



Enforcing the Underage Drinking Laws Grant Program

Program Announcement

Due Date: January 31, 2005

OJJDP

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Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention**
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The Office of Juvenile Justice and Delinquency Prevention is a component of the Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

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Enforcing the Underage Drinking Laws Grant Program

Overview

The Enforcing the Underage Drinking Laws (EUDL) Program supports and enhances efforts by states and local jurisdictions to prohibit the sale of alcoholic beverages to minors and the purchase and consumption of alcoholic beverages by minors. (Minors are defined as individuals younger than age 21.)

Congress has appropriated \$25 million annually to OJJDP for its EUDL program from fiscal years (FYs) 1998 to 2004. OJJDP is awaiting an appropriation for FY 2005.

Award Information

Up to \$XX,XXX in grant funding will be available to eligible states for a 2-year project and budget period lasting from June 1, 2005, to May 31, 2007.

Eligibility

Only the public agency designated by the chief executive (i.e., the Governor) of each state is eligible to apply for these funds. The term “state” means any state of the United States, including the District of Columbia. Applicants that do not meet this criterion are not eligible to apply for this grant program.

GMS Registration

All applications for this program announcement must be submitted online through OJP’s Grants Management System (GMS) (<https://grants.ojp.usdoj.gov>). A detailed “Step-by-Step Guide to OJP’s Grants Management System” [insert url] is available on OJJDP’s Web site to assist applicants through the online application process.

Applicants must register for this solicitation by selecting “OJJDP FY 2005 Enforcing the Underage Drinking Laws Program Solicitation” from the Funding Opportunities page in GMS. To register, applicants must select “Apply Now,” read the warning message that appears, and select “Continue.” **The deadline for applicants to register on GMS is January 14, 2005.**

Application for Federal Assistance (SF-424)

Applicants must complete the Overview, Applicant Information, and Project Information sections of GMS. These sections provide the information needed to generate the Application for Federal Assistance (SF-424), a standard form that most federal agencies use.

Applicants will need to provide the following information to complete the SF-424:

- ❖ *DUNS Number.* Applicants can call 800-333-0505 to request a free DUNS number. Applicants must have a DUNS number *before* beginning the application process.
- ❖ *CFDA Number.* The Catalog of Federal Domestic Assistance (CFDA) number for this solicitation is 16.727, titled “Enforcing the Underage Drinking Laws Grant Program.”
- ❖ *Type of Application.* Select “New” in the drop-down menu for “Type of Application.”

Assurances and Certifications

Applicants are required to review and accept the “Assurances” and “Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and the Drug-Free Workplace Requirement” to receive federal funds under this program. To accept the Assurances and Certifications in GMS, select the Assurances and Certifications link and click the “Accept” button at the bottom of the screen. Please verify that the contact information (name, address, phone number, fax number, and e-mail address) for the applicant’s authorizing official is correct.

Budget Detail Worksheet (Attachment #1)

The Budget Detail Worksheet—which must be submitted as a Microsoft Word document (.doc), PDF file (.pdf), or text document (.txt)—must include both a detailed worksheet itemizing all costs and a narrative explaining and justifying each budget item. This attachment should include the budget amount for each program activity identified to receive FY 2005 EUDL grant funds.

The FY 2005 EUDL Program is allocating block grants for every state and the District of Columbia to enforce state laws prohibiting the sale of alcoholic beverages to minors and to prevent the purchase or consumption of alcoholic beverages by minors. States are instructed to use the FY 2003 allocation of \$360,000 for planning and budgeting purposes. States will be notified of the actual EUDL allocation once OJJDP receives its final appropriation. Under the EUDL Program, activities may include:

- ❖ Statewide task forces of state and local law enforcement and prosecutorial agencies to target establishments suspected of a pattern of violations of state laws governing the sale and consumption of alcohol by minors.
- ❖ Public advertising programs to educate establishments about statutory prohibitions and sanctions.
- ❖ Innovative programs to prevent and combat underage drinking.

States may use up to 5 percent of funds awarded for planning and administration costs. There is no match requirement for this program.

