroleum contamination that is “mixed” with other contaminants may be considered on a case-by-case basis. Any training activities must be limited to training in research techniques. Funding under this assistance program is not available for general organizational support, capacity building, program development or other activities unrelated to research.

Goal for Research Projects

In addition to the special research requirements for grants under CERCLA outlined above, the application must include a description of how the research projects will examine and address the issue of multiple environmental harms and risks.

Please note:

A Quality Assurance Plan (QAP) must be submitted to your EPA Project Officer prior to the beginning of the research for projects that include scientific research and/or data collection.

ANTICIPATED ACCOMPLISHMENTS (Performance Measures) for the Environmental Justice Hazardous Substances Research Small Grants Program

As required by 40 CFR Part 30.60, anticipated accomplishments must be stated. **The overarching goal of the Environmental Justice Hazardous Substances Research Small Grants Program is to build the capacity of the affected local communities to address strategically the multiple environmental harms and risks that impact the environment and/or health of the residents.**

The following criteria will be used by EPA to measure the success of the overall program. These criteria are for the evaluation of the grant program as a whole and each grantee should consider these criteria as they develop their own project performance measures:

1. Documentation and identification of the local environmental and/or public health issues;
2. Development of mechanisms to share lessons learned from the process; and
3. Identification of tangible environmental and/or health benefits.

Consistent with the factors EPA will use, the following measures will be used to evaluate the success of the Environmental Justice Hazardous Substances Research Small Grants Program, including, but not limited to:

- ▶ Significant improvement in the quality of life issues for the affected local communities is achieved;
- ▶ Community capacity is significantly improved for program participants;
- ▶ Outcomes or lessons learned in affected local communities are transferred to other similarly situated communities; and

- ▶ Enhanced community understanding of environmental and public health information systems and general information on pollution in the community.

SECTION II - Award Information

The total amount of funding available for this program is approximately \$500,000 in grant funds to eligible organizations (pending availability of funds). All awards will be made in the form of a Federal grant, each award in an amount of \$25,000, to be used over a one-year period. Activities must be completed and funds spent within the one year period specified in the grant award. Project start dates will depend on the grant award date (most projects begin in August or September). The recipient organization is responsible for the successful completion of the project.

EPA will consider only one application per applicant for any given project. However, applicants that previously received small grant funds may submit an application for a separate project. Additionally, the Environmental Justice Hazardous Substances Research Small Grants Program is a competitive grant program. Every application for FY 2004 will be evaluated based on the merits of the proposed project in comparison to other FY 2004 applications. **Applicants may not receive federal funding from more than one source for the same project**

SECTION III - Eligibility Information

1. *Eligible Applicants:* Affected local community-based community organizations. An affected local community-based organization (LCBO) is defined for this grant program as an entity/organization that is (1) at the most basic level of the organizational hierarchy such as a grassroots group/neighborhood organization that is not affiliated with a larger national, regional or state organization; (2) located in the same area as the environmental and/or public health problem that is described in the application and where the residents of the affected community reside; (3) focused primarily on addressing the environmental and/or public health problems of the residents of the affected community; and (4) comprised primarily of members of the affected community. "Affected" is defined as being in the locale which is influenced or altered by the environmental/public health problem. An applicant must meet all of the above requirements and must explain how it fits each of those requirements in the application. An applicant must be a nonprofit organization as demonstrated through designation by the Internal Revenue Service as a Section 501 (c)(3) organization or through incorporation as a nonprofit organization under applicable state law in order to Small receive Federal funds under this grant program. Individuals; universities; state, local, and tribal governments; water districts or similar entities; large non-governmental organizations such as national environmental groups; environmental justice networks; or organizations that are not located in the affected communities where the projects are located are not eligible to receive Federal funds under this grant program.

2. ***Cost Sharing or Matching*** - None required.

3. ***Types of Projects Eligible for Funding***

The OEJ, which manages the Agency’s national Environmental Justice Hazardous Substances Research Small Grants Program, is soliciting grant applications for projects intended to examine issues related to a community’s exposure to multiple environmental harms and risks. Issues of environmental justice often involve multiple sources of contamination, their cumulative impacts on the environment, and their effect on human health. Some of these sources may include multiple industrial facilities and the various contaminants they emit, environmental hazards at the workplace or home, transportation-related pollution, contamination from drinking water, or contamination resulting from the consumption of fish or other subsistence food. These situations may occur in urban, suburban, rural or tribal settings. A more holistic approach to environmental protection goes beyond setting limits for individual pollutants and facilities in isolation. Information must take into account the multiple impacts of all pollutants in the environment. In environmentally overburdened low-income, minority or tribal communities, a focus on the impacts from multiple environmental harms and risks can greatly assist the communities in understanding their environmental issues and developing more effective solutions to their environmental and/or public health concerns.

Projects may include the following activities: (1) research related to the detection, assessment, and evaluation of the effects on and risks to human health from hazardous substances and the detection of hazardous substances in the environment; (2) design and demonstrate field methods, practices, and techniques, including assessment of environmental and ecological conditions and analysis of environmental and public health problems; (3) identification and assessment of multiple environmental harms and risks and/or public health concerns in the affected community; (4) case studies on practices and techniques for detecting and effectively responding to hazardous substance contamination; and (5) identification of institutional and public policy barriers to detecting, assessing and evaluating hazardous substance contamination in affected communities.

