

**U.S. DEPARTMENT OF LABOR**  
**Employment and Training Administration**

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**NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY  
ANNOUNCEMENT FOR:  
PATHWAY HOME**

**ANNOUNCEMENT TYPE:** *Initial*

**FUNDING OPPORTUNITY NUMBER:** *FOA-ETA-20-02*

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER:** *17.270*

**KEY DATES:** *The closing date for receipt of applications under this Announcement is [insert date XX days after the date of publication on Grants.gov]. We must receive applications no later than 4:00:00 p.m. Eastern Time.*

**ADDRESSES:** *Address mailed applications to:*

***The U.S. Department of Labor  
Employment and Training Administration, Office of Grants Management  
Attention: Melissa Abdullah, Grant Officer  
Reference FOA-ETA-20-02  
200 Constitution Avenue, NW, Room N4716  
Washington, D.C. 20210***

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

**TABLE OF CONTENTS**

EXECUTIVE SUMMARY..... 1

I. FUNDING OPPORTUNITY DESCRIPTION..... 2

    A. PROGRAM PURPOSE..... 2

    B. PROGRAM AUTHORITY..... 2

II. AWARD INFORMATION..... 3

    A. AWARD TYPE AND AMOUNT..... 3

    B. PERIOD OF PERFORMANCE..... 3

III. ELIGIBILITY INFORMATION..... 3

    A. ELIGIBLE APPLICANTS..... 3

    B. COST SHARING OR MATCHING..... 3

    C. OTHER INFORMATION..... 3

        1. Application Screening Criteria..... 3

        2. Number of Applications Applicants May Submit..... 4

        3. Eligible Participants..... 4

IV. APPLICATION AND SUBMISSION INFORMATION..... 6

    A. HOW TO OBTAIN AN APPLICATION PACKAGE..... 6

    B. CONTENT AND FORM OF APPLICATION SUBMISSION..... 6

        1. SF-424, “Application for Federal Assistance”..... 6

        2. Project Budget..... 8

        3. Project Narrative..... 11

        4. Attachments to the Project Narrative..... 18

    C. SUBMISSION DATE, TIME, PROCESS, AND ADDRESS..... 21

        1. Hardcopy Submission..... 21

        2. Electronic Submission through Grants.gov..... 22

    D. INTERGOVERNMENTAL REVIEW..... 25

    E. FUNDING RESTRICTIONS..... 25

        1. Indirect Costs..... 25

        2. Salary and Bonus Limitations..... 25

        3. Intellectual Property Rights..... 26

        4. Use of Grant Funds for Participant Wages..... 27

    F. OTHER SUBMISSION REQUIREMENTS..... 28

V. APPLICATION REVIEW INFORMATION..... 28

A.	CRITERIA.....	28
1.	Statement of Need (Up to 5 points).....	29
2.	Performance Data Collection Strategies (Up to 10 points).....	29
3.	Project Design (Up to 30 points).....	29
4.	Partnerships (Up to 15 points).....	30
5.	Organizational, Administrative, and Fiscal Capacity (Up to 5 points).....	31
6.	Past Performance–Programmatic Capability (up to 30 points).....	31
7.	Budget and Budget Narrative (Up to 5 points).....	33
8.	Priority Consideration.....	33
B.	REVIEW AND SELECTION PROCESS.....	34
1.	Merit Review and Selection Process.....	34
2.	Risk Review Process.....	34
VI.	AWARD ADMINISTRATION INFORMATION.....	37
A.	AWARD NOTICES.....	37
B.	ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS.....	38
1.	Administrative Program Requirements.....	38
2.	Other Legal Requirements.....	39
3.	Other Administrative Standards and Provisions.....	42
4.	Special Program Requirements.....	42
C.	REPORTING.....	43
1.	Quarterly Financial Reports.....	43
2.	Quarterly Performance Reports.....	43
3.	Quarterly Narrative Performance Reports.....	43
VII.	AGENCY CONTACTS.....	44
VIII.	OTHER INFORMATION.....	44
A.	WEB-BASED RESOURCES.....	44
B.	INDUSTRY COMPETENCY MODELS AND CAREER CLUSTERS.....	44
C.	WORKFORCEGPS RESOURCES.....	44
D.	SKILLSCOMMON RESOURCES.....	45
E.	LINKING EMPLOYMENT ACTIVITIES PRE-RELEASE (LEAP) IMPLEMENTATION STUDY.....	45
IX.	OMB INFORMATION COLLECTION.....	46

## EXECUTIVE SUMMARY

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The Employment and Training Administration (ETA), U.S. Department of Labor (DOL, or the Department, or we), announces the availability of approximately \$65,000,000 in grant funds authorized by the Department of Labor Appropriations Act, 2019 (Pub. L. 115-245), for ex-offender activities and under Section 169 of the Workforce Innovation and Opportunity Act (WIOA). Subject to receiving sufficient applications of fundable quality, DOL intends to award approximately 50 percent of the available funds to organizations serving persons incarcerated in state correctional facilities and approximately 50 percent of available funds to organizations serving persons incarcerated in local jails.