A sample Budget Detail Worksheet form is available on the Grants/Funding section of OJP’s Web site (www.ojp.usdoj.gov/forms.htm).

Please note: Total costs specified in the complete budget must match the amount provided in the Estimated Funding section of the Project Information screen in GMS. All funds listed in the budget will be subject to audit.

Program Narrative (Attachment #2)

Applicants must submit a program narrative that presents a detailed description of the purpose, goals, objectives, strategies, design, and management of the proposed program.

This attachment should describe the applicant's approach for the EUDL Program in the state. The designated state agency must submit a program plan describing the statewide strategy to support the following:

- ❖ A detailed description of how EUDL grant funds will be used (e.g., statewide taskforce, public advertising programs, and innovative programs), including plans for the continuation of the EUDL program if future federal funding is not made available.
- ❖ Plans for how EUDL funds will be used, in conjunction with existing state and local resources, to support implementation of programs and projects under the statewide strategy.
- ❖ A description of existing state-level baseline EUDL data, state-level capacity to support the EUDL initiative, and an assurance of the commitment to provide pre- and postdata related to underage drinking to facilitate the evaluation process.
- ❖ Performance measures reporting on the extent to which grant funds support youth and statewide task forces, media campaigns, and innovative programs. (See page 7 for more information on performance measures.)

Other Program Attachments (Attachment #3)

Applicants must submit the following materials in a single file as an attachment to their GMS application. *The Other Program Attachments must be submitted as a Microsoft Word document (.doc), PDF file (.pdf), or text document (.txt).*

The applicant should provide a narrative describing how the EUDL-designated state agency's efforts coordinate with the Formula Grants State Planning Agency.

Designation of State Agency

The chief executive of each state has designated a state agency to receive and administer EUDL grant funds. If different than the state agency that administers the Title II, Part B, Formula Grants Program under the JJDP Act, the designated state agency shall collaborate with that agency to facilitate comprehensive and coordinated juvenile justice planning in the state.

Coordination Efforts

- ❖ Who are the points of contact at the Formula Grants State Planning Agency?
- ❖ What is the role of the State Planning Agency in this initiative?
- ❖ Where is the state focusing its efforts?
- ❖ How often do the representatives of both agencies meet to coordinate resources dedicated to the programs and projects funded under this initiative?

Due Date

Applicants must register for this funding opportunity by January 14, 2005, and completed applications must be submitted online through OJP's Grants Management System (<https://grants.ojp.usdoj.gov>) by 8:00 p.m. ET, January 31, 2005.

For Additional Information

If you have questions about this program announcement, please contact the EUDL Program Manager, Scott Pestrige, at 202-514-5655.

Appendix A: Other Requirements

Anti-Lobbying Act

Applicants should be aware that the Anti-Lobbying Act, 18 U.S.C. § 1913, recently was amended to expand significantly the restriction on use of appropriated funding for lobbying. This expansion also makes the anti-lobbying restrictions enforceable via large civil penalties, with civil fines between \$10,000 and \$100,000 per each occurrence of lobbying activity. These restrictions are in addition to the anti-lobbying and lobbying disclosure restrictions imposed by 31 U.S.C. § 1352. The Office of Management and Budget (OMB) is currently in the process of amending the OMB cost circulars and the common rule (codified at 28 CFR part 69 for U.S. Department of Justice grantees) to reflect these modifications. However, in the interest of full disclosure, all applicants must understand that no federally appropriated funding made available under this grant program may be used, either directly or indirectly, to support the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government, without the express approval by OJP. Any violation of this prohibition is subject to a minimum \$10,000 fine for each occurrence. This prohibition applies to all activity, even if currently allowed within the parameters of the existing OMB circulars.

Civil Rights Compliance

All recipients of federal grant funds are required to comply with nondiscrimination requirements contained in various federal laws. In the event that a court or administrative agency makes a finding of discrimination on grounds of race, color, religion, national origin (see also “Services to Limited English Proficient (LEP) Persons”), gender, disability, or age against a recipient of funds after a due process hearing, the recipient must agree to forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs. All applicants should consult the Assurances required to be submitted with the application to understand the applicable legal and administrative requirements.