Examples of Projects - Involving “Multiple Environmental Harms and Risks” in the Community

The following projects are provided for illustrative purposes only and are not intended to reflect all of the possible types of projects eligible under this grant program.

Project Example No. 1

This project focuses on hazardous substances research. Youth project participants will: (1) receive training to help them research what substances are being transported on trains; (2) identify hazardous substances through visual and video recordings of placards on trains and through contact with Union Pacific representatives; (3) analyze recorded data and input it into a computer database; (4) research the potential effects of a spill or accident involving each substance and what the implications are for the surrounding neighborhood; (5) research what actions community

members should take in the event of a spill or accident; (6) compile results and make findings available for presentations; (7) publish the results in a bound report; and (8) keep a journal of activities that can be used as a model by youth organizations nationwide conducting research in their own neighborhoods.

Project Example No. 2

The project involves research, investigations, experiments, demonstrations, surveys and studies relating to the causes, extent, prevention, reduction and elimination or control of pollution of the water and air, which is impacted by urban industrialization and toxic wastes. Local high school and college students will learn how to conduct river research and report their findings. The purpose of the project is to teach students research techniques and how to communicate their findings. The project will provide information through community newsletters, river tours, and presentations to other stakeholders.

SECTION IV - Application and Submission Information

1. ***Address to Request Applications:*** Application guidance is available upon request by contacting your regional office listed in Section VII or on the EPA's website at http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html

2. ***Content and Form of Application Submission:*** Proposals from eligible organizations **must** have the following:
 1. **The Application for Federal Assistance (SF 424)** is the official form required for all federal grants that requests basic information about the grantee and the proposed project. The applicant must submit the original application form, and one copy, signed by a person duly authorized by the governing board of the applicant. Please complete Part 10 of the SF 424 form, "Catalog of Federal Domestic Assistance Number" with the following information: 66.604 - Environmental Justice Hazardous Substances Research Small Grants Program. **Grant applicants are required to provide a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number when applying for Federal grants. Organizations can receive a DUNS number in one day, at no cost, by calling the dedicated toll-free DUNS Number request line at 1-866-705-0025.** The website where an organization can obtain a DUNS number is: <http://www.dnb.com>. This is a new requirement from the Office of Management and Budget for grants, effective October 1, 2003. See Appendix A for a copy of this form and a completed sample.

2. **The Federal Standard Form (SF 424A)** which provides information on your budget. **For the purposes of this grant program, complete only the non-shaded areas of SF 424A.**
3. **Detailed Budget** estimates should support your work plan narrative. See Appendix A for a sample of a budget detail.
4. **A work plan narrative of the proposal is not to exceed five (5) pages.** A work plan narrative describes the applicant's proposed project. The pages of the work plan must be letter size (8 ½ x 11 inches), with normal type size (12 characters per inch), and at least 1 inch margins.

The work plan narrative is one of the most important aspects of your application and (assuming that all other required materials are submitted) will be used as the primary basis for selection. Work plans must be submitted as follows;

- a. A one-page summary that *identifies the following*:
 1. Environmental and/or public health concerns to be addressed by the project;
 2. The community/target audience; and
 3. The program goal(s) that the project will meet and how it will meet it.
- b. A concise **introduction** that states:
 1. The nature of the organization (i.e., how long it has been in existence and how the applicant meets the definition of an affected local community-based organization);
 2. How the organization has been successful in the past;
 3. The purposes of the project;
 4. Detailed characteristics of the affected community/target audience (racial, ethnic and socioeconomic);
 5. Projects completion plans/time frames, and
 6. Expected results.
- c. A concise **project description** that describes the activities the organization will undertake to **examine and address the issue of multiple environmental harms and risks in the target community.**
- d. A **conclusion** discussing how the applicant will evaluate and measure the success of the project, including anticipated benefits and challenges in implementing the project.
- e. **Anticipated accomplishments must** be stated along with a set of performance measures for how you will determine the overall success of your project at meeting those accomplishments. (Refer to Page 4 for a discussion of how EPA will measure the success of the overall grant program.)

5. An **appendix** with resumes of up to three key personnel who will be significantly involved in the project.
6. **Nonprofit Status.** The applicant must provide documentation of the organization's nonprofit status.
7. **Other Submission Requirements:** Please list the title of the project and amount of funding provided by EPA for any other grants or cooperative agreements from EPA in the last three years.

Applications that do not include all applicable information listed above, will not be considered for an award. Applications that propose projects that are inconsistent with the EPA's statutory authority for this program or the activity for the program are ineligible for funding and will not be evaluated.

3. *Submission Dates and Times*

The full application package must be **date stamped by courier service or postmarked by the U. S. Postal Service by midnight, Friday, April 30, 2004.** Use the appropriate EPA regional office address listed in Section VII.

4. *Confidentiality and Intergovernmental Review*

Confidentiality: Please mark any information in the proposal that you consider confidential. EPA will follow the procedures at 40 CFR Part 2 if information marked confidential is requested from the Agency under the Freedom of Information Act.