This new grant design builds on the findings of the Linking Employment Activities Pre-Release (LEAP) implementation study. The LEAP pilots provided pre-release services through jail-based American Job Centers and linked participants to post-release services. These two-year grants, which ended in 2017, have shown potential for breaking the cycle of recidivism by linking participants to the workforce system early—while still in jail—and then immediately upon reentry into the community. The experiences of the LEAP grantees highlight important lessons learned and some areas for continued refinement or potential replication in similar contexts. The final LEAP implementation report can be found at <https://www.dol.gov/sites/dolgov/files/OASP/legacy/files/LEAP-Final-Report.pdf>.

This Funding Opportunity Announcement (FOA) provides the opportunity for organizations with IRS 501(c)(3) status, including women's, minority, community and faith-based organizations, and post-secondary education institutions with 501(c)(3) status; state or local governments; and any Indian or Native American entity eligible for grants under Section 166 of WIOA to provide reentry programming to eligible, incarcerated individuals prior to release from state correctional facilities or county or local jails and to continue comprehensive services after release. By providing for reentry services to begin while participants are still incarcerated and to continue post-release, these projects are designed to eliminate the time gap between release from prison and enrollment into a reentry program leading to employment.

Pre-release services will assist inmates who enter the program within 20 to 180 days from their scheduled release date to prepare for returning to their communities. Pre-release services must include job preparation, developing individual development plans (IDPs) including identifying barriers to employment, career exploration and planning, counseling, and assistance with linking inmates to the social services required to help them transition back to their communities. Post-release activities must include skill-building services, including apprenticeships and occupational training in in-demand industries that lead to industry-recognized credentials. Applicants must ensure that occupational training provided has no federal, state, or local regulations that restrict individuals with criminal records from obtaining licenses or other necessary credentials in that career. Participants will maintain the same caseworker pre- and post-release, which was suggested as a “best practice” in the LEAP Implementation Study.

ETA plans to award approximately 17 grants of up to \$4 million each. Applicants may propose a lesser amount based on the number of participants they propose to serve. ETA may award more grants if funds are available. These grants will have a 6-month planning period, 24-month period of employment and training services, and 12 months of follow-up services. Future funding opportunities may take into account grantee performance on this grant. These projects will serve adults aged 18 or older who have been convicted under federal, state, or local law and are incarcerated in state correctional facilities or local jails with scheduled release dates within 20 to 180 days of enrollment in the project. Applicants may submit only one application.

Applicants must provide a detailed description of the need for services in their target communities; how they plan to accomplish outcomes; their project design; their organizational, administrative, and fiscal capacity; and their past performance and programmatic capability.

## **I. FUNDING OPPORTUNITY DESCRIPTION**

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### **A. PROGRAM PURPOSE**

This Announcement solicits applications for Pathway Home projects. The purpose of this pilot program is to provide eligible, incarcerated individuals in state correctional facilities or local jails with workforce services prior to release and to continue services after release by transitioning the participants into reentry programs in the communities to which they will return. These grants are job-driven and build connections to local employers that will enable transitioning offenders to secure employment.

These projects ensure that transitioning offenders are prepared to meet the needs of their local labor markets with the skills valued by employers. Applicants must ensure that occupational training provided has no federal, state, or local regulations that restrict individuals with criminal records from obtaining licenses or other necessary credentials in that career. Employer connections will inform specific program curricula and ensure relevance to the needs of local businesses and jobs. Teaching transitioning offenders foundational skills, such as job readiness, employability, and job search strategies, in addition to providing apprenticeships and occupational training leading to industry-recognized credentials, can provide access to employment and reduce the likelihood of reoffending.

### **B. PROGRAM AUTHORITY**

This program is authorized by the Department of Labor Appropriations Act, 2019 (Pub. L. 115-245), for ex-offender activities and under Section 169 of the Workforce Innovation and Opportunity Act (WIOA).

## **II. AWARD INFORMATION**

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

Funding will be provided in the form of a grant.

We have established a ceiling amount of \$65 million to fund approximately 17 grants. You may apply for up to \$4 million. 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.

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

The period of performance is 42 months with an anticipated start date of July 1, 2020. These grants will have a 6-month planning period, 24-month period of employment and training services, and 12 months of follow-up services.

## **III. ELIGIBILITY INFORMATION**

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### **A. ELIGIBLE APPLICANTS**

The following organizations are eligible to apply: Community- and faith-based organizations with IRS 501(c)(3) non-profit status, including women's and minority organizations, and post-secondary education institutions with 501(c)(3) status; state and local governments; and any Indian and Native American entity eligible for grants under section 166 of WIOA.

### **B. 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.

### **C. 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.

2.

<b>Application Requirement</b>	<b>Instructions</b>	<b>Complete?</b>
The deadline submission requirements are met	Section IV.C	
Eligibility	Section III.A	
If submitted through Grants.gov, 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 federal funds request does not exceed the ceiling amount of \$4,000,000	Section II.A	
SAM Registration	Section IV.B.1	
SF-424, Application for Federal Assistance	Section IV.B.1	
SF-424 includes a DUNS Number	Section IV.B.1	
Memoranda of Understanding (MOU) or Letters of Commitment from State Correctional Facility or Local Jails as Mandatory Partner	Section IV.B.3(d) (i)	
SF-424A, Budget Information Form	Section IV.B.2	
Budget Narrative	Section IV.B.2	
Project Narrative	Section IV.B.3	

### Number of Applications Applicants May Submit

We will consider only one application from each organization. If we receive multiple applications from the same organization, we will consider only the most recently received application that met the deadline. If the most recent application is disqualified for any reason, we will not replace it with an earlier application.

