

U.S. DEPARTMENT OF LABOR  
Employment and Training Administration

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**Notice of Availability of Funds and Funding Opportunity Announcement for:** Workforce Innovation and Opportunity Act (WIOA), Indian and Native American Programs - Employment and Training Grants

**ANNOUNCEMENT TYPE:** Initial

**FUNDING OPPORTUNITY NUMBER:** FOA-ETA-22-05

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER:** 17.265

**KEY DATES:** *The closing date for receipt of applications under this Announcement is 05/06/2022. We must receive applications no later than **11:59 pm Eastern Time.***

*Submit all applications in response to this solicitation through <https://www.grants.gov>. For complete application and submission information, including online application instructions, please refer to Section IV.*

*Two Prospective Applicant Webinars are scheduled for April 4 and April 5, 2022, each from 3 p.m. to 4:30 p.m (ET). While a review of one of the available Webinars is strongly encouraged to support successful grant applications, it is not mandatory. The Grants.gov posting of this Funding Opportunity Announcement will be updated with a Webinar link once available.*

## Table of Contents

EXECUTIVE SUMMARY .....	2
I. FUNDING OPPORTUNITY DESCRIPTION .....	3
A. PROGRAM PURPOSE .....	3
B. PROGRAM AUTHORITY .....	3
II. AWARD INFORMATION.....	3
A. AWARD TYPE AND AMOUNT .....	3
B. PERIOD OF PERFORMANCE.....	4
III. ELIGIBILITY INFORMATION.....	4
A. ELIGIBLE APPLICANTS.....	4
B. FUNDING PRIORITY.....	5
C. COST SHARING OR MATCHING.....	5
D. OTHER INFORMATION .....	5
IV. APPLICATION AND SUBMISSION INFORMATION.....	8
A. HOW TO OBTAIN AN APPLICATION PACKAGE.....	8
B. CONTENT AND FORM OF APPLICATION SUBMISSION.....	8
C. SUBMISSION DATE, TIME, PROCESS AND ADDRESS.....	19
D. INTERGOVERNMENTAL REVIEW .....	22
E. FUNDING RESTRICTIONS.....	22
F. OTHER SUBMISSION REQUIREMENTS.....	25
V. APPLICATION REVIEW INFORMATION.....	25
A. CRITERIA .....	25
B. REVIEW AND SELECTION PROCESS.....	27
VI. AWARD ADMINISTRATION INFORMATION .....	31
A. AWARD NOTICES.....	31
B. ADMISTRATIVE AND NATIONAL POLICY REQUIREMENTS .....	31
C. REPORTING.....	37
VII. AGENCY CONTACTS .....	37
VIII. OTHER INFORMATION .....	37
A. WEB-BASED RESOURCES .....	37
B. INDUSTRY COMPETENCY MODELS AND CAREER CLUSTERS.....	38
C. WORKFORCEGPS RESOURCES .....	38
D. SKILLSCOMMONS RESOURCES .....	38
IX. OMB INFORMATION COLLECTION.....	38

APPENDIX A .....	39
APPENDIX B .....	39
APPENDIX C .....	39
APPENDIX D .....	39
APPENDIX E .....	39
APPENDIX F .....	39
APPENDIX G .....	39
APPENDIX H .....	39
APPENDIX I .....	39
APPENDIX J .....	39

## **EXECUTIVE SUMMARY**

The Employment and Training Administration (ETA), U.S. Department of Labor (DOL, or the Department, or we), announces the availability of approximately \$71,000,000 in grant funds, authorized by the Workforce Innovation and Opportunity Act (WIOA), for the Indian and Native American Program (INAP) Employment and Training Grants.

The Department has been providing employment and training grants to serve Indian and Native Americans for over 40 years under various laws, including the Comprehensive Employment and Training Act, the Job Training Partnership Act, the Workforce Investment Act, and now WIOA. INAP supports employment and training activities for Indians and Native Americans throughout the United States by awarding grant funding to eligible entities at the local level for the provision of employment services. Grant award recipients may use funding to help all eligible Indian and Native Americans, including Alaska Natives and Native Hawaiians, with employment, financial assistance for education and training, and other supportive services necessary to achieve economic self-sufficiency.

Per the requirements outlined in Section 166 of WIOA and implementing regulations found at 20 CFR Part 684, the Department must hold this INAP grant competition every four years. Recipients receiving an award as a result of this competition in Program Year 2022 will also receive one grant award annually for three subsequent program years, based on annual Departmental application requirements and subject to appropriated funding. Current recipients of the INAP Employment and Training Grants that received an award and subsequent annual

allotments under the last competition in 2018 (FOA-ETA-18-05) must apply under this Funding Opportunity Announcement (FOA) if they wish to receive additional funding. The list of current recipients, along with their Program Year 2021 funding allocations, may be found at: [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=9021](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9021).

## **I. FUNDING OPPORTUNITY DESCRIPTION**

### **A. PROGRAM PURPOSE**

This announcement solicits applications for the Indian and Native American Program Employment and Training Grants.

The purpose of this program is to support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order to: 1) develop more fully the academic, occupational, and literacy skills of such individuals; 2) make such individuals more competitive in the workforce and equip them with the entrepreneurial skills necessary for successful self-employment; and 3) promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities.

### **B. PROGRAM AUTHORITY**

Section 166 of WIOA (Pub. L. 113-128) authorizes this program.

## **II. AWARD INFORMATION**

### **A. AWARD TYPE AND AMOUNT**

Funding will be provided in the form of a G (Grant).

We expect availability of approximately \$71,000,000 to fund approximately 167 grants. Awards made under this Announcement are subject to the availability of federal funds. In the event that additional funds become available, we reserve the right to use such funds to select additional grantees from applications submitted in response to this Announcement.

We anticipate approximately \$57,000,000 of the \$71,000,000 will be for Comprehensive Services Program (CSP) activities serving adult participants. The remaining \$14,000,000 will be for Supplemental Youth Services Program (SYSP) activities, awarded to successful applicants receiving CSP adult funding who will also serve Indian, Alaska Native, and Native Hawaiian low income youth living on or near Indian reservations and in Oklahoma, Alaska, and Hawaii.

Grant awards are based on a successful applicant's proposed geographic service area, using a nationwide formula provided in the WIOA implementing regulations at 20 CFR 684.270 and 684.440. Applicants must be careful to provide the details of their proposed geographic service area as instructed in this FOA in Section IV.B.5.a.2, submitting both a separate attachment for this information, as well as noting the information on the SF-424 (*Application for Federal Assistance*) in block 14 (*Areas Affected by Project*).

Recipients that receive an award as a result of this competition in Program Year (PY) 2022 will also receive one grant award annually for three subsequent program years, based on annual Departmental application requirements and subject to appropriated funding. However, applications submitted under this FOA must request amounts commensurate with one-year worth of grant funding only. To get an understanding of how geographic areas relate to funding,

applicants can compare the funding allotments provided to recipients in PY 2021 ([https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=9021](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=9021)) with the grantees' geographic service areas located at: <https://www.dol.gov/sites/dolgov/files/ETA/dinap/pdfs/2000AdultCen.pdf>. For example, under the "2000 Adult Census" link, the Inter-Tribal Council of Alabama serves 63 counties in Alabama, in which a collective total of 760 unemployed and 3,273 low-income Indians, Alaska Natives, and Native Hawaiians reside. For this geographic service area, the Inter-Tribal Council of Alabama received \$293,250 in PY 2021 adult funding.

The INAP program currently funds 167 grants with funding amounts ranging from \$16,626 to \$6,205,922 for the CSP (adults) and \$1,068 to \$3,062,220 for the SYSP (youth). The formula used to determine funding amounts is based on: 1) the number of Indians, Alaska Natives, and Native Hawaiians who are unemployed in the geographic service area, compared to all such persons in the United States; and 2) the number of Indians, Alaska Natives, and Native Hawaiians living in poverty in the service area, compared to all such persons in the United States. Applicants that are awarded a CSP (adult) grant and have reservation areas as part of their geographic service area will also receive supplemental youth funds to serve low-income Native American youth, ages 14-24, residing on or near the reservation. Applicants that include reservation areas in their application should submit a separate application package for youth funds, as described later in this FOA.

## **B. PERIOD OF PERFORMANCE**

A competition for the INAP Employment and Training Grants is held every four years. Recipients receiving an award as a result of this competition in PY 2022 will also receive one grant award annually for three subsequent program years, based on annual Departmental application requirements, the availability of Federal funds, and satisfactory progress towards achieving the goals and objectives of the program. Each award in PYs 2022, 2023, 2024, and 2025 will have a separate grant number and a 36-month period of performance. The anticipated start date for each of the four program year allotments is July 1 of that program year; however, all awarded supplemental youth funds will have an effective date of April 1 of that program year. The period of performance includes all necessary implementation and start-up activities.

## **III. ELIGIBILITY INFORMATION**

### **A. ELIGIBLE APPLICANTS**

The following organizations are eligible to apply:

- Federally recognized Indian tribes;
- Tribal organizations, as defined in 25 U.S.C. 450b;
- Alaska Native-controlled organizations;
- Native Hawaiian-controlled organizations;
- Indian-controlled organizations as defined at 20 CFR 684.130;
- A consortium of eligible entities which meets the legal requirements for a consortium as described at 20 CFR 684.200(e);
- State-recognized tribal organizations that meet the definition of an Indian-controlled organization as defined at 20 CFR 684.130 and incumbent State-recognized tribes that meet the requirements at 20 CFR 684.130; and

- Alaska Native-controlled organizations; Native Hawaiian-controlled organizations; and Tribal Colleges and Universities.