Confidentiality and Human Subjects Protection

Applicants should be aware of the U.S. Department of Justice’s requirements for privacy and confidentiality in research and statistical efforts. These requirements are stipulated by 42 U.S.C. § 3879g. The U.S. Department of Justice has issued a specific regulation concerning the implementation of this statutory requirement in 28 CFR Part 22. In accordance with 28 CFR Part 22, applicants requesting funds for research or statistical activities must submit a Privacy Certificate with the application. The purpose of the Privacy Certificate is to ensure that the applicant has appropriate policies and procedures in place to protect the confidentiality of data identifiable to private persons. Specifically, the Privacy Certificate must be in compliance with the requirements of 28 CFR § 22.23. OJJDP has developed guidelines for preparing a Privacy Certificate in accordance with the confidentiality regulation. Copies of the Privacy Certificate Guidelines, a Privacy Certificate Face Sheet, and a Sample Attachment for a Privacy Certificate are available on the OJJDP Web site (ojjdp.ncjrs.org/funding/privacy.pdf).

Applicants are further advised that an institutional review board¹ (IRB), in accordance with U.S. Department of Justice regulations at 28 CFR Part 46, must review any project that will involve the use of human research subjects. IRB review is not required prior to submission of the application. However, if an award is made and the project involves research using human subjects, OJJDP will place a special condition on the award requiring that an appropriate IRB approve the project before federal funds can be disbursed for activities involving human subjects. Applicants should include plans for IRB review, where applicable, in the project timeline submitted with the proposal. A copy of “Confidentiality of Identifiable Research and Statistical Information (28 CFR Part 22)” is available on the OJJDP Web site (ojjdp.ncjrs.org/funding/confidentiality.pdf).

Coordination of Federal Efforts

To encourage better coordination among federal agencies in addressing state and local needs, the U.S. Department of Justice requests that applicants provide information on the following: (1) active federal grant award(s) supporting this or related efforts,² including awards from the U.S. Department of Justice; (2) any pending application(s) for federal funds for this or related efforts; and (3) plans for coordinating any funds described in items (1) or (2) with the funding sought by this application. For each federal award, applicants must include the program or project title, the federal grantor agency, the amount of the award, and a brief description of its purpose.

¹ Institutional Review Boards (IRBs) are the governing bodies that assure that data collection efforts are in accordance with all relevant local, state, and federal laws to protect human subjects. Background information on IRBs is available from the National Institute of Justice (www.ojp.usdoj.gov/nij/humansubjects/index.html) and the U.S. Department of Health and Human Services (www.hhs.gov/ohrp/).

Most local and state governments, colleges and universities, hospitals, and private contract research firms have IRBs in place. Agencies that might be able to help you find an IRB to review your data collection plans for the purpose of the application include a local jail, hospital, mental health treatment facility, public health agency, community college, or four-year college or university. Try calling these agencies, explain that you are submitting an application for federal funding and are required to collect data on the children you serve, and you therefore need IRB clearance and ask if they have ever encountered this situation and what they did about it. It is likely that at least one of these agencies will have some experience they would be willing to share.

IRB reviews are now available from for-profit organizations, if the potential applicant does not have access to an IRB through his/her own institution. They cost about \$6,000–\$10,000, and those costs would need to be built into the first year's budget. Query the term “Institutional Review Board” with any Internet search engine to find those firms.

You do not need to have IRB clearance at the time your application is submitted to OJJDP. In your application, you can outline the process for getting IRB clearance in your community. If possible, you should start the process, so that you could say in your application that an IRB is reviewing your study/plan/design and give the expected date for final clearance. Applicants are not required to get final clearance until/if you are funded. In fact, some IRBs won't review a study until after funding is secured.