### 3. Eligible Participants

### **a) Participants Eligible to Receive Workforce Services**

- At least 18 years old;
- Reside, at the time of enrollment in the project, in a state correctional facility or local jail for adults;
- have a release date scheduled between 20 to 180 days of the individual's enrollment in the program;
- are scheduled to return to reside upon release in the target area identified in the applicant's application;
- are low-income as defined under WIOA, Section 3(36); and
- legally eligible to work in the United States.

Grantees have the discretion to enroll individuals convicted of violent offenses or sexual offenses and those assessed as high-risk of either offense. Grantees that choose to serve these populations must conduct a rigorous risk assessment of criminogenic need (i.e., causing or likely to cause criminal behavior). In all cases, the grantee must have a clear and consistent written enrollment policy that addresses program enrollment. Grantees will be required to submit their written enrollment policies if awarded a grant. More information on risk assessments can be found at: <http://csgjusticecenter.org/reentry/the-reentry-and-employment-project/>.

NOTE: Male participants are required to register for the Selective Service before participating in services. Grantees should determine eligibility of male participants by accessing the Selective Service System at: <https://www.sss.gov/>. For additional guidance, including how this requirement applies to male participants incarcerated at the time of their 18th birthdays, please see Training and Employment Guidance Letter (TEGL) 11-11. Change 2 clarifies the implementation of the Selective Service registration requirements of the Workforce Investment Act (WIA) of 1998 § 189(h) for grantees funded or authorized by Title I of WIA, located at [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=8779](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8779). This guidance applies to grants funded or authorized by WIOA.

### **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**

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

This FOA, found at [www.Grants.gov](http://www.Grants.gov) and [https://www.doleta.gov/grants/find\\_grants.cfm](https://www.doleta.gov/grants/find_grants.cfm), 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:

1. The SF-424 "Application for Federal Assistance";
2. Project Budget, composed of the SF-424A and Budget Narrative;
3. Project Narrative; and
4. Attachments to the Project Narrative.

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" (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.

In addition, subject to the provisions of the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb, the applicant's Authorized Representative's signature in block 21 of the SF-424 form constitutes assurance by the applicant of compliance with the following requirements in accordance with the WIOA 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, which, as interpreted through Departmental regulations, 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 status 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, subject to RFRA, 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. Note that the RFRA 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. If a faith-based organization is awarded a grant, the organization will be provided with more information.

**a) Requirement for DUNS Number**

All applicants for federal grant and funding opportunities must have a DUNS number, and must supply their DUNS Number on the SF-424. The DUNS Number is a nine-digit identification number that uniquely identifies business entities. If you do not have a DUNS Number, you can get one for free through the D&B website:

<https://fedgov.dnb.com/webform/displayHomePage.do>.

Grant recipients authorized to make subawards must meet these requirements related to DUNS Numbers:

- Grant recipients must notify potential subawardees that no entity may receive a subaward unless the entity has provided its DUNS number.
- Grant recipients may not make a subaward to an entity unless the entity has provided its DUNS number.

(See Appendix A to 2 CFR Part 25.)

**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.

**a) Budget Narrative**

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, in excess of this award. Valuation of leveraged resources follows the same requirements as match. Applicants are encouraged to leverage resources to increase stakeholder investment in the project and broaden the impact of the project itself. The budget narrative must demonstrate the cost-per-participant.

Each category should include the total cost for the period of performance. Use the following guidance for preparing the Budget Narrative.

**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 200.33 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 CFR 200.94 for the definition of Supplies).

**Contractual:** Under the Contractual line item, delineate contracts and subawards separately. Contracts are defined according to 2 CFR 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. A subaward, defined by 2 CFR 200.92, 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 has never received a Negotiated Indirect Cost Rate Agreement (NICRA), and your organization 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 200.68 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 200.68 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 only be excluded 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 200.68 no longer allows for 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 200.75 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/business-operations-center/cost-determination>.

Note that the SF-424, SF-424A, and Budget Narrative must include the entire federal grant amount requested (not just one year).

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.

### **3. Project Narrative**

The Project Narrative 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 Project Narrative is limited to 25 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 Project Narrative beginning with page number 1.

We will not read or consider any materials in the Project Narrative that exceed the specified page limit in the application review process.

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

#### **a) Statement of Need**

- i. Describe in both quantitative and qualitative terms the need for assistance, including the nature and scope of the problem, the consequences of not addressing the need, the poverty rate of the planned target area, and the gap in resources in the community to serve this population;
- ii. Describe how you will coordinate and leverage local resources and partnerships to improve performance; and
- iii. Demonstrate that there is a sufficient pool of eligible participants in the area you plan to serve.

## **b) Performance Strategies**

Applicants must identify the outcomes they expect to accomplish by the end of the grant, and explain their strategy for meeting the outcomes below and how they will track the performance data. Applicants must include the following in the Project Narrative.

**Outcomes Strategies:** Grant applicants must describe their strategies for meeting their identified outcomes and striving to reach the highest level of performance for the WIOA primary indicators and achieving the Reentry Employment Opportunities (REO)-specific measure outlined below and explain how the strength of their proposed strategies will ensure that the highest level of performance would be achieved. Strategies are to be specific, quantifiable statements and clearly linked to each WIOA primary indicator of performance and REO-specific measure.

**Tracking Measures:** Grant applicants must fully describe the system they will use to track and report the stated outcomes pre- and post-release, including how they will co-enroll participants in WIOA if applicable.