In addition and in accordance with 20 CFR 684.200(b):

A **new entity** (*not* an incumbent grantee) must have a population within the designated geographic service area which would receive at least \$100,000 under the funding formula found at § 684.270(b), including any amounts received for supplemental youth services under the funding formula at § 684.440(a). The Grant Officer may consider applications that do not initially meet the \$100,000 funding threshold if the Grant Officer offers—and the applicant accepts—additional geographic areas to its application in order to meet the \$100,000 threshold.

And in accordance with 20 CFR 684.200(c) and (d):

**Incumbent grantees** with a population not meeting the dollar threshold under the funding formula and receiving INAP funding of less than \$100,000 as of October 18, 2016 will be grandfathered into the program and are eligible to be awarded less than \$100,000, so long as the grantees have continuously received less than \$100,000 since October 18, 2016. The Department will make an exception to the \$100,000 minimum for applicants that apply for WIOA funding through Public Law 102–477, as amended by Public Law 115-93, the Indian, Employment, Training, and Related Services demonstration program, if all resources to be consolidated under the Public Law 102– 477 plan total at least \$100,000, with at least \$20,000 derived from sec. 166 funds. However, incumbent Public Law 102–477 grantees that were receiving INA funding of less than \$20,000 as of October 18, 2016 will be grandfathered into the program and are eligible to be awarded less than \$20,000, so long as the grantees have continuously received less than \$20,000 since October 18, 2016.

## **B. FUNDING PRIORITY**

As discussed in 20 CFR 684.210, Federally recognized Indian tribes, Alaska Native entities, or a consortium of such entities will have priority to receive grants under this part for those geographic service areas in which they have legal jurisdiction, such as an Indian reservation, Oklahoma Tribal Service Area (OTSA), or Alaska Native Village Service Area (ANVSA). If the Department decides not to make an award to an Indian tribe or Alaska Native entity that has legal jurisdiction over a service area, it will consult with such tribe or Alaska Native entity that has jurisdiction before selecting another entity to provide services for such areas. These priorities do not apply to service areas outside the legal jurisdiction of an Indian tribe or Alaska Native entity.

## **C. COST SHARING OR MATCHING**

This program does not require cost sharing or matching funds. Including such funds is not one of the application screening criteria and applications that include any form of cost sharing or match will not receive additional consideration during the review process. Instead, the agency considers any resources contributed to the project beyond the funds provided by the agency as leveraged resources. Section IV.B.2 provides more information on leveraged resources.

## **D. OTHER INFORMATION**

### **1. Application Screening Criteria**

You should use the checklist below as a guide when preparing your application package to ensure that the application has met all of the screening criteria. Note that this checklist is only an aid for applicants and should not be included in the application package. We urge you to use this checklist to ensure that your application contains all required items. If your application does not meet all of the screening criteria, it will not move forward through the merit review process.

<b>Application Requirement</b>	<b>Instructions</b>	<b>Complete?</b>
The deadline submission requirements are met	Section IV.C	
Eligibility	Section III.A	
The components of the application are saved in any of the specified formats and are not corrupt. <i>(We will attempt to open the document, but will not take any additional measures in the event of problems with opening.)</i>	Section IV.C.2	
Application for Federal funds requests one-year of funding per Section II.A and meets the minimum threshold requirements, per instructions found in Section III.A.	Section II.A and III.A	
SAM Registration	Section IV.B.1	
SF-424, Application for Federal Assistance	Section IV.B.1	
SF-424 includes a Unique Entity Identifier	Section IV.B.1	
SF-424A, Budget Information Form	Section IV.B.2	
Budget Narrative	Section IV.B.2	
Four-Year Strategic Plan	Section IV.B.3	
Signed MOU(s) or Documentation of Good Faith Effort	Section IV.B.5.3	

**2. Number of Applications Applicants May Submit**

We will consider only one application for CSP (adult) funding and only one application for SYSP (youth) funding from each organization. If we receive multiple applications from the same organization for either adult or youth funding, we will consider only the most recently received

application that met the deadline. If we disqualify the most recent application for any reason, we will not replace it with an earlier application.

### **3. Eligible Participants**

#### **a. Participants Eligible to Receive Training**

Participant eligibility is described in the WIOA Final Rule at 20 CFR 684.300. An individual is eligible to participate and receive services under this grant if the individual is:

1. an Indian, as determined by a policy of the INAP grantee. The grantee's definition must at least include anyone who is a member of a Federally recognized tribe; or
2. an Alaska Native, as defined in WIOA sec. 166(b)(1); or
3. a Native Hawaiian, as defined in WIOA sec. 166(b)(3).

The individual must also be any one of the following:

1. unemployed;
2. underemployed, as defined in 20 CFR 684.130;
3. a low-income individual, as defined in sec. 3(36) of WIOA;
4. the recipient of a bona fide layoff notice which has taken effect in the last six months or will take effect in the following six-month period, who is unlikely to return to a previous industry or occupation, and who is in need of retraining for either employment with another employer or for job retention with the current employer; or
5. an individual who is employed but is determined by the grantee to be in need of employment and training services to obtain or retain employment that allows for self-sufficiency.

If applicable, male applicants must also register or be registered for the Selective Service.

#### **b. Veterans' Priority for Participants**

38 U.S.C. 4215 requires grantees to provide priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL. The regulations implementing this priority of service are at 20 CFR Part 1010. In circumstances where a grant recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans' priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Grantees must comply with DOL guidance on veterans' priority. ETA's Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at

[https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2816](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816).

This guidance applies to programs funded under WIOA. For additional information on veteran's priority of service and WIOA, please see TEGL 19-16. TEGL 19-16 is available at [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=3851](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3851).



## **IV. APPLICATION AND SUBMISSION INFORMATION**

### **A. HOW TO OBTAIN AN APPLICATION PACKAGE**

This FOA, found at [www.Grants.gov](http://www.Grants.gov) and <https://www.dol.gov/agencies/eta/grants/apply/find-opportunities>, contains all of the information and links to forms needed to apply for grant funding.

### **B. CONTENT AND FORM OF APPLICATION SUBMISSION**

**Applications submitted in response to this FOA must consist of four separate and distinct parts for the CSP adult funding:**

1. SF-424, “Application for Federal Assistance”;
2. Project Budget, composed of the SF-424A and Budget Narrative;
3. 4-Year Strategic Plan; and
4. Attachments to the 4-Year Strategic Plan.

You must ensure that the funding amount requested is consistent across all parts and sub-parts of the application.

**For applicants who are eligible to receive SYSP youth funding (those whose geographic service areas include Indian Reservations, Alaska Native Villages, Alaska Native Regional Corporations (ANRCs), Oklahoma Tribal Statistical Areas (OTSA)s, or the State of Hawaii):**

In addition to submitting the application package noted above for CSP adult funding, applicants seeking SYSP youth funding must submit a second and separate application package in Grants.gov. This application is not scored, as the youth funding request is contingent upon the applicant successfully applying for the adult funding. For the youth request to be considered, however, it must include the following components:

1. SF-424, “Application for Federal Assistance” (Field #12 must include the text “INAP YOUTH FY 2022”); and the
2. Project Budget, composed of the SF-424A and Budget Narrative.
3. Supplemental Youth Services Narrative, per requirements outlined in Section IV.B.4.

#### **1. SF-424, “Application for Federal Assistance”**

You must complete the SF-424, “Application for Federal Assistance” (available at <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>).

- In the address field, fill out the nine-digit (plus hyphen) zip code. Nine-digit zip codes can be looked up on the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>.
- The SF-424 must clearly identify the applicant and must be signed by an individual with authority to enter into a grant agreement. Upon confirmation of an award, the individual signing the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the

Authorized Representative on the SF-424 certifies that the organization is in compliance with the Assurances and Certifications form SF-424B (available at <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>). You do not need to submit the SF-424B with the application.

**NOTE: Entities funded under Public Law 102-477 only need to submit one SF-424 “Application for Federal Assistance” for both the adult and youth program. No further documents are required in their application submission.**

In addition, the applicant’s Authorized Representative’s signature in block 21 of the SF-424 form constitutes assurance by the applicant of compliance with the WIOA sec. 188 rules issued by the Department at 29 CFR 38.25, which includes the following language:

As a condition to the award of financial assistance from the Department of Labor under Title I WIOA, the grant applicant assures that it has the ability to comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the WIOA and its implementing regulations at 29 CFR Part 38, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship or status as a lawfully admitted immigrant authorized to work in the United States, or participation in any WIOA Title I—financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color, and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures, that as a recipient of WIOA Title I financial assistance [as defined at 29 CFR 38.4(zz)], it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

**a. Requirement for Unique Entity Identifier**

As of April 4, 2022, all applicants for federal grant and funding opportunities must have a Unique Entity Identifier (UEI) noted on the SF-424. The UEI replaces the DUNS number, the nine-digit identification number formerly issued via Dun and Bradstreet to uniquely identify business entities. Additional information about obtaining a UEI number and related updates may be found at the U.S. General Service Administration’s webpage for the UEI.

If the grant award or cooperative agreement recipient is authorized to make subawards under this award, then the recipient:

- must notify potential subrecipients that no entity may receive a subaward from the grant award recipient until the entity has provided its UEI to the recipient; and
- may not make a subaward to an entity unless the entity has provided its UEI to the grant or cooperative agreement recipient. Subrecipients are not required to obtain an active SAM registration but must obtain a UEI.

#### **b. Requirement for Registration with SAM**

Applicants must register with the System for Award Management (SAM) before submitting an application. Find instructions for registering with SAM at <https://www.sam.gov>.