² “Related efforts” is defined for these purposes as one of the following: efforts for the same purpose (i.e., the proposed award would supplement, expand, complement, or continue activities funded with other federal grants); another phase or component of the same program or project (e.g., to implement a planning effort funded by other federal funds or to provide a substance abuse treatment or education component within a criminal justice project); or services of some kind (e.g., technical assistance, research, or evaluation) rendered to the program or project described in the application.

Faith-Based and Community Organizations

It is OJP policy that faith-based and community organizations that statutorily qualify as eligible applicants under OJP programs are invited and encouraged to apply for assistance awards. Faith-based and community organizations will be considered for an award on the same basis as any other eligible applicants and, if they receive assistance awards, will be treated on an equal basis with non-faith-based and community organization grantees in the administration of such awards. No eligible applicant or grantee will be discriminated against on the basis of its religious character or affiliation, religious name, or the religious composition of its board of directors or persons working in the organization.

Financial and Government Audit Requirements

Discretionary grants are governed by the provisions of the Office of Management and Budget (OMB) circulars applicable to financial assistance and OJP's *Financial Guide*, which is available from the OJP Web site (www.ojp.usdoj.gov/oc). The *Guide* includes information on allowable costs, methods of payment, audit requirements, accounting systems, and financial records. This document will govern the administration of funds by all successful applicants.

Audits of state and local units of government, institutions of higher education, and other nonprofit institutions must comply with the organizational audit requirements of OMB circular A-133, which states that recipients who expend \$500,000 or more of federal funds during their fiscal year are required to submit an organizationwide financial and compliance audit report to their cognizant federal agency within 9 months after the close of each fiscal year during the term of the award.

Grantees must comply with the following OJP reporting requirements:

- ❖ *Financial Status Reports (SF-269)*. Financial Status Reports should be completed and provided to the Office of the Comptroller's Control Desk within 45 days after the end of each calendar quarter during the grant period.
- ❖ *Categorical Assistance Progress Reports (OJP Form 4587/1)*. Categorical Assistance Progress Reports should be completed and provided to the Office of the Comptroller's Control Desk within 30 days after the end of the June 30 and December 31 semiannual reporting periods.

Performance Measures

The Government Performance and Results Act (GPRA), Public Law 103-62, requires that recipients of federal grant awards collect, analyze, and report data that measure the results of strategies implemented with federal funds. To ensure compliance with GPRA, grantees will be required to collect and report data that measure the results of the program implemented with this grant. The following performance measures are required:

Youth/Statewide Task Forces

- ❖ Number of youth involved in educational work with law enforcement on underage drinking operations (e.g., decoys for compliance checks or shoulder tap operations).

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- ❖ Number of youth actively involved in grantee/coalition activities or underage drinking prevention. Active involvement includes, but is not limited to, participation in a task force, board of directors, committee, or subcommittee.

Media Campaigns

- ❖ Number of grantees involved in statewide and local underage drinking media campaigns.
- ❖ Number of grantees involved in underage drinking media campaigns aimed at adults and number of grantees involved in underage drinking media campaigns aimed at youth.
- ❖ Types of media that will be used during the media campaign (print, radio, television).
- ❖ Number and type of earned media (press releases, letters to the editors, interviews for radio and television programs, op-ed articles, articles published in printed media, and press conferences) generated by the EUDL grant.

Innovative Programs

- ❖ Number of grantees or communities that will implement an underage drinking enforcement activity that is not currently being implemented at the community level.
- ❖ Number of grantees that will make innovative changes to commonly used underage drinking enforcement operations, such as compliance check operations, controlled party dispersal, and saturation patrols. Innovative changes could be developed to overcome logistical challenges and to address specific population characteristics.
- ❖ Number of grantees who plan to incorporate an innovative data gathering or evaluation component to their underage drinking enforcement operations.

Award recipients will be required to collect and report data in support of these measures. Recipients' assistance in obtaining this information will facilitate future program planning and will allow OJP to provide Congress with measurable program results of federally funded programs.