The Department expects grantees to track and report the primary indicators of performance as listed in WIOA section 116(b)(2)(A)(i), as well as REO-specific measures. As part of their data collection, all REO grantees are directed to request participants' social security numbers (SSNs). While REO grantees are required to request participants' SSNs, participants cannot be denied services if they choose not to disclose.

### **WIOA Primary Indicators of Performance:**

Grantees must report on the following five WIOA primary indicators of performance. These indicators are:

- i) Employment Rate – Second Quarter After Exit
- ii) Employment Rate – Fourth Quarter After Exit
- iii) Median Earnings – Second Quarter After Exit
- iv) Credential Attainment (Credential attainment is both a WIOA primary indicator and a REO-specific goal. REO is setting the goal for this measure at 60 percent. The description of the goal is stated below in the REO-specific goals section.)
- v) Measurable Skill Gains

Additional information on these performance indicators can be found in Training and Employment Guidance Letter (TEGL) 10-16, Change 1: "Performance Accountability Guidance for Workforce Innovation and Opportunity Act (WIOA) Title I, Title II, Title III and Title IV Core Programs," found at [https://wdr.doleta.gov/directives/corr\\_doc.cfm?docn=3255](https://wdr.doleta.gov/directives/corr_doc.cfm?docn=3255).

The Department will use the data reported for the WIOA measures as baseline information. Therefore, no goals will be set at this time, except for the credential attainment measure because it is also included in the REO-specific goals. The Department may, however, determine targets for the WIOA measures post-award.

## **REO-specific Measure**

Grantees are also expected to track, report, and meet the recidivism rate: The percentage of participants who were in or returning from an adult correctional facility prior to enrolling in the program and have been convicted of a new criminal offense committed within 12 months of their release from the correctional facility. Grantees have until the end of the grant period of performance to achieve this measure. **The goal for this measure is lower than the recidivism rate for the state in which the grantee is operating.**

### **i) Project Design**

(i) The applicant must propose methods that the project will use to address the stated outcomes. Outline a plan of action that describes the scope and detail of how the project will accomplish the proposed work;

(ii) The applicant must account for all functions or activities identified in the application. Cite factors that might accelerate or decelerate the work and state the reason for taking the proposed approach rather than other approaches. Identify any potential barriers and describe how the project will be able to overcome those barriers;

(iii) The applicant must identify a plan for ensuring that the applicant and all partners have access to the correctional facility as needed, including a schedule for proposed partner activities;

(iv) The applicant must identify and describe the staffing plan for all core program staff positions, including the Project Director/Manager, Fiscal Director/Manager, Employer Outreach Coordinator, and other key positions. For all positions for which potential staff members have not been identified, the applicant must describe the required qualifications that will be used for hiring purposes;

(v) The applicant must describe how participants will be identified and selected for participation, including the waiting list process;

(vi) The applicant must identify the timeline, as an attachment to the Project Narrative, which includes all required services described in Section IV.B.3.(c)(vii-viii);

(vii) The applicant must identify and explain how they will provide, at a minimum, all of the following employment and career services pre-release: job preparation, comprehensive case management, developing IDPs using local Labor Market Information (LMI) including identifying barriers to employment (additional information regarding “career” services, as defined in WIOA, can be found in Section 134(c)(2) and in TEGL 19-16), needs assessment, career exploration and planning, legal assistance (e.g., modification of child support orders, expungement proceedings, securing participant licenses, child custody assistance, protective and restraining order assistance, and referrals to other legal services), counseling, and assistance with linking inmates to the social services required to help them transition back to their communities.

(viii) The applicant must identify and explain how they will provide all of the post-release skill-building services—apprenticeships and occupational training in in-demand industries that lead to industry-recognized credentials—and explain how the IDP links to employment and post-release and follow-up services to ensure a continuum of services. The applicant must



identify how assessments, including an assessment of each individual's risk of reoffending and their level of job readiness, will be incorporated into the IDP.

(ix) In the event participants will not have access to the internet while at the state correctional facility or local jail, describe the source of educational materials, including readiness assessments and the reason for choosing that source;

(x) The applicant must describe how it will coordinate with corrections, workforce, reentry professionals, employers, and other service providers to ensure that interventions and employment services are provided in a way that supports recidivism-reduction and employment goals;

(xi) The applicant must provide, as an attachment to the Project Narrative, a sample schedule of activities for a month of pre-release operations. These activities must include, at a minimum, the items listed in (vii).

The sample schedule must take into account the inmates' opportunities for movement throughout the facility and ensure that all program participants have adequate opportunities to access the pre-release program; the applicant must identify the curriculum that will be utilized for employability skills and job readiness development activities.

(xii) The applicant must describe the following:

- A plan for directly linking participants to their program, employers, and external service providers before they exit the correctional facility;
- How the pre-release case manager will be retained post-release, and how post-release and follow-up activities will be delivered;
- A plan to continue services to participants post-release and to secure lasting partnerships with local service providers and employers and the strategies for achieving buy-in from local employers and industry associations in order to increase employment opportunities for participants post-release.

## **i) Partnerships**

### **Mandatory Partnerships**

Applicants must identify, and provide a written commitment from, the state correctional facility or local jail the applicant intends to partner with for this project. The written commitment must, at a minimum, address how the applicant and partner staff will access the state correctional facility or local or county jail and how partners will provide services pre-release, accommodations for services to be provided, a strategy for internet accessibility or an alternative, resources and space supplied by the correctional facility, facility requirements for inmate participation and selection, and security for applicant and partner staff.