A recipient must maintain an active SAM registration with current information at all times during which it has an active federal award or an application under consideration. To remain registered in the SAM database after the initial registration, the applicant is required to review and update the registration at least every 12 months from the date of initial registration or subsequently update its information in the SAM database to ensure it is current, accurate, and complete. For purposes of this paragraph, the applicant is the entity that meets the eligibility criteria and has the legal authority to apply and to receive the award. If an applicant has not fully complied with these requirements by the time the Grant Officer is ready to make a federal award, the Grant Officer may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

## **2. Project Budget**

You must complete the SF-424A Budget Information Form (available at <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>). In preparing the Budget Information Form, you must provide a concise narrative explanation to support the budget request, explained in detail below.

The Budget Narrative must provide a description of costs associated with each line item on the SF-424A. The Budget Narrative should also include a section describing any leveraged resources provided (as applicable) to support grant activities. Leveraged resources are all resources, both cash and in-kind, excess of this award. Applicants are encouraged to leverage resources to increase stakeholder investment in the project and broaden the impact of the project itself.

In addition to describing the costs associated with each line item on the SF-424A as described below, the applicant must include in the Budget Narrative a brief explanation of the projected cost per participant, demonstrating it is at or under \$5,000. Cost per participant equals the total funding request divided by the projected number of participants the applicant expects to serve.

This FOA solicits applications for four years of funding; however, the SF-424, SF-424A, and Budget Narratives for both the adult and youth submissions must only include the Federal grant amounts for year one. Use the following guidance for preparing the Budget Narrative. The description of costs provided for each of the SF-424A categories listed below must reflect the total project costs for the initial year of the project.

**Personnel:** List all staff positions by title (both current and proposed) including the roles and responsibilities. For each position give the annual salary, the percentage of time devoted to the project, and the amount of each position's salary funded by the grant.

**Fringe Benefits:** Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement, etc.

**Travel:** For grantee staff only, specify the purpose, number of staff traveling, mileage, per diem, estimated number of in-state and out-of-state trips, and other costs for each type of travel.

**Equipment:** Identify each item of equipment you expect to purchase that has an estimated acquisition cost of \$5,000 or more per unit (or if your capitalization level is less than \$5,000, use your capitalization level) and a useful lifetime of more than one year (see 2 CFR 200.1 for the definition of Equipment). List the item, quantity, and the unit cost per item.

Items with a unit cost of less than \$5,000 are supplies, not “equipment.” In general, we do not permit the purchase of equipment during the last funded year of the grant.

**Supplies:** Identify categories of supplies (e.g., office supplies) in the detailed budget and list the item, quantity, and the unit cost per item. Supplies include all tangible personal property other than “equipment” (see 2 CFR 200.1 for the definition of Supplies).

**Contractual:** Under the Contractual line item, delineate contracts and subawards separately. Contracts are defined according to 2 CFR 200.1 as a legal instrument by which a non-federal entity purchases property or services needed to carry out the project or program under a federal award. A subaward, defined by 2 CFR 200.1 means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program.

For each proposed contract and subaward, specify the purpose and activities to be provided, and the estimated cost.

**Construction:** Construction costs are not allowed and this line must be left as zero. Minor alterations to adjust an existing space for grant activities (such as a classroom alteration) may be allowable. We do not consider this as construction and you must show the costs on other appropriate lines such as Contractual.

**Other:** Provide clear and specific detail, including costs, for each item so that we are able to determine whether the costs are necessary, reasonable, and allocable. List items, such as stipends or incentives, not covered elsewhere.

**Indirect Costs:** If you include an amount for indirect costs (through a Negotiated Indirect Cost Rate Agreement or De Minimis) on the SF-424A budget form, then include one of the following:

a) If you have a Negotiated Indirect Cost Rate Agreement (NICRA), provide an explanation of how the indirect costs are calculated. This explanation should include which portion of each line item, along with the associated costs, are included in your cost allocation base. Also, provide a current version of the NICRA.

or

b) If you intend to claim indirect costs using the 10 percent de minimis rate, please confirm that your organization meets the requirements as described in 2 CFR

200.414(f). Clearly state that your organization does not have a current negotiated (including provisional) rate, and is not one described in 2 CFR 200, Appendix VII(D)(1)(b).

Applicants choosing to claim indirect costs using the de minimis rate must use Modified Total Direct Costs (see 2 CFR 200.1 below for definition) as their cost allocation base. Provide an explanation of which portion of each line item, along with the associated costs, are included in your cost allocation base. Note that there are various items not included in the calculation of Modified Total Direct Costs. See the definitions below to assist you in your calculation.

- **2 CFR 200.1 Modified Total Direct Cost (MTDC)** means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may be excluded only when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs. The definition of MTDC in 2 CFR 200.1 no longer allows any sub-contracts to be included in the calculation. You will also note that participant support costs are not included in modified total direct cost. Participant support costs are defined below.
- **2 CFR 200.1 Participant Support Cost** means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences or training projects.

See Section IV.B.4. and Section IV.E.1 for more information. Additionally, the following link contains information regarding the negotiation of Indirect Cost Rates at DOL: <https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division>.

Do not show leveraged resources on the SF-424 and SF-424A. You should describe leveraged resources in the Budget Narrative.

Applicants should list the same requested federal grant amount on the SF-424, SF-424A, and Budget Narrative. If minor inconsistencies are found between the budget amounts specified on the SF-424, SF-424A, and the Budget Narrative, ETA will consider the SF-424 the official funding amount requested. However, if the amount specified on the SF-424 would render the application nonresponsive, the Grant Officer will use his or her discretion to determine whether the intended funding request (and match if applicable) is within the responsive range.

**Request for Administrative Cost Rate Above 15 Percent:** Administrative costs under this award follow the definitions in the WIOA Final Rule at 20 CFR 683.205(b) and 20 CFR 683.215. The administrative cost rate is limited to 15 percent of the total grant award. Applicants may request an increase (not to exceed 20 percent) by providing a brief written justification explaining the percentage of grant funds that the applicant requires for

covering all of its necessary administrative costs, as well the conditions projected to exist during the program year which will contribute to administrative costs in excess of 15 percent.

### **3. Four-Year Strategic Plan**

WIOA sec. 166(e) requires that organizations must submit a Four-Year Strategic Plan in order to receive a grant. The Four-Year Strategic Plan must demonstrate your capability to implement the grant project in accordance with the provisions of this Announcement. It provides a comprehensive framework and description of all aspects of the proposed project. It must be succinct, self-explanatory, and well-organized so that reviewers can understand the proposed project.

The Four-Year Strategic Plan is limited to 20 double-spaced single-sided 8.5 x 11 inch pages with Times New Roman 12-point text font and 1-inch margins. You must number the 4-Year Strategic Plan beginning with page number 1.

We will not read or consider any materials beyond the specified page limit in the application review process.

The following instructions provide all of the information needed to complete the 4-Year Strategic Plan. Carefully read and consider each section, and include all required information in your Four-Year Strategic Plan. The agency will evaluate the Four-Year Strategic Plan using the evaluation criteria identified in Section V.A. You must use the same section headers identified below for each section of the Four-Year Strategic Plan.

The Four-Year Strategic Plan must be uploaded as the mandatory Project Narrative Form in Grants.gov.

#### **a. Overall Service Strategy (Up to 15 Points)**

Explain in detail the applicant's overarching strategy to effectively help unemployed and low-income Native Americans become economically self-sufficient or move into the middle class. Such strategies may include career pathways or other strategies that are customized to the unique needs of the target population in the proposed geographic service area. Applicants must also identify the barriers to employment that must be addressed in the service area (e.g. cultural barriers, geographic remoteness, high poverty, etc.) and provide a persuasive explanation of how grant funds will be used to overcome those challenges. The Department encourages strategies that offer pre-apprenticeship or Registered Apprenticeship opportunities.

#### **b. Participants Served (Up to 10 Points)**

Provide the number of participants projected to be served each year, along with the demographics and characteristics of the targeted population in the proposed geographic service area. Explain the education and employment needs of the target population. Provide details on the planned activities to engage the community to facilitate effective recruitment. Additionally, if a service priority system has been established due to limited resources, describe the priority system.

**c. Array of Services (Up to 15 Points)**

Scoring for this criterion is based on the extent to which the applicant clearly and accurately addresses the following:

- i.** Describe the employment and training services to be provided to individuals, which include the services at 20 CFR 678.430, and 680.200, as well as any other services the applicant will provide.
- ii.** Describe the services the applicant will be provide to employers to address their needs. This may include identifying a qualified applicant pool, skills gaps, worker shortages, high turnover, soft skills training, diversity, cultural barriers etc.
- iii.** Describe partnerships with other non-profits, local public schools, community colleges, vocational technical schools, etc., to address the socio-economic needs of the local community such as education, housing, child care, community safety, etc.

**d. Labor Market Demand (Up to 15 Points)**

Scoring for this criterion is based on the extent to which the applicant clearly and accurately addresses the following:

- i.** Clearly and accurately describe the labor market in the applicant’s service area (e.g. largest employers in the area and types of employers).
- ii.** Demonstrate the strength and effectiveness of the proposed employment and training services in addressing the labor market needs (i.e., how the education and training you plan to provide relate to the skills required by employers in your service area).
- iii.** Provide a persuasive explanation of how the grant funds will be used to overcome identified challenges and support improved service delivery strategies.

**e. Organizational, Administrative, and Fiscal Capacity (Up to 15 Points)**

Scoring for this criterion is based on the extent to which the applicant clearly and accurately addresses the following:

- i.** Describe fully the applicant organization’s current mission, structure, staffing, and relevant experience. Describe how these factors contribute to the ability of the organization to conduct the program requirements and meet program expectations. Include information about any other federal grants the organization may have. Also provide information on your governing board, including the required number of members according to Bylaws, tribal constitution, and how many members are currently on the board. Also include how often board members meet and the length of their terms.
- ii.** Describe the internal controls that the applicant has in place to safeguard federal funds such as segregation of duties, conducting an annual independent audit, providing financial reports to members of the board, etc.
- iii.** Describe the information technology (IT) capabilities that currently exist within the organization to collect performance data required by this grant. For example, does the organization have an IT department or does it have a contract with an outside

vendor? How old are the computer systems that will be used to manage this grant and if they are outdated (over 5 years old) are there plans to upgrade the equipment?