Intergovernmental Review: Your application to this EPA program may be subject to your state's intergovernmental review process and/or the consultation requirements of Section 204, Demonstration Cities and Metropolitan Development Act. See 40 CFR Part 29 for details. Check with your state's Single Point of Contact to determine your requirements. Some states do not require this review. Applicants from American Samoa, Guam, Puerto Rico, and the U.S. Virgin Islands should also check with their Single Point of Contact. A list of the states Single Point of Contact is available at <http://www.whitehouse.gov/omb/grants/spoc.html>.

5. *Are There Any Restrictions on the Use of the Federal Funds?*

Yes. EPA grant funds can only be used for the purposes set forth in the grant agreement, and be consistent with the statutory authority for the award. Grant funds from this program cannot be used for matching funds for other federal grants, lobbying, or intervention in federal regulatory or adjudicatory proceedings. In addition, the recipient **may not use these federal assistance funds to sue the federal government or any other government entity.** Refer to 40 CFR 30.27,

entitled “Allowable Costs” (see Appendix B). The scope of environmental justice grants **may not include construction, promotional items (e.g., T-shirts, buttons, hats), and furniture purchases. Applicants may not receive funding from more than one source for the same project.**

SECTION V - Application Review Information

1. **Evaluation Criteria:** All applications will be reviewed and scored according to the following criteria:

A. Threshold Criteria. Applications that do not include all items list in **Section IV, 2. Content and Form of Application Submission** will not be considered for an award and will not be scored. Additionally, applications that propose projects that are inconsistent with the EPA’s statutory authority for this program or the activity for the program are ineligible for funding and will not be scored. Regional offices will contact applicants whose proposals do not meet the threshold requirements to determine whether the proposal can be revised to meet the threshold requirements.

B. Scoring Criteria. Applications meeting the threshold criteria will be scored by an EPA Review Panel, consisting of regional staff. The corresponding points next to each criterion are the weights EPA will use to score the applications. Points will range depending on how well the applicant meets the given criterium. Please note that certain sections are given greater weight than others. The application will be scored based on the following evaluation criteria:

1. The extent to which the work plan narrative clearly and effectively describes the following: **(35 points)**
 - a. An environmental and/or public health concerns related to the multiple environmental harms and risks affecting a community. **(20)**
 - b. The target community being served (e.g., demographics, socioeconomic characteristics, geographic location, etc.). **(5)**
 - c. The nature of the organization (i.e., how the applicant meets the definition of an affected local community-based organization). **(10)**
2. The extent to which the proposal includes the following: **(40 points)**
 - a. Specific realistic goals and objectives that deal with the environmental justice issue(s). **(15)**
 - b. A well-conceived strategy to achieve the goals and objectives. **(15)**
 - c. A description of partnering or participating community organizations, universities and local governments. Describe how they will participate in the project and explain the strategies for cooperation and communication with the identified organizations or governments. **(10)**
3. The extent to which the project clearly and effectively discusses how the applicant will

evaluate the success of the project including appropriate qualitative and quantitative measures. **(15 points)**

4. The extent to which the project has participants who are well qualified to conduct the proposed project based on a demonstrated record of success in their area of expertise? **(10 points)** (Attention: The qualifications of the recipient's Project Manager is subject to approval by the EPA Project Officer.)

2. *Review and Selection Process*

The **EPA regional offices** will review, evaluate, and select grant recipients. Applications will be screened to ensure that they meet all eligibility and threshold requirements described in Sections II - IV. Applications which meet the threshold requirements will be scored by regional review panels based on the evaluation criteria outlined above. After the individual projects are scored, the **EPA regional officials** will compare the best applications and make final recommendations.

Additional factors that the EPA will take into account include geographic and socioeconomic balance, diverse nature of the projects, cost, past performance and projects whose benefits can be sustained after the grant is completed. Regional Administrators will select the final grants. Please note that this is a very competitive grant program. Limited funding is available and EPA expects to receive many grant applications. Therefore, the Agency cannot fund all applications. A listing of other EPA grant programs may be found in the Catalog of Federal Domestic Assistance. This publication is available on the internet at www.cfda.gov and at local libraries, colleges, or universities.

3. *Anticipated Announcement and Award Dates*

February 27, 2004	FY 2004 Environmental Justice Hazardous Substances Research Small Grants Program Application Guidance is available on www.fedgrants.gov and http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html . Hard copies are available upon request.
February 27, 2004 to April 30, 2004	Eligible grant recipients develop and complete their applications.
April 30, 2004	The application must be date stamped by courier service or postmarked by the U. S. Postal Service by midnight, Friday, April 30, 2004
May 4, 2004 to July 30, 2004	EPA program officials review and evaluate applications and select grant finalists

**July 30, 2004 to
September 30, 2004**

Applicants will be contacted by the Region if their applications are being considered for funding. Additional information may be required from the finalists, as indicated in Section IV. The EPA regional grants offices will process grants and make awards.

September 30, 2004

EPA expects to announce of the FY 2004 Environmental Justice Hazardous Substances Research Small Grants recipients.

SECTION VI - Award Administration Information

1. Award Notices

After all applications are received, acknowledgments will be mailed to applicants. Once applications have been recommended for funding, the EPA Regions will notify the finalists and request any additional information necessary to complete the award process. The finalists will be required to complete additional government application forms before receiving a grant, such as the EPA Form SF-424B (Assurances - Non-Construction Programs) and EPA Form 5700-49, the Certification Regarding Debarment, Suspension, and Other Responsibility Matters. The federal government requires all grantees to certify and assure that they will comply with all applicable federal laws, regulations, and requirements. The designated EPA official or their designees will notify those applicants whose projects are not selected for funding.