### **Recommended Partnerships**

Grantees are encouraged to work with additional partners (other than the partner correctional facility) to leverage resources. Applicants should identify local organizations, including

employers and industry organizations, which will provide services to support program operations, such as workforce services, housing, and substance abuse and mental health treatment for participants.

- Applicants must describe the specifics of their partnership(s) and provide a Memorandum(a) of Understanding or Letter(s) of Commitment signed by the authorizing agent of the partner organization, which describes:
  - Services to be provided to the organization or participants;
  - Procedures for enrollment or recruitment, if applicable;
  - Any resources to be committed to the program.
- Applicants must explain how employers and industry organizations will be engaged in the program to provide curriculum development, occupational education, and employment pre-and-post release.
- Applicants must explain how partners will communicate pre- and post-release to support program operations and ensure that all required services are available to all program participants.

NOTE: Memoranda of Understanding and Letters of Commitment must be included as attachments and will not be counted against the page limit for the project narrative.

**e) Organizational, Administrative, and Fiscal Capacity**

Provide information on:

- (i) 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.
- (ii) Describe the applicant's fiscal and administrative controls in place to manage federal funds. Include the applicant's capability to sustain some or all project activities after federal financial assistance has ended.

**f) Past Performance – Programmatic Capability**

Organizations will receive points based on past performance data. All applicants must submit information for the past performance criteria identified below. This past performance document will not be counted against the page limit.

If you have received federally and/or non-federally funded assistance agreements (federal assistance agreements include federal grants and cooperative agreements but not federal contracts) similar in size, scope, and relevance to the proposed project that have been completed within the last five years of the closing date of this Announcement, you must submit a Past Performance Chart for the most recently completed agreement. If you have completed a REO grant within the past five years, your Past Performance Chart must reflect that grant. If you have not completed a REO grant, but have completed any other ETA agreement, you must submit a chart for that agreement. A completed grant means that the period of performance has

ended. Please note that current REO grantees that are still within their period of performance and have not completed any other REO grants within the past five years must include past performance data for a different grant similar in size, scope, and relevance. Examples of REO grants that may have been completed within the past five years include Training to Work, Face Forward, and Linking to Employment Activities Pre-release Specialized American Job Centers grants. If you are unsure if you have a past REO grant, please contact the grants management specialist listed in Section VII of this FOA.

The information must be provided in a Past Performance Chart as an attachment to the Project Narrative.

### **Performance Chart**

The Past Performance Chart must include the following information:

- Grantor name and contact information
- Project information/grant objectives
- Performance goals and spending rate analysis

Below is a sample format for the Past Performance Chart. For non-ETA grants only, the chart must be signed by the grantor or a letter must be provided from the grantor verifying the past performance data. This letter must be on grantor letterhead and contain contact information for the grantor.

#### **(1) Performance Goals:**

The Past Performance Chart must include the overall objectives of the grant, population served, funding amount and grantor contact information. The chart must detail two significant performance goals and the outcomes of those goals in order to demonstrate if and how the applicant successfully completed and managed the agreement.

Applicants should use the performance indicators most similar to:

- employment/education placement, and
- degree/certificate attainment

ETA views the above indicators as the most critical to demonstrating that the applicant's past success in a similar program has prepared its organization to succeed in operating a REO project. Applicants may substitute a different indicator if the substituted indicator is applicable to the outcomes required in this FOA.

(i) In the chart, applicants must identify the total number of participants enrolled in the program and the performance outcome for each metric, displayed as both a fraction (e.g. the numerator equal to the number of program participants who achieved the identified indicator and the denominator equal to the total program participants eligible for the identified indicator) and a percentage. For example, if using the employment placement measure, the performance metric description might be participants who were placed into unsubsidized jobs within one year of program completion divided by all participants who have this performance goal within the past year.

Applicants will receive points based on past performance demonstrated in the performance chart. The performance chart must clearly identify the indicators being used and must include a definition for how the outcome is calculated (e.g., the numerator and denominator for the outcome). DOL reserves the right to disqualify indicators that are determined not to be sufficiently similar to the indicators above and award zero points for non-qualifying indicators.

(2) **Spending Rate Analysis:**

Applicants must submit, as part of the chart of past performance described above, the total grant amount and the percentage of grant funds spent during the original period of performance for their most recently completed grant, as specified above. Applicants will receive points for their spending rate, as demonstrated in the chart they provide.

Below is a sample format for the chart:

<b>Name of Previous Grantor Organization:</b>				
<b>Grantor Contact - Name, Title, Signature (if non-ETA grant), E-mail Address, and Telephone Number:</b>				
<b>Project Title and Grant Number:</b>				
<b>Project Period of Performance:</b>				
<b>Number of Participants Enrolled:</b>				
<b>Population Served:</b>				
<b>Performance Goals</b>				
Metric	Performance Indicator (Goal)	Performance Outcome	Performance Outcome / Performance Goal	Percentage Rate of Actual Achievement
<i>Placement into education and/or employment</i>	60	58	58/60	97%
<i>Certificate/degree attainment</i>				
<b>Spending Rate Analysis</b>				
Grant Funds Received:	Grant Funds Spent by End of Period of Performance:	Total Spent /Total Grant Funds	Percentage Rate of Spending:	
<i>Example: \$1,000,000</i>	\$800,000	\$800,000/ \$1,000,000	89%	

**g) Budget and Budget Narrative**

The Budget and Budget Narrative will be used to evaluate this section. Please see Section IV.B.2 for information on the requirements. The Budget and Budget Narrative do not count against the page limit requirements for the Project Narrative.

