

U.S. DEPARTMENT OF LABOR  
Mine Safety and Health Administration

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**NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY  
ANNOUNCEMENT FOR MINE HEALTH AND SAFETY GRANTS**

**ANNOUNCEMENT TYPE:** *Initial*

**FUNDING OPPORTUNITY NUMBER:** *MSHA-2020-1*

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER:** *17.600*

**KEY DATES:** *The closing date for receipt of applications under this Announcement is (insert date 60 days after the date of publication on Grants.gov). We must receive applications no later than 11:59 p.m. EDST.*

*For complete application and submission information, including online application instructions, please refer to Section IV.*

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## **EXECUTIVE SUMMARY:**

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**The U.S. Department of Labor (DOL or the Department, or we), Mine Safety and Health Administration (MSHA)**, announces the availability of \$10,537,000 in grant funds. These funds are authorized under section 503 of the Federal Mine Safety and Health Act of 1977 (Mine Act), Public Law 95-164 as amended, 30 U.S.C. § 953. Under this Funding Opportunity Announcement (FOA), DOL will award grants for a 12-month period of performance, starting October 1, 2019, and ending on September 30, 2020.

### **I. FUNDING OPPORTUNITY DESCRIPTION**

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#### **A. PROGRAM PURPOSE**

One of the Secretary of Labor’s goals for the U.S. workforce is *helping American workers gain and hold good, safe jobs*. One of the Department’s strategic goals is to “Promote Safe Jobs and Fair Workplaces for All Americans.” MSHA’s role in accomplishing this objective is to “prevent fatalities, disease, and injury from mining and secure safe and healthful working conditions for America’s miners.” The Secretary of Labor, through MSHA, may award grants to state, tribal, and territorial governments (including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands) to assist them in developing and enforcing state mining laws and regulations, to improve state workers’ compensation and mining occupational disease laws and programs, and to improve safety and health conditions in the nation’s mines through federal-state coordination and cooperation.

MSHA recognizes that state training programs are a key source of mine safety and health training and education for individuals who work or will work at mines. MSHA encourages state training programs to prioritize training for small mining operations. MSHA is also interested in supporting programs that include training on miners’ statutory rights, including the right to a safe working environment and the right to refuse an unsafe task. The Agency encourages grantees to focus on programs that include education and training related to occupational health hazards caused by exposures to respirable dust and diesel exhaust. MSHA also encourages recipients to focus training on powered haulage safety, conducting working place examinations, mine emergency preparedness, donning and transferring self-contained self-rescuers (SCSRs), mine rescue, training for contractors, and electrical safety.

The Agency encourages grantees to focus training programs on causes of fatal accidents that occurred in the mining industry. More information about fatalities can be found on MSHA’s webpage at <https://www.msha.gov/data-reports/fatality-reports/search>.

#### **B. PROGRAM AUTHORITY**

Section 503 of the Federal Mine Safety and Health Act of 1977 (Mine Act), Public Law 95-164 as amended, 30 U.S.C. § 953 authorizes this program.

## **II. AWARD INFORMATION**

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

MSHA will award grants. The amount available is \$10.5 million to fund approximately 56 grants.

### **B. PERIOD OF PERFORMANCE**

The period of performance is 12 months with the start date of October 1, 2019 through September 30, 2020.

In making awards, under 2 C.F.R. §§ 200.308(d)(1) and 200.458, MSHA expects to authorize grantees to use the federal funds for allowable expenses incurred by the grantee, including any of its contractors, on and after October 1, 2019, and before the award of funds.

Under 2 C.F.R. § 200.308(d)(2), MSHA may approve a request for a no-cost extension to grantees for an additional period of time based on the success of the project and other relevant factors.

## **III. ELIGIBILITY INFORMATION**

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### **A. ELIGIBLE APPLICANTS**

Under section 503(a) of the Mine Act, any state in which mining takes place may apply for a grant. Under this grant program, the Governor must designate who will apply for the grant on behalf of the state. The applicant may be a state or local government agency or other non-profit organization.

Applicants other than states, local government agencies, and state-supported or local government-supported institutions of higher education will be required to submit evidence of their nonprofit status, preferably from the Internal Revenue Service. A nonprofit entity as described in 26 U.S.C. § 501(c)(4), which engages in lobbying activities, is not eligible for a grant award. See 2 U.S.C. § 1611.