2. Reporting

Unless specified in the award, all recipients must submit final reports for EPA approval within ninety (90) days of the end of the project period. Specific report requirements (e.g., Quarterly or Semiannual Progress Reports, a Final Technical Report and a Financial Status Report) will be described in the award agreement. The EPA will collect, review, and disseminate grantees' final reports to serve as models. For further information about this program, please visit the EPA's website at http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html

SECTION VII - Agency Contact(s)

When and Where Must Applications be Submitted?

The applicant must submit/mail one signed **original** application with required attachments and **one copy** to the primary contact at the respective EPA regional office listed below. The application must be **date stamped by courier service or postmarked by the U. S. Postal Service by midnight, Friday, April 30, 2004.**

Office of Environmental Justice Hazardous Substance Research Small Grants Program
Application Guidance FY 2004

REGIONAL CONTACT NAMES AND ADDRESSES

Region 1 *Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont*

Primary Contact: Kathy Castagna (617) 918-1429

castagna.kathleen@epa.gov

USEPA Region 1 (RAA)
One Congress Street - 11th Floor
Boston, MA 02203-0001

Secondary Contact: Davina Wysin (617) 918-1020

wysin.davina@epa.gov

Region 2 *New Jersey, New York, Puerto Rico, U.S. Virgin Islands*

Primary Contact: Terry Wesley (212) 637-5027

wesley.terry@epa.gov

USEPA Region 2
290 Broadway, 26th Floor
New York, NY 10007

Secondary: Tasha Frazier (212) 637-3861

frazier.tasha@epa.gov

Region 3 *Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, West Virginia*

Primary Contact: Reginald Harris (215) 814-2988

harris.reggie@epa.gov

USEPA Region 3 (3DA00)
1650 Arch Street
Philadelphia, PA 19103-2029

Region 4 *Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee*

Primary Contact: Elvie Barlow (404) 562-9650

barlow.elvie@epa.gov

USEPA Region 4
61 Forsyth Street
Atlanta, GA 30303-8960

Secondary: Cynthia Peurifoy (404) 562-9649

peurifoy.cynthia@epa.gov

Region 5 *Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin*

Primary Contact: Margaret Millard (312) 353-1440

millard.margaret@epa.gov

USEPA Region 5 (DM7J)
77 West Jackson Boulevard
Chicago, IL 60604-3507

Secondary: Alan Walts (312) 353-8894

walts.alan@epa.gov

Region 6 *Arkansas, Louisiana, New Mexico, Oklahoma, Texas*

Primary Contact: Shirley Quinones (214) 665-2713

Quinones.shirley@epa.gov

USEPA Region 6
Fountain Place, 13th Floor
1445 Ross Avenue (RA-D)
Dallas, Texas 75202-2733

Secondary Contact: Nelda Perez (214) 665-2209

perez.nelda@epa.gov

**Office of Environmental Justice Hazardous Substance Research Small Grants Program
Application Guidance FY 2004**

Region 7
Primary Contact: **Iowa, Kansas, Missouri, Nebraska**
Pamela K. Johnson (913) 551-7480
johnson.pamelak@epa.gov
USEPA Region 7
901 North 5th Street (RGAD/ECO)
Kansas City, KS 66101

Secondary
Monica Espinosa (913) 551-7058
espinosa.monica@epa.gov

Region 8
Primary Contact: **Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming**
Nancy Reish (303) 312-6040
reish.nancy@epa.gov
USEPA Region 8 (8ENF-EJ)
999 18th Street, Suite 300
Denver, CO 80202-2466

Secondary:
Jean Belille (303) 312-6556
belille.jean@epa.gov

Region 9
Primary Contact: **Arizona, California, Hawaii, Nevada, American Samoa, Guam**
Karen Henry (415) 972-3844
henry.karen@epa.gov
USEPA Region 9 CMD-1
75 Hawthorne Street
San Francisco, CA 94105

Secondary:
Nate Lau (415) 972-3839
lau.nate@epa.gov

Region 10
Primary Contact: **Alaska, Idaho, Oregon, Washington**
Cecilia A. Contreras (206)-553-2899
contreras.cecilia@epa.gov
USEPA Region 10 (CRE-164)
1200 Sixth Avenue
Seattle, WA 98101

Secondary:
Susanne Salcido (206) 553-1687
salcido.susanne@epa.gov

SECTION VIII - Other Information

How Can I Receive Information on the Fiscal Year 2005 (October 1, 2004 to September 30, 2005) Environmental Justice Hazardous Substances Research Small Grants Program?

If you wish to be placed on the national mailing list to receive information on the FY 2005 Environmental Justice Hazardous Substances Research Small Grants Program, email your request along with your name, organization, address, and phone number to lewis.sheila@epa.gov or mail your request along with your name, organization, address, and phone number to:

U.S. Environmental Protection Agency
Environmental Justice Hazardous Substances Research Small Grants Program (2201A)
FY 2005 Grants Mailing List
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460
1 (800) 962-6215

If you wish to receive information on local Environmental Justice programs, you may mail or email your request along with your name, organization, address, and phone number to the appropriate regional office listed above. Thank you for your interest in the Environmental Justice Hazardous Substances Research Small Grants Program.