**f. Past Performance - Program Capability (Up to 15 Points)**

Organizations will receive points based on past performance data. Applicants must use the information below and provide the applicable past performance information.

- (i) Full description of the applicant's prior experience and performance in the development and implementation of Native American Employment and Training programs. This could include evidence of existing partnerships, prior experience in developing and implementing Native American Employment and Training Programs or other related social services programs serving Native Americans.
- (ii) Demonstration that partners have experience in engaging industry, employers, and labor unions or labor-management organizations in working with Native Americans, including specific industries, employers, and labor organizations that partners have worked with in the past.
- (iii) Demonstration that the applicant or partners have experience in developing and implementing Native American workforce development programs, including work experience, job placement, career counseling and demonstrated ability to integrate and work with the existing workforce system and workforce system partners including the specific workforce system partners applicants have worked with in the past. Applicants must list specific programs they have developed and the specific activities within those programs.
- (iv) Demonstrated ability to serve Native Americans with barriers to employment and from historically marginalized and underserved communities, particularly the applicant's identified geographic service area. Applicant must provide data on numbers of Native Americans with barriers served that demonstrates they have served such individuals in the past.
- (v) Demonstrated ability to pilot an initiative, monitor its progress and performance, adjust practices as needed, and then effectively scale up those promising elements of the initiative to a broader set of affiliates.

**g. Workforce System Relationships (Up to 5 Points)**

The applicant must fully describe its current relationship with the Workforce System (i.e., Local Workforce Development Boards (LWDBs) or State Workforce Development Boards (SWDBs) where the SWDB serves as the local WDB for the entire state).

- i. Applicants who are existing grantees must list the LWDBs in their geographic service area and identify those with which you have a Memorandum of Understanding (MOU). If no such MOU exists with a LWDB or SWDB in your area, provide the extent to which you have made a good faith effort to enter into an MOU with the LWDB/SWDB. If you have an MOU with some LWDBs but not others, please provide an explanation. Also include an explanation of any disagreements, differences, or other issues that currently



exist between applicant and the LWDBs or SWDBs, and the steps taken to resolve them as well as notable areas of cooperation or progress.

**ii.** Applicants must describe the services they provide through the American Job Centers (AJCs) (also known as one-stop centers), if any, and whether they are co-located with or have staff located in an AJC.

**iii.** New applicants or existing grantees that do not have an existing MOU with a LWDB/SWDB must demonstrate the extent to which they are knowledgeable of the public workforce system and any formal or informal working relationships they have with the public workforce system. This may include information about any partnerships or working relationships with community colleges and other higher educational institutions that provide training and workforce development programs and services.

#### **h. Budget and Budget Narrative (Up to 10 Points)**

The SF-424A Budget and the Budget Narrative will be used to evaluate this section. The SF-424A Budget and Budget Narrative do not count against the page limit requirements for the 4-Year Strategic Plan.

**i.** The budget must address all project requirements and reflect proposed activities. Consistent with the description of the SF-424A in above section IV.B.2 (Project Budget), although applicants are submitting a Four-Year Strategic Plan, the Budget and Budget Narrative must only include the requested grant amounts for year one. In describing the personnel line item, applicants must provide a listing of positions that will be funded under this grant.

**ii.** The extent to which the budget narrative provides the required information, including a description of costs associated with each line item on the SF-424A, and the projected cost-per-participant of the project. It must also describe leveraged resources (if applicable) to support grant activities.

**iii.** The totals on the SF-424A and the Budget Narrative must align.

#### **4. Supplemental Youth Services Program Narrative (0 Points)**

This is a separate narrative, required per 20 CFR 684.420, for those applicants requesting youth funding in addition to adult funding. Applicants must submit this brief narrative with their separate application package for youth funding (see Section IV.B for instructions). If you are not applying for youth funding, this narrative is not required.

The youth narrative will not be scored, as youth funding is contingent upon a successful application for adult funding. It does not count against the page limit requirements for the Four-Year Strategic Plan. The youth narrative must address the following:

- i. Youth Participants Served: Identify the number of youth to be served, explain strategies for recruiting and retaining the most-in-need and/or at-risk youth, and identify projected performance outcomes.
- ii. Array of Services: Describe the services to be provided to address identified needs (e.g. services to reduce dropout rates or improve access to post-secondary education).
- iii. Partnering with Education Providers: Describe planned collaborations with educational providers to academically prepare students to successfully move into post-secondary education.
- iv. Cultural Identity: Describe any planned culturally relevant youth activities that academically prepare students to successfully move into post-secondary education and succeed in the workplace, while maintaining or promoting cultural identity.

## **5. Attachments to the Four-Year Strategic Plan**

In addition to the Four-Year Strategic Plan, you must submit attachments. All attachments must be clearly labeled. We will exclude only those attachments listed below from the page limit. The Budget and Budget Justification do not count against the page limit requirements for the Four-Year Strategic Plan.

You must not include additional materials such as resumés or general letters of support. You must submit your application in one package because documents received separately will be tracked separately and will not be attached to the application for review.

Save all files with descriptive file names of 50 characters or fewer and use only standard characters in file names: A-Z, a-z, 0-9, and underscore (\_). File names may not include special characters (e.g. &, -, \*, %, /, #), periods (.), blank spaces, or accent marks, and must be unique (e.g., no other attachment may have the same file name). You may use an underscore (example: My\_Attached\_File.pdf) to separate a file name.

### **a. Required Attachments**

#### **(1) Abstract**

You must submit an up to two-page abstract summarizing the proposed project including, but not limited to, the scope of the project and proposed outcomes. Omission of the abstract will not result in your application being disqualified; the lack of the required information in the abstract, however, may impact scoring. See III.C.1 for a list of items that will result in the disqualification of your application. The abstract must include the following:

- the applicant's name;
- the project title;
- the funding level requested;
- the geographic area to be served;
- the purpose of the project;
- the intended beneficiaries of the project;
- the activities to be performed;
- the estimated number of participants to be served;
- the estimated number of participants employed in the fourth quarter after exit;

- the estimated total median earnings of participants in the second quarter after exit;
- the expected outcomes of the project;
- the intended beneficiaries of the project; and
- subrecipient activities, if any.

When estimating the number of participants to be served, the average cost per participant must not exceed \$5,000. Cost per participant is calculated by dividing the amount indicated on item 18.g of the SF-424 by the estimated number of participants.

**(2) List of Counties (and Indian Reservations if Applicable) the Applicant Will Serve**

Applicants must provide their proposed geographic service area in a separate attachment to the application. Omission of the attachment will not result in the disqualification of the application. This information is critical, however, as award amounts are determined by the number of unemployed and low-income American Indians, Alaska Natives and Native Hawaiians living in a geographic service area relative to all such individuals living in the United States (see 20 CFR 684.270). Supplemental youth funding is based on the number of American Indian, Alaska Native and Native Hawaiian youth between the ages of 14 and 24 living in poverty on or near an Indian reservation, Rancheria, Oklahoma Tribal Statistical Area (OTSA), Alaska Native Village Statistical Area (ANVSA) and the state of Hawaii (see 20 CFR 684.400 and 684.440). Applicants must do the following:

- If serving an entire state, list ENTIRE STATE in the attachment. No further details are required.
- If serving a portion of a state, applicants must provide the comprehensive list of counties, Indian reservations, Rancherias, OTSAs, and/or ANVSAs that comprise the proposed service area.
- If you are an incumbent (current) grantee that is applying for your current/existing service area only, the attachment must only say “INCUMBENT GRANTEE PROPOSING TO SERVE EXISTING AREA.” Do not provide a detailed listing, in order to avoid making the mistake of leaving out a service area (county or reservation) that you currently serve or adding a service area that will wrongly put you in competition with another applicant or existing grantee).

The information provided in this attachment must match the information provided in the SF-424 (*Application for Federal Assistance*) in block 14 (*Areas Affected by the Project*).

**(3) Memorandum of Understanding (MOU) with Local Workforce Development Boards (LWDBs)**

*Omission of this attachment will result in the disqualification of an application.* 20 CFR 684.330 requires that grant recipients execute a Memorandum of Understanding (MOU) with LWDBs regarding partner program services in relevant American Job Centers and the operation of American Job Centers in the local area. Accordingly, applicants must provide documentation of MOUs with LWDBs in their geographic area or State Workforce Development Boards (SWDBs) in single-area states. Applicants that have several MOUs with several different LWDBs only need to submit an MOU with the LWDB service area where the largest number of Native Americans will receive services. If a good faith effort

was made to enter into an MOU with the LWDB but is either still ongoing or was unsuccessful, you must provide documentation or explain such efforts. New applicants that have not had an opportunity to develop MOUs with LWDBs are not required to submit an MOU; however, they must describe how they plan to work with the local one-stops including providing any services through the American Job Center in their Four-Year Strategic Plan.

### **b. Requested Attachments**

We request the following attachments, but their omission will not cause us to disqualify the application. The omission of the attachment will, however, impact scoring unless otherwise noted.

#### **(1) Waiver Requests**

WIOA sec. 166(i)(3) permits waivers of any statutory or regulatory requirement of Title I of WIOA that are inconsistent with the specific needs of the INAP grantee (except for the areas cited in § 684.920). While a waiver may be requested at any time during a four-year grant award cycle, the Department encourages applicants to request waivers of the performance indicators at the beginning of a four-year grant award cycle, in the Four-Year Strategic Plan, and approved waivers will apply for the duration of the Four-Year Plan. Waivers approved in conjunction with the Four-Year Strategic Plan will be applied against the initial award, as well as for the funding awarded in the three subsequent program years. This attachment does not impact scoring of the application.