Once designated by the Governor, the following organizations are eligible to apply.

- State Government
- County Government
- City or Township Government
- U.S. Territory
- Public/State Controlled Institution of Higher Education
- Indian/Native American Tribal Government (federally recognized)
- Indian/Native American Tribally Designated Organization
- Non-profit Organization with IRS 501(c)(3) Status
- Private Institution of Higher Education

- Hispanic-serving Institution
- Historically Black Colleges and Universities (HBCUs)
- Alaska Native and Native Hawaiian Serving Institutions

**B. COST SHARING OR MATCHING**

Under section 503(g) of the Mine Act, MSHA may fund only 80 percent of the activities under a state’s grant program. The state must provide matching funds of no less than 20 percent of the total program costs. MSHA encourages grantees to use cash funding, rather than in-kind contributions, to meet their matching requirements. Changes in the amount of matching funds provided by the non-federal entity must be approved in advance by the Grant Officer. Grantees may use program income as a part of the grantee’s match.

**C. OTHER INFORMATION**

**1. Application**

Applicants should use the checklist below as a guide when preparing the application package to ensure that the application is complete. Note that this checklist is only an aid for applicants and should not be included in the application package.

<b>Application Requirement</b>	<b>Instruction</b>	<b>Complete</b>
The deadline submission requirements are met	Section IV.C	
Abstract	Section IV.B.5	
Eligibility	Section III.A	
SF-LLL Disclosure of Lobbying Activities (OMB Control No. 4040-0013)	Section IV.B.4	
SF-424, Application for Federal Assistance	Section IV.B.1	
SF-424 includes a DUNS Number	Section IV.B.1	
SF-424 lists the cost sharing or match amount on line 18b.	Section IV.B.2	
SF-424A, Budget Information Form	Section IV.B.2	
Budget Narrative	Section IV.B.2	
Project Narrative	Section IV.B.3	

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

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

#### **1. FOA**

This FOA is available at [www.Grants.gov](http://www.Grants.gov) and contains all of the information and links needed to apply for grant funding. Click the “Search Grants” tab, enter the Funding Opportunity Number or Catalog of Federal Domestic Assistance (CFDA) number, and click the search button. The Funding Opportunity number is MSHA-2020-1, and the CFDA number is 17.600. If an applicant has problems downloading the application package from Grants.gov, contact the GRANTS.GOV Applicant Support at 1-800-518-4726 or by email at [support@grants.gov](mailto:support@grants.gov).

#### **2. FOA Modifications**

MSHA will post any modifications to this announcement on Grants.gov.

#### **3. Questions**

Questions regarding the content of the announcement must be submitted through the FedConnect.net portal. You must register with FedConnect to submit questions and to view responses to questions. It is recommended that you register as soon as possible. See IV.B.1(c)

Questions relating to the registration process, system requirements, or the submittal process must be directed to GRANTS.GOV Applicant Support at 1-800-518-4726 or [support@grants.gov](mailto:support@grants.gov).

Questions related to this announcement should be submitted to the MSHA contacts listed in Section VI of this FOA.

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

Applications submitted in response to this FOA must consist of five separate and distinct parts:

1. SF-424, Application for Federal Assistance
2. Project Budget composed of the SF-424A and Budget Narrative
3. Project Narrative (Action Plan)
4. SF-LLL Disclosure of Lobbying Activities
5. Abstract

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

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

You must complete the SF-424, Application for Federal Assistance (OMB Control No. 4040-0004, Exp. Date: 12/31/2022).

- In the address field, fill out the nine-digit (plus hyphen) zip code. Find nine-digit zip codes on the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>.
- The SF-424 must clearly identify the applicant. You do not need to submit SF-424B with this application. As of February 2019, all non-federal registrants in SAM must certify their “Financial Assistance Representations and Certifications” as part of their registration. Effective January 1, 2020, SAM is the central repository for these representations and certifications.

### **a. Requirement for Data Universal Number System (DUNS)**

Under 2 C.F.R. § 25.200(b)(3), every applicant for a federal grant is required to include a DUNS number with its application. An applicant enters the DUNS number in Block 8 of SF 424. The DUNS number is a nine-digit identification number that uniquely identifies business entities. There is no charge for obtaining a DUNS number. To obtain a DUNS number, call 1-866-705-5711 or access the following website: <http://fedgov.dnb.com/webform>.