**h) Priority Consideration**

Applicants have the opportunity to receive a bonus point for demonstrating, in their abstract, that at least one census tract in their target area is in a qualified Opportunity Zone designated by the Secretary of Treasury.

**4. Attachments to the Project Narrative**

In addition to the Project Narrative, you must submit attachments as described in Sections IV(B) (4)(a-b) below. 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 Project Narrative.

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 applicant's name;
- the project title;
- a description of the area to be served;
- the number of participants to be served;
- the funding level requested;
- the total cost-per-participant;
- the name and address of the mandatory partner and whether that partner is a state correctional facility or local jail;
- the list of the name(s) of other partners;
- the list of the specific cities, towns, or counties that the applicant plans to serve and identification of whether each city, town, or county is rural or urban;
- Opportunity Zone census tract, if applying for Priority Consideration; and
- a brief summarization of the proposed project including, but not limited to, the scope of the project and proposed outcomes.

##### **(2) Letter of Commitment/Memorandum of Understanding from Correctional Facility**

Submit a signed and dated Letter of Commitment or Memorandum of Understanding (MOU) between the applicant and each state correctional facility or local jail, which will serve as a mandatory partner. See Section IV.B.3(d)(1). Applications that do not include this written commitment will be disqualified.

**b) Requested Attachments**

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

**(1) Past Performance Documentation**

This attachment must include both the Chart of Past Performance and the Grantor Verification Letter (if the chart is not signed by the Grantor). See Section IV.B.3.f) for which applicants are to submit this documentation and additional instructions.

When submitting in grants.gov, these documents must be uploaded as an attachment to the application package and specifically labeled “Past Performance.”

**(2) Letters of Commitment or MOUs**

Submit signed and dated Letters of Commitment or Memoranda of Understanding between the applicant and additional partner organizations and/or sub-grantees that propose to provide services to support the program model and lead to the identified outcomes. (See Section IV.B.3.d.ii)

When submitting in grants.gov, these letters must be uploaded as an attachment to the application package and specifically labeled “Letters of Commitment.”

**(3) Indirect Cost Rate 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 affect scoring of the application.

When submitting in grants.gov, this document must be uploaded as an attachment to the application package and specifically labeled “NICRA.”

**(4) Verification of 501(c)(3) status**

All Applicants applying as a non-profit, including current DOL grantees, must submit documentation from the Internal Revenue Service that verifies the applicant’s non-profit 501(c)(3) status (for entities applying as 501(c)(3) non-profit organizations only). If not provided, the Department will review Internal Revenue Service data to ensure an applicant’s non-profit 501(c)(3) status. This attachment does not impact scoring of the application, but if ETA determines that the applicant does not have non-profit 501(c)(3) status, the application will be disqualified.

**(5) Financial System Assessment Information**

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

**(6) Sample Schedule of Activities**

Applicants should submit a sample schedule of activities for a month of pre-release operations. These activities must include all required career services for participants as specified in Section IV.B.3.(c)(xi).

**(7) Timeline of All Activities**

Applicants should submit a timeline which includes all key activities as described in Section IV.B.3.(c)(vi).

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

We must receive your application by **[insert date XX days after the date of publication on Grants.gov]**. You must submit your application either electronically on <https://www.grants.gov> or in hard copy by mail or in hard copy by hand delivery (*including overnight delivery*) **no later than 4:00:00 p.m. Eastern Time on the closing date.**

Applicants are encouraged to submit their application before the closing date to minimize the risk of late receipt. We will not review applications received after 4:00:00 p.m. Eastern Time on the closing date. We will not accept applications sent by e-mail, telegram, or facsimile (FAX).

**1. Hardcopy Submission**

All applications submitted in hardcopy by mail or hand delivery (including overnight delivery) must be received at the designated place by the specified closing date and time. Applicants submitting applications in hard copy by mail or hand delivery must submit a copy-ready version free of bindings, staples, or protruding tabs to ease in the reproduction of the application by DOL. Applicants submitting applications in hard copy must also include in the hard copy submission an identical electronic copy of the application on compact disc (CD) or flash drive. If we identify discrepancies between the hard copy submission and CD/flash drive copy, we will consider the application on the CD/flash drive as the official submission for evaluation purposes. Failure to provide identical applications in hardcopy and CD/flash drive format may have an impact on the overall evaluation.

If an application is submitted both by hard copy and through <https://www.grants.gov>, a letter must accompany the hard-copy application stating which application to review. If no letter accompanies the hard copy, we will review the copy submitted through <https://www.grants.gov>.



We will grant no exceptions to the mailing and delivery requirements set forth in this notice. Further, we will not accept documents submitted separately from the application, before or after the deadline, as part of the application.

Address mailed applications to the:

U.S. Department of Labor  
Employment and Training Administration  
Office of Grants Management  
Attention: Melissa Abdullah, Grant Officer  
Reference FOA-ETA-20-02  
200 Constitution Avenue, NW, Room N4716  
Washington, D.C. 20210

Please note that mail decontamination procedures may delay mail delivery in the Washington DC area. We will receive hand-delivered applications at the above address at the **3rd Street Visitor Entrance**. All overnight delivery submissions will be considered to be hand-delivered and must be received at the designated place by the specified closing date and time.