APPLICATION PACKAGE CHECKLIST

- Application Form - SF 424, 424A including a budget worksheet
- Budget Detail
- Work plan narrative - Prepared according to instructions provided
- Resumes of key personnel
- Documentation of nonprofit status

*Appendix A - Application Forms, Completed Sample Forms and Budget Detail
(Standard Forms 424 and 424A)*

Application Packages are available on
http://www.epa.gov/compliance/environmentaljustice/grants/ej_smgrants.html in Adobe pdf
format. To view the Adobe file, you will need the Adobe Acrobat plug-in for your browser.

**APPLICATION FOR
FEDERAL ASSISTANCE**

1. TYPE OF SUBMISSION: Application		2. DATE SUBMITTED	Applicant Identifier
<input type="checkbox"/> Construction	Pre-application	3. DATE RECEIVED BY STATE	State Application Identifier
<input type="checkbox"/> Non-Construction	<input type="checkbox"/> Construction	4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
	<input type="checkbox"/> Non-Construction		

5. APPLICANT INFORMATION

Legal Name:		Organizational Unit:	
Organizational DUNS:		Department:	
Address:		Division:	
Street:		Name and telephone number of person to be contacted on matters involving this application (give area code)	
City:		Prefix:	First Name:
County:		Middle Name	
State:		Last Name	
Zip Code	Suffix:		
Country:		Email:	

6. EMPLOYER IDENTIFICATION NUMBER (EIN): □□-□□□□□□□□	Phone Number (give area code)	Fax Number (give area code)
--	-------------------------------	-----------------------------

8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) (See back of form for description of letters.) <input type="checkbox"/> <input type="checkbox"/> Other (specify)	7. TYPE OF APPLICANT: (See back of form for Application Types) Other (specify)
9. NAME OF FEDERAL AGENCY:	

10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE (Name of Program): □□-□□□□	11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT:
--	--

12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.):
--

13. PROPOSED PROJECT Start Date: Ending Date:	14. CONGRESSIONAL DISTRICTS OF: a. Applicant b. Project
--	--

15. ESTIMATED FUNDING:	16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?
a. Federal \$.00	a. Yes. <input type="checkbox"/> THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON DATE:
b. Applicant \$.00	b. No. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E. O. 12372
c. State \$.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW
d. Local \$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?
e. Other \$.00	<input type="checkbox"/> Yes If "Yes" attach an explanation. <input type="checkbox"/> No
f. Program Income \$.00	
g. TOTAL \$.00	

18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

a. Authorized Representative		
Prefix	First Name	Middle Name
Last Name		Suffix
b. Title		c. Telephone Number (give area code)
d. Signature of Authorized Representative		e. Date Signed

INSTRUCTIONS FOR THE SF-424

Public reporting burden for this collection of information is estimated to average 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

This is a standard form used by applicants as a required face sheet for pre-applications and applications submitted for Federal assistance. It will be used by Federal agencies to obtain applicant certification that States which have established a review and comment procedure in response to Executive Order 12372 and have selected the program to be included in their process, have been given an opportunity to review the applicant's submission.