### **b. Requirement for Registration with System for Award Management (SAM)**

Applicants must register with SAM before submitting an application. Find instructions for registering with SAM at <https://www.sam.gov/SAM/>.

After receiving a DUNS number, all grant applicants must register as a vendor with the SAM through the website, <https://www.sam.gov/SAM/>. Grant applicants must create a user account and register online. Submitted registrations will take up to 10 business days to process, after which the applicant will receive an email notice that the registration is active. Once the registration is active in SAM, it takes an additional 24 hours for the registration to be active in Grants.gov. Registrations expire after one year. Under 2 C.F.R. § 25.200(b)(2), each grant applicant must maintain an active registration with current information at all times during which it has an active federal award or an application under active federal consideration. The SAM website recommends that an entity update its SAM registration more frequently than annually because an expired registration “will affect your ability to receive contract awards or payments, submit assistance award applications via Grants.gov, or receive certain payments from some Federal Government agencies.” The Grants.gov website, through which applicants must apply for MSHA grants, advises that it will reject all applications that have an expired SAM registration.

In addition, GSA has implemented new procedures for the SAM registration process to prevent fraud. One such procedure requires all entities to have an original, signed, and notarized letter formally appointing the authorized Entity Administrator on file. All applicants need an active SAM registration to apply for the grant under this FOA and should plan accordingly because



these procedures may increase the time before an applicant may receive an active registration notice.

**Note:** In December 2020, GSA will change the “unique entity identifier (UEI)” for doing business with the U.S. Government. DUNS numbers will no longer be used. For those entities registered in SAM, “your registration will automatically be assigned a new UEI which will be displayed in SAM.” <https://www.gsa.gov/about-us/organization/federal-acquisition-service/office-of-systems-management/integrated-award-environment-iae/iae-information-kit/unique-entity-identifier-update>.

### **c. Requirement for Registration with FedConnect**

Applicants must register in FedConnect at <https://www.fedconnect.net>.

To create an organization account, your organization’s SAM Marketing Partner ID number (MPIN) is required. Only the SAM Entity Administrator for an entity may view the MPIN. For more information about the SAM MPIN or other registration requirements, review the Department of Labor’s “Grants Management System Modernization Guide” at [https://dol-msha-peir-mshagov-prod.s3.amazonaws.com/s3fs-public/Training\\_Education/Grants%20Management%20System%20Modernization.pdf](https://dol-msha-peir-mshagov-prod.s3.amazonaws.com/s3fs-public/Training_Education/Grants%20Management%20System%20Modernization.pdf). Once registered, you will receive notification of FOA modifications and the required SF-425 financial forms.

## **2. Project Budget**

You must complete the SF-424A Budget Information for Non-Construction Programs (OMB Control No. 4040-0006, Exp. Date: 02/28/2022). Budget Information Form is 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.

### **a. Budget Narrative**

The applicant must provide a concise narrative explaining the request for funds. The budget narrative should separately attribute the federal and matching funds to each of the activities specified in the proposal and it should discuss precisely how any administrative costs support the project goals. Administrative costs may be charged as either direct or indirect costs.

Direct costs are those costs “that can be identified specifically with a particular final cost objective, such as a Federal award.” See 2 C.F.R. § 200.413.

Indirect costs for these grants may not exceed 10 percent of the modified total direct costs (as defined in 2 C.F.R. § 200.68) or the grantee’s negotiated Federal Indirect Cost Rate Agreement. See 2 C.F.R. § 200.414. Grantees must provide a copy of any applicable negotiated Federal Indirect Cost Rate Agreement.

Indirect costs are those costs that are not readily identifiable with a particular cost objective but are necessary to the general operation of an organization. To avoid disputes, under 2 C.F.R. § 200.407, a grantee may seek prior written approval from its cognizant agency for indirect costs or from MSHA “in advance of the incurrence of special or unusual costs.”

If the applicant anticipates earning program income, the budget narrative should account for this. Program income is gross income earned by the grantee that is directly generated by a supported activity, or earned as a result of the award.

MSHA authorizes grantees to use FY 2020 appropriated and matching funds for allowable, allocable, and reasonable expenses the grantee or any of its contractors incur.