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

Applicants submitting applications through Grants.gov must ensure successful submission **no later than 4:00:00 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 only verifies 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 web forms 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:

- 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**

For applications submitted on Grants.gov, we will consider only applications successfully submitted no later than 4:00:00 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.

We will not consider any hard copy application received after the exact date and time specified for receipt at the office designated in this notice, unless we receive it before awards are made, it was properly addressed, and it was (a) sent by U.S. Postal Service mail, postmarked not later than the fifth calendar day before the date specified for receipt of applications (e.g., an application required to be received by the 20th of the month must be postmarked by the 15th of that month); or (b) sent by professional overnight delivery service to the addressee not later than one working day before the date specified for receipt of applications. “Postmarked” means a printed, stamped or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service. Therefore, you should request the postal clerk to place a legible hand cancellation “bull’s eye” postmark on both the receipt and the package. Failure to adhere to these instructions will be a basis for a determination that the application was not filed timely and will not be considered. Evidence of timely submission by a professional overnight delivery service must be demonstrated by equally reliable evidence created by the delivery service provider indicating the time and place of receipt.

#### **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.

##### **1. Indirect Costs**

As specified in the Uniform Guidance Cost Principles, indirect costs are those that have been 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 salaries and wages 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 has never received a negotiated indirect cost 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 200.68 for definition), which may be used indefinitely. If you choose this option, this methodology must be used consistently for all federal awards until such time as you choose to negotiate for an indirect cost rate, for which you may apply at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

##### **2. 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 Training and Employment Guidance Letter 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).

### **3. 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.”**

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

Organizations that receive grants through this FOA may use grant funds to pay for the wages of participants where the objective assessment and the IDP indicate that work experiences are appropriate. Further, providing stipends to training enrollees for wage replacement is an allowable cost under this FOA. Payment may take the form of wages or stipends. Generally, participants may receive stipends for participating in classes and training. Wages are compensation for services performed for an employer. Grantees must comply with WIOA Section 181 and WIOA regulations detailing the applicable wage and labor standards. When paying participant stipends, grantees must maintain documentation of the process for determining the amount of the stipend and the distribution. Grantees providing wages or stipends to participants should be aware of the implications under IRS provisions. Please consult [www.irs.gov](http://www.irs.gov) for more information.

In addition, grantees may provide incentive payments to participants for recognition and achievement tied to training activities and work experiences. Incentive payments must align with the goals of the grant. The grantee must have policies and procedures in place governing

the award of incentives; any incentives provided under the grant must align with these organizational policies. Generally, incentive payments are considered miscellaneous compensation and are taxable. Please consult [www.irs.gov](http://www.irs.gov) for more information. Under this FOA, grantees can use no more than 1.5 percent of the grant award for incentive payments.

Needs-related payments are a form of supportive services paid directly to participants that enable the individual to participate in training. Up to 1.5 percent of grant funds awarded under this FOA may be used to provide needs-related payments, such as those authorized under WIOA to assist participants with costs related to transportation, child care, food, or other household items, such as paying a utility bill to prevent shut-off. Needs-related payments must tie directly to the cost identified, and grantees must ensure the payments are documented to support both the participant’s need for the service *as well* as the actual transaction. Grantees must have a consistent policy in place on the provision of needs-related payments.

**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**

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**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. (Project Narrative). Reviewers will award points based on the evaluation criteria described below.

<b>Criterion</b>	<b>Points (maximum)</b>
1. Statement of Need (See Section IV.B.3.a. Statement of Need)	5
2. Performance Data Collection Strategies (See Section IV.B.3.b. Performance Strategies)	10
3. Project Design (See Section IV.B.3.c. Project Design)	30
4. Partnerships (See Section IV.B.3.d. Partnerships)	15
5. Organizational, Administrative, and Fiscal Capacity (See Section IV.B.3.e. Organizational, Administrative, and Fiscal Capacity)	5
6. Past Performance – Programmatic Capability	30

(See Section IV.B.3.f. Past Performance – Programmatic Capability)	
7. Budget and Budget Narrative (See Section IV.B.2. Project Budget)	5
<b>TOTAL</b>	<b>100</b>
<b>Priority Consideration: Designated Qualified Opportunity Zone</b>	1

**1. Statement of Need (Up to 5 points)**

- i. The extent to which the application demonstrates a comprehensive understanding of the need, including the poverty rates of each target area, the gap in resources in the community, and the consequences of not addressing the need, based on the quantitative and qualitative information provided. (Up to 2 points)
- i. The extent to which the applicant demonstrates how they will coordinate and leverage local resources and partnerships to improve performance. (Up to 1 point)
- ii. The extent to which the application justifies the number of participants it proposes to serve. (Up to 2 points)

**2. Performance Data Collection Strategies (Up to 10 points)**

- (i) The extent to which the application demonstrates a realistic and clear plan to track and report performance data. (Up to 5 points)
- (ii) The extent to which the application demonstrates a realistic and clear plan to track and report recidivism data. (Up to 5 points)