Guidance on how to submit a waiver request for the performance indicators can be found at: [https://wdr.doleta.gov/directives/attach/TEGL/TEGL\\_4-19\\_acc.pdf](https://wdr.doleta.gov/directives/attach/TEGL/TEGL_4-19_acc.pdf).

#### **(2) Indirect Cost Agreement**

If you are requesting indirect costs based on a Negotiated Indirect Cost Rate Agreement approved by your federal Cognizant Agency, then attach the most recently approved Agreement. (For more information, see Section IV.B.2. and Section IV.E.1.) This attachment does not impact scoring of the application.

This document must be uploaded as an attachment to the application package and labeled “NICRA.”

#### **(3) Financial System Risk Assessment Information**

All applicants are requested to submit Funding Opportunity Announcement Financial System Risk Assessment Information. See Section V.B.2 for a sample template and additional instructions. This attachment does not impact the scoring of the application.

## **C. SUBMISSION DATE, TIME, PROCESS AND ADDRESS**

### **1. Hardcopy Submission**

No applications submitted in hardcopy by mail or hand delivery (including overnight delivery) will be accepted for this funding opportunity.

### **2. Electronic Submission through Grants.gov**

Applicants submitting applications must ensure successful submission **no later than 11:59 p.m. Eastern Time on the closing date**. Grants.gov will subsequently validate the application.

The process can be complicated and time-consuming. You are strongly advised to initiate the process as soon as possible and to plan for time to resolve technical problems. Note that validation does not mean that your application has been accepted as complete or has been accepted for review by the agency. Rather, grants.gov verifies only the submission of certain parts of an application.

#### **a. How to Register to Apply through Grants.gov**

Read through the registration process carefully before registering. These steps may take as long as four weeks to complete, and this time should be factored into plans for timely electronic submission in order to avoid unexpected delays that could result in the rejection of an application.

Applicants must follow the online instructions for registration at <https://www.grants.gov/web/grants/applicants/organization-registration.html>. We recommend that you prepare the information requested before beginning the registration process. Reviewing and assembling required information before beginning the registration process will alleviate last-minute searches for required information and save time.

An application submitted through Grants.gov constitutes a submission as an electronically signed application. The registration and account creation with Grants.gov, with E-Biz Point of Contact (POC) approval, establishes an Agency Organizational Representative

(AOR). When an application is submitted through Grants.gov, the name of the AOR who submitted the application is inserted into the signature line of the application, serving as the electronic signature. The E-Biz POC must authorize the individual who is able to make legally binding commitments on behalf of your organization as the AOR; this step is often missed and it is crucial for valid submissions.

#### **b. How to Submit an Application to DOL via Grants.gov**

Grants.gov applicants can apply online using Workspace. Workspace is a shared online environment where members of a grant team may simultaneously access and edit different webforms within an application. For a complete workspace overview, refer

to <https://www.grants.gov/web/grants/applicants/workspace-overview.html>. For access to complete instructions on how to apply for opportunities, refer to <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>.

When a registered applicant submits an application with Grants.gov, an electronic time stamp is generated within the system when the application is successfully received by

Grants.gov. Grants.gov will send the applicant AOR an email acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) with the successful transmission of the application, serving as proof of timely submission. The applicant will receive two email messages to provide the status of the application's progress through the system.

- The first email will contain a tracking number and will confirm receipt of the application by Grants.gov.
- The second email will indicate the application has either been successfully validated or has been rejected due to errors.

Grants.gov will **reject applications if the applicant's registration in SAM is expired. Only applications that have been successfully submitted by the deadline and later successfully validated will be considered.** It is your responsibility to ensure a timely submission. While it is not required that an application be successfully validated before the deadline for submission, it is prudent to reserve time before the deadline in case it is necessary to resubmit an application that has not been successfully validated. Therefore, enough time should be allotted for submission (24-48 hours) and, if applicable, additional time to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). It is important to note that if enough time is not allotted and a rejection notice is received after the due date and time, DOL will not consider the application.

To ensure consideration, the components of the application must be saved as .doc, .docx, .xls, .xlsx, .rtf or .pdf files. If submitted in any other format, the applicant bears the risk that compatibility or other issues will prevent DOL from considering the application. We will attempt to open the document, but will not take any additional measures in the event of problems with opening.

We strongly advise applicants to use the various tools and documents, including FAQs, which are available on the "Applicant Resources" page at <https://www.grants.gov/web/grants/applicants/applicant-faqs.html>.

We encourage new prospective applicants to view the online tutorial, "Grant Applications 101: A Plain English Guide to ETA Competitive Grants," available through WorkforceGPS at <https://strategies.workforcegps.org/resources/2014/08/11/16/32/applying-for-eta-competitive-grants-a-web-based-toolkit-for-prospective-applicants-438?p=1>.

To receive updated information about critical issues, new tips for users, and other time-sensitive updates as information is available, you may subscribe to "Grants.gov Updates" at <https://www.grants.gov/web/grants/manage-subscriptions.html>.

If you encounter a problem with Grants.gov and do not find an answer in any of the other resources, contact one of the following:

- call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or
- email [support@grants.gov](mailto:support@grants.gov).

The Grants.gov Contact Center is open 24 hours a day, 7 days a week but closed on federal holidays. If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number.

### **Late Applications**

We will consider only applications successfully submitted through Grants.gov no later than 11:59 p.m. Eastern Time on the closing date and then successfully validated. You take a significant risk by waiting to the last day to submit through Grants.gov.

## D. INTERGOVERNMENTAL REVIEW

This funding opportunity is not subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.”

## E. FUNDING RESTRICTIONS

All proposed project costs must be necessary and reasonable and in accordance with federal guidelines. Determinations of allowable costs will be made in accordance with the Cost Principles, now found in the Office of Management and Budget’s Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), codified at 2 CFR Part 200 and at 2 CFR Part 2900 (Uniform Guidance-DOL specific). Disallowed costs are those charges to a grant that the grantor agency or its representative determines not to be allowed in accordance with the Cost Principles or other conditions contained in the grant. Applicants, whether successful or not, will not be entitled to reimbursement of pre-award costs.

### Indirect Costs

As specified in the Uniform Guidance Cost Principles, indirect costs are those that are incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. An indirect cost rate is required when an organization operates under more than one grant or other activity, whether federally-assisted or not. You have two options to claim reimbursement of indirect costs.

**Option 1:** You may use a NICRA or Cost Allocation Plan (CAP) supplied by the federal Cognizant Agency. If you do not have a NICRA/CAP or have a pending NICRA/CAP, and in either case choose to include estimated indirect costs in your budget, at the time of award the Grant Officer will release funds in the amount of 10 percent of Modified Total Direct Costs to support indirect costs. Within 90 days of award, you are required to submit an acceptable indirect cost proposal or CAP to your federal Cognizant Agency to obtain a provisional indirect cost rate. (See Section IV.B.4. for more information on NICRA submission requirements.)

**Option 2:** Any organization that does not have a current negotiated (including provisional) rate, with the exceptions noted at 2 CFR 200.414(f) in the Cost Principles, may elect to charge a de minimis rate of 10 percent of modified total direct costs (see 2 CFR 200.1 for definition), which may be used indefinitely. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as the non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

### 2. Administrative Cost Limitation

Administrative costs under this award follow the definitions in the WIOA Final Rule at 20 CFR 683.205(b) and 20 CFR 683.215. There is a 15 percent limitation on a grant’s total administrative costs each program year. Applicants may request an increase of this administrative cost rate; however, it may not be greater than 20 percent of the total grant award.

Recipients seeking to charge administrative charges in excess of 15 percent of the total grant award must make this request in the 4-Year Strategic Plan by providing a written justification explaining the conditions requiring administrative costs in excess of 15

percent. Compliance with the administrative costs limit is monitored throughout the grant period. Any amounts exceeding this limitation at closeout will be disallowed and subject to debt collection. Approval to exceed the administrative cost limit does not carry over from program year to program year; therefore, recipients must request via a modification request following the receipt of annual allotments.

Administrative costs include both personnel and non-personnel costs and both direct and indirect costs. Administrative costs as defined in 20 CFR 683.215 are for the performance of administrative functions in carrying out activities under Title I of WIOA that are not related to the direct provision of workforce investment services (including services to participants and employers). Administrative costs do not need to be identified separately from program costs on the SF-424A Budget Information Form. However, they must be tracked through the recipient's accounting system. To claim any administrative costs that are also indirect costs, the applicant must obtain an Indirect Cost Rate Agreement from its federal Cognizant Agency or be eligible to use the 10 percent de minimis rate, as specified above. For WIOA grants, all costs charged as a result of the de minimis rate will be counted towards the administrative cost limitation specified in this section.

### **3. Salary and Bonus Limitations**

None of the funds appropriated under the heading "Employment and Training" in the appropriation statute(s) may be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation does not apply to contractors providing goods and services as defined in the Audit Requirements of the OMB Uniform Guidance (see 2 CFR 200 Subpart F). Where states are recipients of such funds, states may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost of living in the state, the compensation levels for comparable state or local government employees, and the size of the organizations that administer federal programs involved including ETA programs. See Public Law 113-235, Division G, Title I, section 105, and TEGL number 05-06 for further clarification: [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=2262](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262).

### **4. Intellectual Property Rights**

Pursuant to 2 CFR 2900.13, to ensure that the federal investment of DOL funds has as broad an impact as possible and to encourage innovation in the development of new learning materials, the grantee will be required to license to the public all work created with the support of the grant under a Creative Commons Attribution 4.0 (CC BY) license. Work that must be licensed under the CC BY includes both new content created with the grant funds and modifications made to pre-existing, grantee-owned content using grant funds.