Item:	Entry:	Item:	Entry:																
1.	Select Type of Submission.	11.	Enter a brief descriptive title of the project. If more than one program is involved, you should append an explanation on a separate sheet. If appropriate (e.g., construction or real property projects), attach a map showing project location. For preapplications, use a separate sheet to provide a summary description of this project.																
2.	Date application submitted to Federal agency (or State if applicable) and applicant's control number (if applicable).	12.	List only the largest political entities affected (e.g., State, counties, cities).																
3.	State use only (if applicable).	13.	Enter the proposed start date and end date of the project.																
4.	Enter Date Received by Federal Agency Federal identifier number: If this application is a continuation or revision to an existing award, enter the present Federal Identifier number. If for a new project, leave blank.	14.	List the applicant's Congressional District and any District(s) affected by the program or project																
5.	Enter legal name of applicant, name of primary organizational unit (including division, if applicable), which will undertake the assistance activity, enter the organization's DUNS number (received from Dun and Bradstreet), enter the complete address of the applicant (including country), and name, telephone number, e-mail and fax of the person to contact on matters related to this application.	15.	Amount requested or to be contributed during the first funding/budget period by each contributor. Value of in kind contributions should be included on appropriate lines as applicable. If the action will result in a dollar change to an existing award, indicate only the amount of the change. For decreases, enclose the amounts in parentheses. If both basic and supplemental amounts are included, show breakdown on an attached sheet. For multiple program funding, use totals and show breakdown using same categories as item 15.																
6.	Enter Employer Identification Number (EIN) as assigned by the Internal Revenue Service.	16.	Applicants should contact the State Single Point of Contact (SPOC) for Federal Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process.																
7.	Select the appropriate letter in the space provided. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. State</td> <td style="width: 50%;">I. State Controlled Institution of Higher Learning</td> </tr> <tr> <td>B. County</td> <td>J. Private University</td> </tr> <tr> <td>C. Municipal</td> <td>K. Indian Tribe</td> </tr> <tr> <td>D. Township</td> <td>L. Individual</td> </tr> <tr> <td>E. Interstate</td> <td>M. Profit Organization</td> </tr> <tr> <td>F. Intermunicipal</td> <td>N. Other (Specify)</td> </tr> <tr> <td>G. Special District</td> <td>O. Not for Profit Organization</td> </tr> <tr> <td>H. Independent School District</td> <td></td> </tr> </table>	A. State	I. State Controlled Institution of Higher Learning	B. County	J. Private University	C. Municipal	K. Indian Tribe	D. Township	L. Individual	E. Interstate	M. Profit Organization	F. Intermunicipal	N. Other (Specify)	G. Special District	O. Not for Profit Organization	H. Independent School District		17.	This question applies to the applicant organization, not the person who signs as the authorized representative. Categories of debt include delinquent audit disallowances, loans and taxes.
A. State	I. State Controlled Institution of Higher Learning																		
B. County	J. Private University																		
C. Municipal	K. Indian Tribe																		
D. Township	L. Individual																		
E. Interstate	M. Profit Organization																		
F. Intermunicipal	N. Other (Specify)																		
G. Special District	O. Not for Profit Organization																		
H. Independent School District																			
8.	Select the type from the following list: <ul style="list-style-type: none"> • "New" means a new assistance award. • "Continuation" means an extension for an additional funding/budget period for a project with a projected completion date. • "Revision" means any change in the Federal Government's financial obligation or contingent liability from an existing obligation. If a revision enter the appropriate letter: <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">A. Increase Award</td> <td style="width: 50%;">B. Decrease Award</td> </tr> <tr> <td>C. Increase Duration</td> <td>D. Decrease Duration</td> </tr> </table> 	A. Increase Award	B. Decrease Award	C. Increase Duration	D. Decrease Duration	18.	To be signed by the authorized representative of the applicant. A copy of the governing body's authorization for you to sign this application as official representative must be on file in the applicant's office. (Certain Federal agencies may require that this authorization be submitted as part of the application.)												
A. Increase Award	B. Decrease Award																		
C. Increase Duration	D. Decrease Duration																		
9.	Name of Federal agency from which assistance is being requested with this application.																		
10.	Use the Catalog of Federal Domestic Assistance number and title of the program under which assistance is requested.																		

*Office of Environmental Justice Hazardous Substance Research Small Grants Program
Application Guidance FY 2004*

APPLICATION FOR FEDERAL ASSISTANCE		2. DATE SUBMITTED 2/20/01	Applicant Identifier
1. TYPE OF SUBMISSION Application <input type="checkbox"/> Construction <input checked="" type="checkbox"/> Non-Construction		3. DATE RECEIVED BY STATE	State Application Identifier
Preapplication <input type="checkbox"/> Construction <input type="checkbox"/> Non-Construction		4. DATE RECEIVED BY FEDERAL AGENCY	Federal Identifier
5. APPLICANT INFORMATION			
Legal Name: G.W. Doe Community Center		Organizational Unit:	
Address (give city, county, state, and zip code): 111 Anystreet Town, Ohio 00000		Name and telephone number of the person to be contacted on matters involving this application (give area code) G.W. Doe (111) 000-0000	
6. EMPLOYER IDENTIFICATION (EIN): □ □ - □ □ □ □ □ □ □ □		7. TYPE OF APPLICANT: (enter appropriate letter here) _____ A. State B. County C. Municipal D. Township E. Interstate F. Intermunicipal G. Special District H. Independent School District I. State Controlled Institution of Higher Learning J. Private University K. Indian Tribe L. Individual M. Profit Organization N. Other (Specify): _____	
8. TYPE OF APPLICATION: <input type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es): <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other Specify: _____		9. NAME OF FEDERAL AGENCY:	
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: 66.604 TITLE: Environmental Justice Hazardous Substances Research Small Grants		11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Town Water Quality Project	
12. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.): City of Town, Ohio			
13. PROPOSED PROJECT: 06/01/01		14. CONGRESSIONAL DISTRICT OF:	
Start Date 09/01/04	End Date 10/31/05	a. Applicant: 02	b. Project: 01, 02, 03
15. Estimated Funding:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?	
a. Federal	\$ 25,000	a. YES. THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESSES FOR REVIEW ON: DATE 12/20/95	
b. Applicant	\$	b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372	
c. State	\$	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW	
d. Local	\$	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?	
e. Other	\$	<input type="checkbox"/> YES If "Yes" attach an explanation. <input type="checkbox"/> NO	
f. Program Income	\$	18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.	
g. TOTAL	\$ 25,000	a. Typed Name of Authorized Representative: G. W. Doe	b. Title: Executive Director
		c. Telephone Number: (111) 000-0000	d. Signature of Authorized Representative: G. W. Doe
		e. Date Signed: 4/30/04	

BUDGET INFORMATION - Non-Construction Programs

SECTION A - BUDGET SUMMARY

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1.		\$	\$	\$	\$	\$
2.						
3.						
4.						
5. TOTALS		\$	\$	\$	\$	\$