Services to Limited English Proficient (LEP) Persons

Recipients of Office of Justice Programs (OJP) financial assistance are required to comply with several Federal civil rights laws, including Title VI of the Civil Rights Act of 1964 ("Title VI") and the Omnibus Crime Control and Safe Streets Act of 1968 ("Safe Streets Act"), as amended. These laws prohibit discrimination on the basis of race, color, religion, national origin, and sex in the delivery of services.

National origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI and the Safe Streets Act, recipients are required to take reasonable steps to ensure that LEP persons have meaningful access to their programs. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. *Grantees are encouraged to consider the need for language services for LEP persons served or*

encountered both in developing their proposals and budgets and in conducting their programs and activities. Reasonable costs associated with providing meaningful access for LEP individuals are considered allowable program costs.

The U.S. Department of Justice has issued guidance for grantees to assist them in complying with Title VI requirements. The guidance document can be accessed on the Internet at www.lep.gov, by contacting OJP's Office for Civil Rights at 202-307-0690, or by writing to the following address:

Office for Civil Rights
Office of Justice Programs
U.S. Department of Justice
810 Seventh Street NW., 8th Floor
Washington, DC 20531

Single Point of Contact Review

Executive Order 12372 requires applicants from state and local units of government or other organizations providing services within a state to submit a copy of the application to the state Single Point of Contact (SPOC) if one exists and if the state has selected this program for review. A list of state SPOCs is available on the Office of Management and Budget Web site (www.whitehouse.gov/omb/grants/spoc.html). Applicants must contact their state SPOCs to determine whether their programs have been selected for state review. The date that the application was sent to the SPOC or the reason such submission is not required should be entered in Block 3 of the Overview section of the GMS application.

Supplanting Prohibition

Federal funds must be used to supplement existing funds for program activities and may not replace (supplant) nonfederal funds that have been appropriated for the same purpose. Potential supplanting will be the subject of monitoring and an audit. Violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant, and civil and criminal penalties.

Suspension or Termination of Funding

OJJDP may suspend funding in whole or in part, terminate funding, or impose other sanctions on a recipient for the following reasons:

- ❖ Failing to comply substantially with the requirements or statutory objectives of the appropriate Act, program guidelines issued thereunder, or other provisions of federal law.
- ❖ Failing to make satisfactory progress toward the goals, objectives, or strategies set forth in the application.
- ❖ Failing to adhere to the requirements in the agreement, standard conditions, or special conditions.
- ❖ Proposing or implementing substantial plan changes to the extent that, if originally submitted, the application would not have been selected for funding.

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- ❖ Failing to submit reports.
 - ❖ Filing a false certification in this application or other report or document.

Before imposing sanctions, OJJDP will provide reasonable notice to the recipient of its intent to impose sanctions and will attempt to resolve the problem informally. Hearing and appeal procedures will follow those in U.S. Department of Justice regulations in 28 CFR Part 18.

Appendix B: Application Checklist

Enforcing the Underage Drinking Laws Grant Program

All applications must be submitted electronically through the Office of Justice Programs' Grants Management System (GMS).

- GMS Registration** must be completed no later than January 14, 2005.
- Application for Federal Assistance (SF-424)** is generated by completing the Overview, Applicant Information, and Project Information screens in GMS.
- Assurances and Certifications** must be reviewed and accepted online by the applicant's authorizing official.
- Budget Detail Worksheet (Attachment #1)** must include a worksheet that identifies and a narrative that justifies all proposed costs.
- Program Narrative (Attachment #2)** must present a statement of the problem, outline the project's goals and objectives, describe the project design, and detail the applicant's management and organizational capability.

Other Program Attachments (Attachment #3) must include a narrative describing how the EUDL-designated state agency's efforts coordinate with the Formula Grants State Planning Agency.

Files attached to your GMS application must be submitted as a Microsoft Word document (.doc), PDF file (.pdf), or text document (.txt). Refer to the program announcement for detailed descriptions of these items.

Deadlines

- Applicants must register on GMS by January 14, 2005.
- Applicants must submit completed applications by 8 p.m. ET, January 31, 2005.

Applications will be accepted only through the GMS online application system. Mailed or faxed applications will not be considered.