This license allows subsequent users to copy, distribute, transmit, and adapt the copyrighted work and requires such users to attribute the work in the manner specified by the grantee. Notice of the license shall be affixed to the work. For general information on CC BY, please visit <https://creativecommons.org/licenses/by/4.0>.

Instructions for marking your work with CC BY can be found at [https://wiki.creativecommons.org/Marking\\_your\\_work\\_with\\_a\\_CC\\_license](https://wiki.creativecommons.org/Marking_your_work_with_a_CC_license).



Questions about CC BY as it applies to this specific funding opportunity should be submitted to the ETA Grants Management Specialist specified in Section VII.

Only work that is developed by the recipient in whole or in part with grant funds is required to be licensed under the CC BY license. Pre-existing copyrighted materials licensed to or purchased by the grantee from third parties, including modifications of such materials, remain subject to the intellectual property rights the grantee receives under the terms of the particular license or purchase. In addition, works created by the grantee without grant funds do not fall under the CC BY licensing requirement.

The purpose of the CC BY licensing requirement is to ensure that materials developed with funds provided by these grants result in work that can be freely reused and improved by others. When purchasing or licensing consumable or reusable materials, the grantee is expected to respect all applicable federal laws and regulations, including those pertaining to the copyright and accessibility provisions of the Federal Rehabilitation Act.

Separate from the CC BY license to the public, the Federal Government reserves a paid-up, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for federal purposes (i) the copyright in all products developed under the grant, including a subaward or contract under the grant or subaward; and (ii) any rights of copyright to which the recipient, subrecipient, or a contractor purchases ownership under an award (including, but not limited to, curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. The grantee may not use federal funds to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work. If revenues are generated through selling products developed with grant funds, including intellectual property, DOL treats such revenues as program income. Such program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following standard ETA disclaimer needs to be on all products developed in whole or in part with grant funds.

**“This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The U.S. Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.”**

### **5. Credential Transparency**

The Department wishes to ensure that individuals, employers, educators and training providers have access to the most complete, current and beneficial information about providers, programs credentials, and competencies supported with these public, federal funds. To this end, the Department requires that information about all credentials (including but not limited to diplomas, badges, certificates, certifications, apprenticeships, licenses, and degrees of all levels and types) and competencies (knowledge, skills and abilities) developed or delivered through the use of

these public federal funds be made publicly accessible through the use of linked open data formats that support full transparency and interoperability, such as through the use of credential transparency description language specifications. ETA will provide specific guidance and technical assistance on data elements to include in the published open data, such as information about the credential provider, the credential and its associated competencies, delivery mode, geographic coverage, the industry sector(s) and occupation(s) for which the credential was developed, related assessments, related accreditations or other quality assurances where appropriate, costs, and available outcomes.

## **6. WIOA Infrastructure**

Pursuant to WIOA sec. 121(h)(2)(D)(iv) and 20 CFR 684.330(d), funding awarded under this grant is not subject to the requirement to contribute to the infrastructure costs of the one-stop delivery system unless otherwise agreed upon in a Memorandum of Understanding with the State or Local Workforce Development Board(s).

As required one-stop partners, however, INAP programs are encouraged to contribute to infrastructure costs of American Job Centers. Any agreement regarding the contribution or non-contribution to infrastructure funding by Native American programs must be recorded in the signed MOU. Where an INA grantee fails to enter into a MOU with the Local Workforce Development Board (WBD), the INA grantee must describe in an attachment to the 4-Year Strategic Plan the good-faith efforts made in order to negotiate an MOU with the Local WDB.

## **7. Use of Grant Funds for Participant Wages**

Please see [20 CFR 684.340](#) for the policies that govern payments to participants.

## **F. OTHER SUBMISSION REQUIREMENTS**

Withdrawal of Applications: You may withdraw an application by written notice to the Grant Officer at any time before an award is made.

## **V. APPLICATION REVIEW INFORMATION**

### **A. CRITERIA**

We have instituted procedures for assessing the technical merit of applications to provide for an objective review of applications and to assist you in understanding the standards against which your application will be judged. The evaluation criteria are based on the information required in the application as described in Sections IV.B.2. (Project Budget) and IV.B.3. (4-Year Strategic Plan). Reviewers will award points based on the evaluation criteria described below.

Section IV.B.3 (4-Year Strategic Plan) of this FOA has several “section headers” (e.g. IV.B.3.a), Overall Service Strategy). Each of these “section headers” of the 4-Year Strategic Plan may include one or more “criteria,” and each “criterion” includes one or more “rating factors,” which provide detailed specifications for the content and quality of the response to that criterion. Each of the rating factors have specific point values assigned. These point values are the number of points possible for the application to earn for the rating factor.

<b>Criterion</b>	<b>Points (maximum)</b>
1. Overall Service Strategy (See Section IV.B.3.a)	15 total
2. Participants Served (See Section IV.B.3.b)	10 total
3. Array of Services (See Section IV.B.3.c)	15 total
4. Labor Market Demand (See Section IV.B.3.d)	15 total
5. Organizational, Administrative, and Fiscal Capacity (See Section IV.B.3.e)	15 total
6. Past Performance - Program Capability (See Section IV.B.3.f)	15 total
7. Workforce System Relationships (See Section IV.B.3.g)	5 Total
8. Budget and Budget Narrative (See Section IV.B.3.h)	10 total
<b>TOTAL</b>	<b>100</b>

Section IV.B.3, 4-Year Strategic Plan, provides a detailed explanation of the information an application must include (e.g., a comprehensive work plan for the whole period of performance with feasible and realistic dates). Reviewers will rate each “rating factor” based on how fully and convincingly the applicant responds. For each “rating factor” under each “criterion,” panelists will determine whether the applicant thoroughly meets, partially meets, or fails to meet the “rating factor,” unless otherwise noted in Section IV.B.3, based on the definitions below:

<b>Standard Rating</b>	<b>Definition</b>	<b>Standard for Calculating Points</b>
Thoroughly Meets	The application thoroughly responds to the rating factor and fully and convincingly satisfies all of the stated specifications.	Full Points
Partially Meets	The application responds incompletely to the rating factor or the application convincingly satisfies some, but not all, of the stated specifications.	Half Points/Partial Points, commensurate with the extent to which applicant response addresses rating factor.
Fails to Meet	The application does not respond to the rating factor or the application does	Zero Points

Standard Rating	Definition	Standard for Calculating Points
	respond to the rating factor but does not convincingly satisfy any of the stated specifications.	

In order to receive the maximum points for each rating factor, applicants must provide a response to the requirement that fully describes the proposed program design and demonstrates the quality of approach, rather than simply re-stating a commitment to perform prescribed activities. In other words, applicants must describe why their proposal is the best strategy and how they will implement it, rather than that the strategy contains elements that conform to the requirements of this FOA.

## **B. REVIEW AND SELECTION PROCESS**

### **1. Merit Review and Selection Process**

A technical merit review panel will carefully evaluate applications against the selection criteria to determine the merit of applications. These criteria are based on the policy goals, priorities, and emphases set forth in this FOA. Up to 100 points may be awarded to an applicant, depending on the quality of the responses provided. The final scores (which may include the mathematical normalization of review panels) will serve as the primary basis for selection of applications for funding. The panel results are advisory in nature and not binding on the Grant Officer. The Grant Officer reserves the right to make selections based solely on the final scores or to take into consideration other relevant factors when applicable. Such factors may include the geographic distribution of funds, and other relevant factors. The Grant Officer may consider any information that comes to their attention.

The government may elect to award the grant(s) with or without discussion with the applicant. Should a grant be awarded without discussion, the award will be based on the applicant’s signature on the SF-424, including electronic signature via E-Authentication on <https://www.grants.gov>, which constitutes a binding offer by the applicant.

### **2. Risk Review Process**

Prior to making an award, ETA will review information available through various sources, including its own records and any OMB-designated repository of government-wide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIIS), Dun and Bradstreet, and “Do Not Pay.” Additionally, ETA will comply with the requirements of 2 CFR Part 180 adopted at 2 CFR Part 2998 (Non-procurement Debarment and Suspension). This risk evaluation may incorporate results of the evaluation of the applicant’s eligibility (application screening) or the quality of its application (merit review). If ETA determines that an award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award. Criteria to be evaluated include the following:

- i. Financial stability;

- ii. Quality of management systems and ability to meet the management standards prescribed in the Uniform Grant Guidance;
- iii. History of performance. The applicant’s record in managing awards, cooperative agreements, or procurement awards, if it is a prior recipient of such federal awards, including timeliness of compliance with applicable reporting requirements and, if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- iv. Reports and findings from audits performed under Subpart F–Audit Requirements of the Uniform Grant Guidance or the reports and findings of any other available audits and monitoring reports containing findings, issues of non-compliance, or questioned costs;
- v. The applicant’s ability to effectively implement statutory, regulatory, and other requirements imposed on recipients.

NOTE: As part of ETA’s Risk Review process, the Grant Officer will determine the following:

- If the applicant had any restriction on spending for any ETA grant due to adverse monitoring findings; or
- If the applicant received a High Risk determination in accordance with [TEGL 23-15](#).

Depending on the severity of the findings and whether the findings were resolved, the Grant Officer may, at their discretion, elect not to fund the applicant for a grant award regardless of the applicant’s score in the competition.

All applicants are requested to submit the following information as an attachment to their application (suggested template below) for ETA to assess the applicant’s Financial System. This information will be taken into account as one component of ETA’s Risk Review Process. Applicants may use the suggested template or answer the questions in a separate attachment. It is unlikely that an organization will be able to manage a federal grant without the following system/processes in place. Applicants are expected to have these in place before applying for a grant with ETA.