SECTION B - BUDGET CATEGORIES

6. OBJECT CLASS CATEGORIES	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel	\$11,800.00	\$	\$	\$	\$11,800.00
b. Fringe Benefits	2,006.00				2,006.00
c. Travel	1,480.00				1,480.00
d. Equipment	2,223.00				2,223.00
e. Supplies	2,200.00				2,200.00
f. Contractual	3,149.00				3,149.00
g. Construction					
h. Other	2,142.00				2,142.00
i. Total Direct Charges (sum of 6a-h)					
j. Indirect Charges					
k. TOTALS (sum of 6i and 6j)	\$ 25,000.00	\$	\$	\$	\$ 25,000.00
7. Program Income	\$	\$	\$	\$	\$

SECTION C - NON-FEDERAL RESOURCES

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8.	\$	\$	\$	\$
9.				
10.				
11.				
12. TOTAL (sum of lines 8 and 11)	\$	\$	\$	\$

SECTION D - FORECASTED CASH NEEDS

13. Federal	(Total for 1stYear)	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
	\$	\$	\$	\$	\$
14. Non-Federal					
15. TOTAL (sum of lines 13 and 14)	\$	\$	\$	\$	\$

SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.	\$	\$	\$	\$
17.				
18.				
19.				
20. TOTALS (sum of lines 16 - 19)	\$	\$	\$	\$

SECTION F - OTHER BUDGET INFORMATION

21. Direct Charges:	22. Indirect Charges:
23. Remarks:	

AUTHORIZED FOR LOCAL REPRODUCTION

*******SAMPLE*******

BUDGET DETAIL

I.	<u>Personnel</u>	
	0.5 FTE Community Outreach Worker @ \$10.00/hour	\$ 6,400.00
	0.2 FTE Project Coordinator @ \$12.00/hour	2,900.00
	0.2 FTE Office Manager @ \$7.00/hour	<u>2,500.00</u>
		11,800.00
II.	<u>Fringe Benefits at 17%</u>	
	0.5 FTE Community Outreach Worker	\$1,088.00
	0.2 FTE Project Coordinator	493.00
	0.2 FTE Office Manager	<u>25.00</u>
		1,606.00
III.	<u>Travel</u>	
	Local Travel @ \$0.26/mile	\$ 1,480.00
IV.	<u>Equipment</u>	\$ 2,223.00
	Audio Visual and Projector Rental	
	Typewriter/PC	
V.	<u>Supplies</u>	
	Paper	\$ 1,500.00
	Pencils/Pens	200.00
	Folders	<u>500.00</u>
		2,200.00
VI.	<u>Other</u>	\$ 2,142.00
	Printing	
	Postage	
	Telephone	
VII.	<u>Contractual</u>	\$ 3,149.00
	XYZ Engineering Company	
Total		<u>\$25,000.00</u>

Appendix B

40 CFR 30.27 "ALLOWABLE COSTS"

[Code of Federal Regulations][Title 40, Volume 1, Part 1 to 49]

[Revised as of July 1, 2000]

From the U.S. Government Printing Office via GPO Access

[CITE: 40CFR30.27] [Page 311]

TITLE 40--PROTECTION OF ENVIRONMENT

CHAPTER I--ENVIRONMENTAL PROTECTION AGENCY

PART 30--UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND
AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND
OTHER NON-PROFIT ORGANIZATIONS--Table of Contents

Subpart C--Post-Award Requirements

Sec. 30.27 Allowable costs.

(a) For each kind of recipient, there is a set of Federal principles for determining allowable costs. Allowability of costs shall be determined in accordance with the cost principles applicable to the entity incurring the costs. Thus, allowability of costs incurred by State, local or federally-recognized Indian tribal governments is determined in accordance with the provisions of OMB Circular A-87, "Cost Principles for State and Local Governments." The allowability of costs incurred by non-profit organizations is determined in accordance with the provisions of OMB Circular A-122, "Cost Principles for Non-Profit Organizations." The allowability of costs incurred by institutions of higher education is determined in accordance with the provisions of OMB Circular A-21, "Cost Principles for Educational Institutions." The allowability of costs incurred by hospitals is determined in accordance with the provisions of appendix E of 45 CFR part 74, "Principles for determining Costs Applicable to Research and Development Under Grants and Contracts with Hospitals." The allowability of costs incurred by commercial organizations and those non-profit organizations listed in Attachment C to Circular A-122 is determined in accordance with the provisions of the Federal Acquisition Regulation (FAR) at 48 CFR part 31. In addition, EPA's annual Appropriations Acts may contain restrictions on the use of assistance funds. For example, the Acts may prohibit the use of funds to support intervention in Federal regulatory or adjudicatory proceedings.

(b) EPA will limit its participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors to the maximum daily rate for level 4 of the Executive Schedule unless a greater amount is authorized by law. (Recipient's may, however, pay consultants more than this amount.) This limitation applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. This rate does not include transportation and subsistence costs for travel performed; recipients will pay these in accordance with their normal travel reimbursement practices. Contracts with firms for services which are awarded using the procurement requirements in this part are not affected by this limitation.