**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 C.F.R. § 200.33 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 C.F.R. § 200.94 for the definition of Supplies).

**Contractual:** Under the Contractual line item, delineate contracts separately. Contracts are defined according to 2 C.F.R. § 200.22 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. For each proposed contract, 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.

Note that the SF-424, SF-424A, and Budget Narrative must include the entire federal grant amount requested. Applicants must also show cost sharing or match on the SF-424 (line 18b), SF-424A, and 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, MSHA will consider the SF-424 the official funding amount requested.

### **3. Project Narrative (Action Plan)**

The Project Narrative must include an Action Plan (Plan) that proposes training and education programs or other activities permitted under section 503 of the Mine Act.

#### **a. Statement of Need**

The Plan must identify mine health and safety problems or issues that exist in that state and provide quantitative or qualitative documentation of the problem or issue. For example, a state's mining problem might involve a reoccurrence of nonfatal accidents that have remained the same over a period of years; an increase in accidents related to slips, trips, and falls; working on or near powered haulage equipment; an increase in accidents related to contractors; or an increase in reported diseases caused by exposures to respirable dust or diesel exhaust.

#### **b. Project Design**

The Plan must identify training objectives and provide a work plan to resolve the identified health and safety problems. For example, if the Plan identifies that the root cause of numerous accidents occurred by powered haulage equipment is due to the lack of equipment operator training, the Plan should propose to create a training program tailored to the types of accidents, types of powered haulage equipment, and the mines most affected.

(1) The following are the minimum requirements for describing a Plan's training programs:

(a) A description of the training activities (e.g., curricula and training materials) planned and instructors (e.g., resume or other documentation demonstrating relevant experience and knowledge) to be used;

(b) A description of how the planned training activities are tailored to the needs and experience levels of the miners and employers to be trained. Any special constituency to be served through the grant program must be described, e.g., small mines or limited English proficiency miners. Applicants proposing to develop materials in languages other than English also will be required to provide an English version of the materials;

(c) Any training proposal that includes the creation of training materials, including commercially developed materials such as videos, virtual reality scenarios, or other electronically-based materials, must include time for MSHA to review the materials for technical accuracy and suitability of content;

(d) A description of how all educational materials will be used in training;

(e) A description of outreach methods or processes to locate miners or trainees in need of the training; and

(f) If the proposal contains a train-the-trainer program, the Plan should describe the ongoing support the grantee will provide to new trainers.

(2) If the Plan calls for the purchase of equipment, the proposal must describe the health and safety need(s) addressed through the use of the equipment (e.g., virtual reality equipment, mine rescue equipment for small mines, and mine rescue communications equipment), who will benefit from the equipment, and where the equipment will be used and/or stored. The proposal should also describe any training required to use the equipment and instructors needed to teach the use of the equipment.

### **c. Organizational, Administrative, and Fiscal Capacity**

The Plan must include the following:

(1) An explanation of how the applicant will manage and staff the project. Describe how staff, organizational experience, and management contribute to the ability of the applicant to conduct the project and its requirements and meet program expectations.

(2) A description of the applicant's fiscal and administrative controls to manage federal funds. Include the applicant's capability to sustain some or all project activities after federal financial assistance has ended.

### **d. Expected Outcomes and Outputs**

The Plan must address how the proposed program will contribute to the Department of Labor's strategic goal to "Promote Safe Jobs and Fair Workplaces for All Americans" and MSHA's goal to "prevent fatalities, disease, and injury from mining and secure safe and healthful working conditions for America's miners." MSHA recognizes the importance of training miners and others to prevent workplace injuries, fatalities, and illnesses. Therefore, the Plan must include a method of measuring outcomes and, for training proposals, should estimate the number of individuals to be trained. For train-the-trainer programs, the Plan should estimate the number of courses/classes to be conducted and the number of students to be trained by the new trainers, as well as a description of how the grantee will obtain data from the new trainers documenting their classes and student numbers (for courses/classes conducted during the grant period).



(1) On a quarterly basis and in a final report, the grantee must provide the performance information in MSHA Form 5000-50, MSHA State Grant Program Technical Progress Report (OMB Control No. 1219-0154, Exp. Date: 9/30/2021), as applicable.  
[https://www.msha.gov/sites/default/files/Training\\_Education/5000-50%20State%20Grant%20Technical%20Accomplishment%20Form.pdf](https://www.msha.gov/sites/default/files/Training_Education/5000-50%20State%20Grant%20Technical%20Accomplishment%20Form.pdf).