<p>U.S. DEPARTMENT OF LABOR -EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) <b>FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK ASSESSMENT</b></p>		
	<p><b>SECTION A: PURPOSE</b></p>	
<p>The financial responsibility of grantees must be such that the grantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate administrative and financial systems including the accounting systems should meet the following criteria as contained in 2 CFR 200 and 2 CFR 2900.</p> <p>(1) Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.</p> <p>(2) Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.</p>		

U.S. DEPARTMENT OF LABOR -EMPLOYMENT AND TRAINING  
 ADMINISTRATION (ETA)  
**FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK  
 ASSESSMENT**

- (3) The accounting system should provide accurate and current financial reporting information.
- (4) The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency, and encourage adherence to prescribed management policies.

**SECTION B: GENERAL**

1. Complete the following items:

a. When was the organization founded/incorporated (*month, day, year*)

b. Principal officers                      Titles

c. Employer Identification Number:

d. Number of Employees  
 Full Time:    Part Time:

2. Is the organization or institution affiliated with any other organization: Yes              No  
 If yes, please provide details as to the nature of the company (for profit, nonprofit, LLC, etc) and if it provides services or products to the organization in relation to this grant.

3. Total Sales/Revenues in most recent accounting period. (*12 months*)  
 \$

**SECTION C:  
 ACCOUNTING SYSTEM**

1. Has any Government Agency rendered an official written opinion concerning the adequacy of the accounting system for the collection, identification and allocation of costs under Federal contracts/grants?    Yes    No

a. If yes, provide name, and address of Agency performing review:

b. Attach a copy of the latest review and any subsequent correspondence, clearance documents, etc.

Note: If review occurred within the past three years, omit questions 2-8 of this Section and Section D.

2. Which of the following best describes the accounting system:

State administered      Internally Developed      Web-based

U.S. DEPARTMENT OF LABOR -EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) <b>FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK            ASSESSMENT</b>			
3. Does the accounting system identify the receipt and expenditure of program funds separately for each contract/grant?	Yes	No	Not Sure
4. Does the accounting system provide for the recording of expenditures for each grant/contract by the component project and budget cost categories shown in the approved budget?	Yes	No	Not Sure
5. Are time distribution records maintained for an employee when his/her effort can be specifically identified to a particular cost objective?	Yes	No	Not Sure
6. If the organization proposes an overhead rate, does the accounting system provide for the segregation of direct and indirect expenses?	Yes	No	Not Sure
7. Does the organization have an approved indirect cost rate or cost allocation plan? If so, who approved it (Federal Cognizant Agency or a Pass-through Entity)? What are the effective dates?	Yes	No	Not Sure
8. Does the accounting/financial system include budgetary controls to preclude incurring obligations in excess of:	Yes	No	Not Sure
a. Total funds available for a grant?	Yes	No	Not Sure
b. Total funds available for a budget cost category (e.g. Personnel, Travel, etc)?			
9. Does the organization or institution have an internal control structure that would provide reasonable assurance that the grant funds, assets, and systems are safeguarded?	Yes	No	Not Sure
<b>SECTION D: FINANCIAL STABILITY</b>			
1. Is there any legal matter or an ongoing financial concern that may impact the organization's ability to manage and administer the grant? If yes, please explain briefly.	Yes	No	
<b>SECTION E: FINANCIAL STATEMENTS</b>			
1. Did an independent certified public accountant (CPA) ever examine the financial statements?	Yes	No	
2. If an independent CPA review was performed please attach a copy of their latest report and any management letters issued.	Enclosed	N / A	

U.S. DEPARTMENT OF LABOR -EMPLOYMENT AND TRAINING  
 ADMINISTRATION (ETA)  
**FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK  
 ASSESSMENT**

3. If an independent CPA was engaged to perform a review and no report was issued, please provide details and an explanation below:

**SECTION F: ADDITIONAL  
 INFORMATION**

1. Use this space for any additional information (*indicate section and item numbers if a continuation*)

**VI. AWARD ADMINISTRATION INFORMATION**

**A. AWARD NOTICES**

All award notifications will be posted on the ETA Homepage at <https://www.dol.gov/agencies/eta/>. Applicants selected for award will be contacted directly before the grant’s execution. Non-selected applicants will be notified by mail or email and may request a written debriefing on the significant weaknesses of their application.

Selection of an organization as a recipient does not constitute approval of the grant application as submitted. Before the actual grant is awarded, we may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support grant implementation. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the negotiations and decline to fund the application. We reserve the right not to fund any application related to this FOA.

**B. ADMISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

**1. Administrative Program Requirements**

All grantees will be subject to all applicable federal laws and regulations, including the OMB Uniform Guidance, and the terms and conditions of the award. The grant(s) awarded under this FOA will be subject to the following administrative standards and provisions.



- i. Non-Profit Organizations, Educational Institutions, For-profit entities and State, Local, and Indian Tribal Governments—2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and 2 CFR Part 2900 (DOL’s Supplement to 2 CFR Part 200).
- ii. All recipients must comply with the applicable provisions of the Workforce Innovation and Opportunity Act (WIOA), Public Law No. 113-328, 128 Stat. 1425 (codified as amended at 29 U.S.C. 3101 et. seq.) and the applicable provisions of the regulations at 20 CFR Part 675 et. seq. Note that 20 CFR Part 683 (Administrative Provisions) allows unsuccessful applicants to file administrative appeals.
- iii. All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Government wide Requirements for Drug-Free Workplace (Financial Assistance)), 2 CFR Part 180 (OMB Guidance to Agencies on Government-wide Debarment and Suspension (Non-procurement)), and, where applicable, 2 CFR Part 200 (Audit Requirements).
- iv. 29 CFR Part 2, subpart D—Equal Treatment in Department of Labor Programs for Religious Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.
- v. 29 CFR Part 31—Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964.
- vi. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
- vii. 29 CFR Part 35—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- viii. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- ix. 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
- x. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
- xi. The Department of Labor will follow the procedures outlined in the Department’s Freedom of Information Act (FOIA) regulations (29 CFR Part 70). If DOL receives a FOIA request for your application, the procedures in DOL’s FOIA regulations for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. See generally 5 U.S.C. § 552; 29 CFR Part 70.
- xii. Standard Grant Terms and Conditions of Award—see the following link: <https://www.doleta.gov/grants/resources.cfm>.

## **2. Other Legal Requirements**

### **a. Religious Activities**

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb, applies to all federal law and its implementation. If an applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive federal financial assistance under this grant solicitation and maintain that

hiring practice. As stated in 29 CFR 2.32(a), religious organizations are eligible on the same basis as any other organization, to seek DOL support or participate in DOL programs for which they are otherwise eligible. Guidance from DOL is found at <https://www.dol.gov/agencies/oasam/grants/religious-freedom-restoration-act/guidance>.

#### **b. Lobbying or Fundraising the U.S. Government with Federal Funds**

In accordance with Section 18 of the Lobbying Disclosure Act of 1995 (Public Law 104-65) (2 U.S.C. § 1611), non-profit entities incorporated under Internal Revenue Service Code section 501(c)(4) that engage in lobbying activities are not eligible to receive federal funds and grants. No activity, including awareness-raising and advocacy activities, may include fundraising for, or lobbying of, U.S. federal, state, or local governments (see 2 CFR 200.450 for more information).

#### **c. Transparency Act Requirements**

You must ensure that you have the necessary processes and systems in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by the Government Funding Transparency Act of 2008, Pub. Law 110-252, Title VI, Chap. 2, Sec. 6202), as follows.

- Except for those excepted from the Transparency Act under sub-paragraphs 1, 2, and 3 below, you must ensure that you have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should you receive funding.
- Upon award, you will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, which can be found at <https://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>.

The following types of awards are not subject to the Federal Funding Accountability and Transparency Act.

- Federal awards to individuals who apply for or receive federal awards as natural persons (e.g., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- Federal awards, if the required reporting would disclose classified information.

#### **d. Safeguarding Data Including Personally Identifiable Information (PII)**

Applicants submitting applications in response to this FOA must recognize that confidentiality of PII and other sensitive data is of paramount importance to the Department of Labor and must be observed except where disclosure is allowed by the prior written approval of the Grant Officer or by court order. By submitting an application, you are assuring that all data exchanges conducted through or during the course of performance of this grant will be conducted in a manner consistent with applicable federal law and [TEGL 39-11](#) (issued June 28, 2012). All such activity conducted by ETA and/or recipient(s) will be performed in a manner consistent with applicable state and federal laws.

By submitting a grant application, you agree to take all necessary steps to protect such confidentiality by complying with the following provisions that are applicable in governing the handling of confidential information: You must ensure that PII and sensitive data developed, obtained, or otherwise associated with DOL/ETA funded grants is securely transmitted.

- i. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted using a Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and Technology (NIST) validated cryptographic module. You must not e-mail unencrypted sensitive PII to any entity, including ETA or contractors.
- ii. You must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. You must maintain such PII in accordance with the ETA standards for information security described in TEGE NO. 39-11 and any updates to such standards we provide to you. Grantees who wish to obtain more information on data security should contact their Federal Project Officer.
- iii. You must ensure that any PII used during the performance of your grant has been obtained in conformity with applicable federal and state laws governing the confidentiality of information.
- iv. You further acknowledge that all PII data obtained through your ETA grant must be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using recipient-issued equipment, managed information technology (IT) services, and designated locations approved by ETA. Accessing, processing, and storing of ETA grant PII data on personally owned equipment, at off-site locations, (e.g., employee's home), and non-recipient managed IT services, (e.g., Yahoo mail), is strictly prohibited unless approved by ETA.
- v. Your employees and other personnel who will have access to sensitive/confidential/proprietary/private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in federal and state laws.
- vi. You must have policies and procedures in place under which your employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must comply in their handling of such data, as well as the fact that they may be liable to civil and criminal sanctions for improper disclosure.
- vii. You must not extract information from data supplied by ETA for any purpose not stated in the grant agreement.
- viii. Access to any PII created by the ETA grant must be restricted to only those employees of the grant recipient who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.
- ix. All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal, or any other means. Data may be

- downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST validated software products based on FIPS 140-2 encryption. In addition, wage data may be accessed only from secure locations.
- x. PII data obtained by the recipient through a request from ETA must not be disclosed to anyone but the individual requestor, except as permitted by the Grant Officer or by court order.
  - xi. You must permit ETA to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that you are complying with the confidentiality requirements described above. In accordance with this responsibility, you must make records applicable to this Agreement available to authorized persons for the purpose of inspection, review, and/or audit.
  - xii. You must retain data received from ETA only for the period of time required to use it for assessment and other purposes, or to satisfy applicable federal records retention requirements, if any. Thereafter, you agree that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.