Appendix C GUIDANCE ON LOBBYING RESTRICTIONS

The purpose of this guidance is to remind nonprofit organizations, universities, and other non-government recipients of EPA grants¹ that, with very limited exceptions, you may not use Federal grant funds or your cost-sharing funds to conduct lobbying activities. The restrictions on lobbying are explained in Office of Management and Budget (OMB) Circular No. A-21, "Cost Principles for Educational Institutions," 61 Fed. Reg. 20880 (May 8, 1996),² and OMB Circular No. A-122, "Cost Principles for Nonprofit Organizations; 'Lobbying' Revision," 49 Fed. Reg. 18260 (April 27, 1984). As a recipient of EPA funds, you must be aware of and comply with these restrictions.³

The general objective of the restrictions is to prohibit the use of appropriated funds for lobbying, publicity, or propaganda purposes designed to support or defeat legislation. The restrictions do not affect the normal sharing of information or lobbying activities conducted with your own funds (so long as they are not used to match the grant funds).

Unallowable Lobbying Activities

Under Circulars A-21 and A-122, the costs of the following activities are unallowable:

(1) Contributions, endorsements, publicity or similar activities intended to influence Federal, State or local elections, referenda, initiatives or similar processes.

(2) Direct and indirect financial or administrative support of political parties, campaigns, political action committees, or other organizations created to influence elections. Recipients may help collect and interpret information. These efforts must be for educational purposes only, however, and cannot involve political party activity or steps to influence an election.

The term "grant" as used in this guidance refers to grants and cooperative agreements.

Grants awarded before May 8, 1996, are subject to the previous version of Circular No. A-21, but the provisions on lobbying have remained essentially unchanged.

This guidance does not address the restrictions on lobbying contained in 40 CFR Part 34, the EPA regulations implementing section 319 of P.L. No. 101-121, known as "the Byrd Amendment," generally prohibit recipients of Federal grants, contracts, and loans from using Federal funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific grant, contract, or loan. Part 34 includes detailed certification and disclosure requirements. This guidance also does not address section 18 of the Lobbying Disclosure Act of 1995, P.L. No. 104-65, which provides that organizations described in section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities are not eligible for Federal grants or loans.

Appendix C GUIDANCE ON LOBBYING RESTRICTIONS

(3) Attempts to influence the introducing, passing, or changing of Federal or State legislation through contacts with members or employees of Congress or State legislatures, including attempts to use State and local officials to lobby Congress or State legislatures. For example, you may not charge a grant for your costs of sending information to Members of Congress to encourage them to take a particular action. Also prohibited are contacts with any government official or employee to influence a decision to sign or veto Federal or State legislation. The restriction does not address lobbying at the local level.

(4) Attempts to influence the introducing, passing, or changing of Federal or State legislation by preparing, using, or distributing publicity or propaganda, i.e., grass roots lobbying efforts to obtain group action by members of the public, including attempts to affect public opinion and encourage group action. For example, the costs of printing and distributing to members of the public or the media a report produced under a grant, if intended to influence legislation, are unallowable.⁴

(5) Attending legislative sessions or committee hearings, gathering information about legislation, and similar activities, when intended to support or prepare for unallowable lobbying.

Exceptions

There are three exceptions to this list of unallowable lobbying activities in Circulars A-21 and A-122. These exceptions do not necessarily make the cost of these activities allowable; they make the costs potentially allowable. Allowability will be determined based on whether the costs in a particular case are reasonable, necessary, and allocable to the grant.

The first exception is for technical and factual (not advocacy) presentation to Congress, a State legislature, member, or staff, on a topic directly related to performance of the grant, in response to a request (not necessarily in writing) from the legislative body or individual. For requests that are not made in writing, recipients should make a note for their files documenting the requests. The information presented must be readily available and deliverable. Costs for travel, hotels, and meals related to the presentation are generally unallowable unless related to testimony at a regularly scheduled Congressional hearing at the written request of the chairperson or ranking minority member of the congressional committee.

⁴\ Circular A-122 addresses public information service costs that do not relate to lobbying. Attachment B to the Circular, at paragraph 36, makes allowable, with prior approval of the Federal agency, costs associated with pamphlets, news releases and other forms of information services if their purpose is: to inform or instruct individuals, groups or the general public; to interest individuals or groups in participating in a service program of the recipient; or to disseminate the results of sponsored and non-sponsored activities.

Appendix C GUIDANCE ON LOBBYING RESTRICTIONS

The second exception is for actions intended to influence State legislation in order to directly reduce the actual cost of performing the Federal grant project or to protect the recipient's authority to perform the project. The exception does not apply to actions intended merely to shift costs from one source to another. For example, in response to Federal funding cutbacks, a Federally-funded recipient lobbies for State funds to replace or reduce the Federal share of project costs for next year. The cost of that lobbying activity would not be allowable because its purpose is not to directly reduce the actual cost of performing the work but merely to shift from Federal funding to State funding.

Finally, Circulars A-21 and A-122 allow lobbying costs if they are specifically authorized by law.

Indirect Cost Rate

When you seek reimbursement for indirect costs (overhead), you must identify your total lobbying costs in your indirect cost rate proposal so that the Government can avoid subsidizing lobbying. This is consistent with the circulars' requirement of disclosure of the costs spent on all unallowable activities. This requirement is necessary so that when the Government calculates the amount of an organization's indirect costs that it will pay. It does not include the costs of unallowable activities that the organization happens to count as indirect costs

Enforcement

In cases of improper lobbying with grant funds, EPA may recover the misspent money, suspend or terminate the grant, and take action to prevent the recipient from receiving any Federal grants for a certain period. Your project officer is available to handle any questions or concerns.