#### **e. Evaluations**

The Plan should describe metrics or other methods of evaluating the grantee's progress in accomplishing the Plan's goals. The Plan must include the following:

- (1) How the applicant will document the number of miners trained,
- (2) How the applicant will evaluate the effectiveness of the training, and
- (3) How the applicant will track or document the evaluations.

The proposal should also include a strategy (e.g., following up with trainees) to determine the program's impact on reducing miners' injuries and illnesses, thus securing a safer and healthier workplace.

#### **4. Supplemental Certification Regarding Lobbying Activities**

All applicants must comply with 29 C.F.R. Part 93 and provide a certification using SF-LLL, Disclosure of Lobbying Activities.

#### **5. 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. The abstract must include the following:

- the applicant's name,
- the project title,
- a description of the trainees,
- a description of training or section 503 activities, and
- amount of grant funding.

#### **6. Evidence of Non-Profit Status**

New applicants must provide evidence of non-profit status, preferably from the Internal Revenue Service (IRS), if applicable. (This requirement does not apply to state or local government entities, or state or local government-supported institutions of higher education.)

#### **7. Accounting System Certification**

Under 2 C.F.R. § 200.207, a new applicant that receives less than \$1 million annually in federal grants must attach a certification stating that the organization (directly or through a designated qualified entity) has a functioning accounting system that meets the criteria below. The certification should attest that the organization's accounting system provides for the following:

- a. Accurate, current, and complete disclosure of the financial results of each federally sponsored project.
- b. Records that adequately identify the source and application of funds for federally sponsored activities.
- c. Effective control over and accountability for all funds, property, and other assets.
- d. Comparison of outlays with budget amounts.
- e. Written procedures to minimize the time between transfers of funds.
- f. Written procedures for determining the reasonableness, allocability, and allowability of costs.
- g. Accounting records, including cost accounting records that are supported by source documentation.

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

The closing date for receipt of applications under this announcement will be 60 days after the FOA is posted (no later than 11:59 p.m. EDST). Grant applications must be submitted electronically through the Grants.gov website. The Grants.gov site provides all the information needed to submit an application electronically through the site. Interested parties can locate the downloadable application package using the CFDA No. 17.600 or the Funding Opportunity Number MSHA-2020-1.

Applications received by Grants.gov are date- and time-stamped electronically. Once an interested party has submitted an application, Grants.gov will send two emails within two business days:

- A submission receipt confirmation email; and
- Either a submission validation receipt email or a rejection email message.

The submission receipt confirmation email will contain a tracking number. An applicant may check an application's status on Grants.gov using the tracking number without logging into Grants.gov. See "Track My Application (Not logged in)" in the Grants.gov Online User Guide at <https://www.grants.gov/help/html/help/index.htm?callingApp=custom#t=Applicants%2FCheckApplicationStatus%2FTrackMyApplication-NotLoggedIn.htm>. This page also addresses questions regarding application status.

**An application must be fully uploaded and validated by the Grants.gov system before the application deadline.**

### **D. INTERGOVERNMENTAL REVIEW**

This program is eligible for coverage under Executive Order 12372, “Intergovernmental Review of Federal Programs.” The Office of Management and Budget (OMB) maintains a list of official state entities (Single Points of Contact-SPOCs) designated to review and coordinate financial assistance and development from various federal sources. If a state has a SPOC, the applicant must contact that SPOC to determine whether MSHA’s State Grants are among the federal programs the state has selected for review and coordination and, if so, for more information on any additional processes the state requires to be followed in applying for these grants. Names and addresses for the SPOCs are listed on the OMB web site at <https://www.whitehouse.gov/wp-content/uploads/2019/02/SPOC-February-2019.pdf>.

## **E. FUNDING RESTRICTIONS**

MSHA will determine whether costs are allowable under the applicable federal cost principles identified in Part V.B. and other conditions contained in the grant award.