#### **e. Record Retention**

You must follow federal guidelines on record retention, which require that you maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR 200.333-.337 for more specific information, including information about the start of the record retention period for awards that are renewed quarterly or annually, and when the records must be retained for more than three years.

#### **f. Use of Contracts and Subawards**

You must abide by the following definitions of contract, contractor, subaward, and subrecipient.

**Contract:** Contract means a legal instrument by which a non-federal entity (defined as a state or local government, Indian tribe, institution of higher education (IHE), non-profit organization, for-profit entity, foreign public entity, or a foreign organization that carries out a federal award as a recipient or subrecipient) purchases property or services needed to carry out the project or program under a federal award. The term as used in this FOA does not include a legal instrument, even if the non-federal entity considers it a contract, when the substance of the transaction meets the definition of a federal award or subaward (see definition of Subaward below).

**Contractor:** Contractor means an entity that receives a contract as defined above in Contract.

**Subaward:** Subaward means an award provided by a pass-through entity (defined as a non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program) to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

**Subrecipient:** Subrecipient means a non-federal entity that receives a subaward from a pass-through entity to carry out part of a federal program, but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

You must follow the provisions at 2 CFR 200.330-.332 regarding subrecipient monitoring and management. Also see 2 CFR 200.308(c)(6) regarding prior approval requirements for subawards. When awarding subawards, you are required to comply with provisions on government-wide suspension and debarment found at 2 CFR Part 180 and codified at 2 CFR Part 2998.

#### **g. Closeout of Grant Award**

Any entity that receives an award under this Announcement must close its grant with ETA at the end of the final year of the grant. Information about this process may be found in ETA's Grant Closeout FAQ located at <https://www.doleta.gov/grants/docs/GCFAQ.pdf>.

### **3. Other Administrative Standards and Provisions**

Except as specifically provided in this FOA, our acceptance of an application and an award of federal funds to sponsor any programs(s) does not provide a waiver of any grant requirements and/or procedures. For example, the OMB Uniform Guidance requires that an entity's procurement procedures ensure that all procurement transactions are conducted, as much as practical, to provide full and open competition. If an application identifies a specific entity to provide goods or services, the award does not provide the justification or basis to sole-source the procurement (i.e., avoid competition).

### **4. Special Program Requirements**

#### **a. ETA Evaluation**

As a condition of grant award, grantees are required to participate in an evaluation, if undertaken by DOL. The evaluation may include an implementation assessment across grantees, an impact and/or outcomes analysis of all or selected sites within or across grantees, and a benefit/cost analysis or assessment of return on investment. Conducting an impact analysis could involve random assignment (which involves random assignment of eligible participants into a treatment group that would receive program services or enhanced program services, or into control group(s) that would receive no program services or program services that are not enhanced). We may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grantees must agree to: (1) make records available to the evaluation contractor on participants, employers, and funding; (2) provide access to program operating personnel, participants, and operational and financial records, and any other relevant documents to calculate program costs and benefits; and (3) in the case of an impact analysis, facilitate the assignment by lottery of participants to program services, including the possible increased recruitment of potential participants; and (4) follow evaluation procedures as specified by the evaluation contractor under the direction of DOL.

#### **b. Performance Goals**

Please note that applicants will be held to outcomes provided, and failure to meet those outcomes may result in technical assistance or other intervention by ETA, and may also have a significant impact on decisions about future grants with ETA.

## **C. REPORTING**

You must meet DOL reporting requirements. Specifically, you must submit the reports and documents listed below to DOL electronically.

### **1. Quarterly Financial Reports**

A Quarterly Financial Status Report (ETA 9130) is required until such time as all funds have been expended or the grant period has expired. Quarterly reports are due 45 days after the end of each calendar-year quarter. On the final Financial Status Report, you must include any subaward amounts so we can calculate final indirect costs, if applicable. You must use DOL's Online Electronic Reporting System and information and instructions will be provided to grantees. For other guidance on ETA's financial reporting, reference TEGL 02-16 and our webpage at [https://www.doleta.gov/grants/financial\\_reporting.cfm](https://www.doleta.gov/grants/financial_reporting.cfm).

### **2. Quarterly Performance Reports**

The grantee must submit a quarterly performance report within 45 days after the end of each calendar-year quarter. The report must include quarterly information on interim indicators and performance goals. The last quarterly progress report will serve as the grant's Final Performance Report. This report must provide both quarterly and cumulative information on the grant performance. Submission requirements will be provided to grantees upon award. We will also provide you with guidance about the data and other information that is required to be collected and reported on either a regular basis or special request basis.

## **VII. AGENCY CONTACTS**

For further information about this FOA, please contact Marc Purvis, Grants Management Specialist, Office of Grants Management, at \_\_\_\_\_. Applicants should e-mail all technical questions to [Purvis.Marc@dol.gov](mailto:Purvis.Marc@dol.gov) and must specifically reference FOA-ETA-22-05, and along with question(s), include a contact name, and phone number. This Announcement is available on the ETA website at <https://www.doleta.gov/grants> and at <https://www.grants.gov>.

## **VIII. OTHER INFORMATION**

### **A. WEB-BASED RESOURCES**

DOL maintains a number of web-based resources that may be of assistance to applicants. These include the CareerOneStop portal (<https://www.careeronestop.org>), which provides national and state career information on occupations; the Occupational Information Network (O\*NET) Online (<https://online.onetcenter.org>), which provides occupational competency profiles; and America's Service Locator (<https://www.servicelocator.org>), which provides a directory of our nation's American Job Centers (formerly known as One-Stop Career Centers).

## **B. INDUSTRY COMPETENCY MODELS AND CAREER CLUSTERS**

ETA supports an Industry Competency Model Initiative to promote an understanding of the skill sets and competencies that are essential to an educated and skilled workforce. A competency model is a collection of competencies that, taken together, define successful performance in a particular work setting. Competency models serve as a starting point for the design and implementation of workforce and talent development programs. To learn about the industry-validated models, visit the Competency Model Clearinghouse (CMC) at <https://www.careeronestop.org/CompetencyModel>. The CMC site also provides tools to build or customize industry models, as well as tools to build career ladders and career lattices for specific regional economies.

## **C. WORKFORCEGPS RESOURCES**

We encourage you to view the information on workforce resources gathered through consultations with federal agency partners, industry stakeholders, educators, and local practitioners, and made available on WorkforceGPS at <https://workforcegps.org>.

We encourage you to view the online tutorial, “Grant Applications 101: A Plain English Guide to ETA Competitive Grants,” available through WorkforceGPS at <https://strategies.workforcegps.org/resources/2014/08/11/16/32/applying-for-eta-competitive-grants-a-web-based-toolkit-for-prospective-applicants-438?p=1>.

We created Workforce System Strategies to make it easier for the public workforce system and its partners to identify effective strategies and support improved customer outcomes. The collection highlights strategies informed by a wide range of evidence, such as experimental studies and implementation evaluations, as well as supporting resources, such as toolkits. We encourage you to review these resources by visiting <https://strategies.workforcegps.org>.

We created a technical assistance portal at <https://grantsapplicationandmanagement.workforcegps.org/> that contains online training and resources for fiscal and administrative issues. Online trainings available include, but are not limited to, Introduction to Grant Applications and Forms, Indirect Costs, Cost Principles, and Accrual Accounting.

## **D. SKILLSCOMMONS RESOURCES**

SkillsCommons (<https://www.skillscommons.org>) offers an online library of curriculum and related training resources to obtain industry-recognized credentials in manufacturing, IT, healthcare, energy, and other industries. The website contains thousands of Open Educational Resources (OER) for job-driven workforce development, which were produced by grantees funded through DOL’s Trade Adjustment Assistance Community College and Career Training (TAACCCT) program. Community colleges and other training providers across the nation can reuse, revise, redistribute, and reorganize the OER on SkillsCommons for institutional, industry, and individual use.

## **IX. OMB INFORMATION COLLECTION**

OMB Information Collection No 1225-0086, Expires July 31, 2022.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 20 hours 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.

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PLEASE DO NOT RETURN YOUR GRANT APPLICATION TO THIS ADDRESS. SEND ONLY COMMENTS ABOUT THE BURDEN CAUSED BY THE COLLECTION OF INFORMATION TO THIS ADDRESS. SEND YOUR GRANT APPLICATION TO THE SPONSORING AGENCY AS SPECIFIED EARLIER IN THIS ANNOUNCEMENT.

This information is being collected for the purpose of awarding a grant. DOL will use the information collected through this “Funding Opportunity Announcement” to ensure that grants are awarded to the applicants best suited to perform the functions of the grant. This information is required to be considered for this grant.

Signed 03/21/2022 in Washington, D.C. by:  
Carla Wills  
Grant Officer, Employment and Training Administration

**APPENDIX A**  
**APPENDIX B**  
**APPENDIX C**  
**APPENDIX D**  
**APPENDIX E**  
**APPENDIX F**  
**APPENDIX G**  
**APPENDIX H**  
**APPENDIX I**  
**APPENDIX J**