### **1. Allowable Costs**

Grant funds may be spent on conducting training and outreach, developing educational materials, recruiting activities (to increase the number of participants in the program), and on necessary expenses to support these activities to improve safety and health conditions in the Nation’s mines. Grant funds also may be spent on equipment and other resources permitted under section 503 of the Mine Act to assist grantees with their training programs, to develop and enforce state mining laws and regulations, and to improve state workers’ compensation and mining occupational disease laws and programs. Under 2 C.F.R. § 200.439, capital expenditures for special purpose equipment are allowable as direct costs, provided that prior written approval is obtained from MSHA for items with a unit cost of \$5,000 or more.

In addition to the training courses conducted for the mining industry, the funds may be used to provide other assistance to the mining industry. Other assistance may include, but is not limited to, conducting compliance assistance visits, assistance in preparing training plans, conducting inspections of mines, conducting informational workshops that target one or more particular groups of mining operations in the state’s mining industry, or other activities that would improve the health and safety of miners.

### **2. Program Income**

If an applicant anticipates earning program income during the grant period, the application must include an estimate of that income. Program income must be reported on a quarterly basis.

Program income earned during the award period shall be retained by the grantee, added to funds committed to the award, and used for the purposes and under the conditions applicable to the use of the grant funds. The grantee may also use program income as part of the grantee’s required match. See 2 C.F.R. §§ 200.80 and 200.307.



### **3. Use of MSHA Grants**

In all cases, MSHA grants are intended to supplement, not supplant, existing state mine health and safety programs.

### **4. MSHA Review of Educational Materials**

MSHA will review all grantee-produced educational and training materials for technical accuracy and suitability of content during development and before final publication. Grantees developing training materials must follow all copyright laws and provide written certification that their materials are free from copyright infringement.

When grantees produce training materials, they must provide copies of completed materials to MSHA before the end of the grant period. Completed materials should be submitted to MSHA in hard copy and in digital format for publication on the MSHA website. Two copies of the materials must be provided to MSHA. Acceptable formats for training materials include Microsoft Word, PDF, PowerPoint, and any other format agreed upon by MSHA.

### **5. License**

As stated in 2 C.F.R. § 200.315, the Department of Labor has a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use for federal purposes any work produced, or for which ownership was acquired, under a grant, and to authorize others to do so. Such products include, but are 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 or data for federal purposes and authorize others to use such products or data.

If a grantee purchases a non-federally funded license or copyrighted materials including modifications of such materials, the grantee is subject to the intellectual property rights of the particular license or purchase. In addition, works created by the grantee without grant funds do not fall under licensing requirement.

### **6. Acknowledgement on Printed Materials**

All approved grant-funded materials developed by a grantee shall contain the following disclaimer: "This material was produced under grant number XXXXX from the Mine Safety and Health Administration, U.S. Department of Labor. It does not necessarily reflect the views or policies of the U.S. Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government."

When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds must clearly state the following:

- a. The percentage of the total costs of the program or project that will be financed with federal money;
- b. The dollar amount of federal financial assistance for the project or program; and
- c. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

## **7. Use of U.S. Department of Labor (USDOL) and MSHA Logos**

With written permission from MSHA, the USDOL or the MSHA logo may be applied to grant-funded materials including posters, videos, pamphlets, research documents, national survey results, impact evaluations, best practice reports, and other publications. The grantees must contact MSHA to request this written permission.

## **V. AWARD ADMINISTRATION INFORMATION**

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### **A. AWARD NOTICES**

MSHA posts a list of all state grantees at <https://www.msha.gov/state-grant-participants>.

### **B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS**

#### **1. Administrative Program Requirements**

All grantees will be subject to applicable federal laws and regulations (including provisions of appropriations law) and applicable OMB Circulars. The grants awarded under this program will be subject to the following administrative standards and provisions, if applicable:

- a. 2 C.F.R. Part 25, *Universal Identifier and System for Award Management*
- b. 2 C.F.R. Part 170, *Reporting Sub-Awards and Executive Compensation Information*
- c. 2 C.F.R. Part 175, *Award Term for Trafficking in Persons*
- d. 2 C.F.R. Part 180, *OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) (Nov. 15, 2006)*
- e. 2 C.F.R. Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Dec. 26, 2013)*
- f. 2 C.F.R. Part 2900, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
- g. 2 C.F.R. Part 2998, *Nonprocurement Debarment And Suspension*
- h. 29 C.F.R. 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*
- i. 29 C.F.R. Part 31, *Nondiscrimination in federally assisted programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964*

- j. 29 C.F.R. Part 32, *Nondiscrimination on the basis of handicap in programs or activities receiving federal financial assistance*
- k. 29 C.F.R. Part 33, *Enforcement of non-discrimination on the basis of handicap in programs or activities conducted by the Department of Labor*
- l. 29 C.F.R. Part 35, *Nondiscrimination on the basis of age in programs or activities receiving federal financial assistance from the Department of Labor*
- m. 29 C.F.R. Part 36, *Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance*
- n. 29 C.F.R. Part 93, *New restrictions on lobbying*
- o. 29 C.F.R. Part 94, *Government-wide requirements for drug-free workplace (financial assistance)*
- p. *Federal Acquisition Regulation (FAR) Subpart 31.2, Contracts with commercial organizations (Codified at 48 C.F.R. Subpart 31.2)*

Except as specifically provided, MSHA's acceptance of a proposal or MSHA's award of federal funds to sponsor any program does not constitute a waiver of any grant requirement or procedure. For example, if an application identifies a specific contractor to provide certain services, the MSHA award does not constitute a justification to sole-source the procurement (to avoid competition).

## **2. Other Legal Requirements**

### **a. Legal Rules Pertaining to Inherently Religious Activities by Organizations that Receive Federal Financial Assistance.**

The government generally is prohibited from providing direct federal financial assistance for inherently religious activities. See 29 C.F.R. Part 2, Subpart D. Grants under this solicitation may not be used for religious instruction, worship, prayer, proselytizing, or other inherently religious activities. Neutral, non-religious criteria that neither favor nor disfavor religion will be employed in the selection of grantees and must be employed by grantees in the selection of contractors and subcontractors.

### **b. Freedom of Information**

Any information submitted in response to this FOA will be subject to the provisions of the Freedom of Information Act, 5 U.S.C § 552 et seq., as appropriate.

### **c. 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 C.F.R. § 200.333.

### **d. Appeal Rights**

All approved applications will be funded consistent with law and availability of funds. Appeal rights are set forth in section 503 of the Mine Act.

### **C. REPORTING**

U.S. Department of Labor regulations require grantees to submit financial and project reports, as described below. Grantees also are required to submit final reports no later than 90 days after the end of the grant period.

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

The grantee must submit financial reports on a quarterly basis. This system uses the government-wide SF-425 Federal Financial Report (OMB Control No. 4040-0014, Exp. Date: 02/28/2022), to report the status of all funds awarded, matching funds, and, if applicable, program income received and expended, during the funding period. FedConnect will send a prepopulated SF-425 form at the end of each quarter to be completed, saved, and uploaded to submit to MSHA. All reports are due no later than 30 days after the end of the reporting period.

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

A grantee must submit quarterly technical reports no later than 30 days after December 31, 2019, March 31, 2020, June 30, 2020, and September 30, 2020. The technical report provides both quantitative and qualitative information and a narrative assessment of performance under the grant. This report will contain the following information:

- a. A comparison of actual accomplishments to the objectives established for the period.
- b. An evaluation of the impact or results of the program's activities.
- c. Description of any significant developments or problems affecting the organization's ability to accomplish the work.
- d. Reasons for any objectives not met.
- e. The performance data required by Part IV.B.3.d.(1).
- f. The performance data required by Part IV.E.6.a-c.

#### **3. Interim Reporting**

Between reporting dates, the grantee shall immediately inform MSHA of significant developments or problems affecting the organization's ability to accomplish work.

#### **4. Final Report**

No later than 90 days after the end of the grant period, each grantee must provide a final performance and financial report, a summary of its progress (including performance data), and an evaluation report.

## **VI. AGENCY CONTACTS**

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### Program Office:

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### Grants Office:

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The telephone numbers listed above are not toll-free numbers.

## **VII. OMB INFORMATION COLLECTION**

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This FOA requests information from applicants. This collection of information is approved under OMB 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 18 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.

*Send comments about the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, to the attention of the Departmental Clearance Officer, 200 Constitution Avenue NW, Room N1301, Washington, D.C. 20210. Comments may also be emailed to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).*

***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. This information is required to be considered for this grant.

\_\_\_\_\_  
Emmanuel Ekwo  
Grant Officer  
Mine Safety and Health Administration  
Arlington, Virginia

\_\_\_\_\_, 2020  
Date