**3. Project Design (Up to 30 points)**

- (i) The extent to which the application reflects a realistic and clear plan to meet the Applicant’s identified participant outcomes and DOL outcomes of the grant. (Up to 11 points)
- (ii) The strength of the justification for the approach, including addressing any factors that might accelerate or decelerate the required work. The degree to which the project takes into account barriers that may affect the project’s success. (Up to 1 point)
- (iii) The extent to which the applicant reflects a coherent and realistic approach to ensuring that partners can access the state correctional facility or local jail as needed. (Up to 2 points)
- (iv) The extent to which the staffing plan and current or planned qualifications of staff supports the successful outcomes of the project. (Up to 2 points)
- (v) The extent to which the participant selection process is coherent and feasible. (Up to 1 point)



(vi) The extent to which the timeline and calendar of events as described in Section IV.B.3.(c)(vi) provides a timely and coherent plan to meet stated outcomes. (Up to 2 points)

(vii) The extent to which the applicant can describe how they will provide high-quality employment and career services pre-release that will support successful outcomes of the participants, and how they will implement the skill-building component pre-release. (Up to 2 points)

(viii) The extent to which the applicant can describe how they will provide high-quality employment and career services post-release that will support successful outcomes of the participants, and how they will implement the skill-building component post-release. (Up to 2 points)

(ix) The extent to which the applicant has a coherent and feasible plan to provide services in the event internet is unavailable. (Up to 1 point)

(x) The extent to which the plan to coordinate with corrections, workforce, reentry professionals, employers, and other service providers to support recidivism-reduction and employment goals will accomplish those purposes and is coherent and feasible. (Up to 2 points)

(xi) The extent to which the applicant describes a feasible and effective plan for how all activities will be accomplished. Applicants must include a sample schedule for one month as described in Section IV.B.3(c)(xi) as an attachment to the project narrative. The sample schedule must take into account the inmates' opportunities for movement throughout the facility and ensure that all program participants have adequate opportunities to access the pre-release program; the applicant must identify the curriculum that will be utilized for employability skills and job readiness development activities. (Up to 2 points)

(xii) The extent to which the plan to link participants to their program, employers, and external service providers before they exit the correctional facility (including how the pre-release case manager will be retained post-release and how follow-up activities will be delivered) is coherent and feasible and supports increased employment opportunities for participants post-release. (Up to 2 points)

#### **4. Partnerships (Up to 15 points)**

Mandatory Partnerships (Up to 9 points)

- i. The comprehensiveness of the identified partnership with the state correctional facility or local or county jail for the project, documented through Letters of Commitment or Memoranda of Understanding between the applicant and each identified partner as described in Section IV.B.3(d)(i). (Up to 8 points)
- ii. The strength of the MOUs or Letters of Commitment. (Up to 1 point)

Recommended Partnerships (Up to 6 points)

- iii. The comprehensiveness of the identified additional partnerships for the project documented through Letters of Commitment or Memoranda of Understanding between the applicant and each identified partner. (Up to 2 points)

- iv. The comprehensiveness of the identified supportive service providers, documented through Letters of Commitment or Memoranda of Understanding between the applicant and each identified supportive service partner. (Up to 2 points)
- v. The strength to which the applicant demonstrates their plan to keep partners engaged in the project and how partners will communicate pre- and post-release as described in Section IV.B.3(d)(ii). (Up to 2 points)

**5. Organizational, Administrative, and Fiscal Capacity (Up to 5 points)**

- (i) The extent to which the applicant has clearly and convincingly demonstrated it has the capacity to carry out this proposed project, including staffing, organizational structure, and relevant experience. (Up to 3 points)
- (ii) The strength of the fiscal and administrative controls to properly manage federal funds and the capability of the organization to sustain project activities after federal financial assistance ends. (Up to 2 points)

**6. Past Performance–Programmatic Capability (up to 30 points)**

All applicants must provide a performance chart as specified in Section IV.B.3.f (Past Performance – Programmatic Capability). **Applicants that do not provide the following will receive 0 points for the rating factors below:**

- past performance chart,
- previous grantor contact information, and
- a signature from the grantor contact on the past performance chart or an associated grantor verification letter on grantor letterhead (applicable only if providing information on a non-ETA grant).

See Section IV.B.3.f for additional information.

**a) Previously-Funded REO Applicants**

- (i) Placement in Education or Employment (maximum 13 points):
  - Previously-funded REO applicants with weighted placement rates of 80 percent or higher will receive 13 points for this subsection.
  - Previously-funded REO applicants with weighted placement rates of 70 percent - 79.99 percent will receive 8 points for this subsection.
  - Previously-funded REO applicants with weighted placement rates of 60 percent - 69.99 percent will receive 6 points for this subsection.
  - Previously-funded REO applicants with weighted placement rates of 50 percent - 59.99 percent will receive 4 points for this subsection.
  - Previously-funded REO applicants with weighted placement rates of 49.99 percent or below will receive 0 points for this subsection.

- (ii) Certificate/Degree Attainment (maximum 12 points):
- Previously-funded REO applicants with weighted certificate/degree attainment rates of 80 percent or higher will receive 12 points for this subsection.
  - Previously-funded REO applicants with weighted certificate/degree attainment rates of 70 percent – 79.99 percent will receive 8 points for this subsection.
  - Previously-funded REO applicants with weighted certificate/degree attainment rates of 60 percent - 69.99 percent will receive 6 points for this subsection.
  - Previously-funded REO applicants with weighted certificate/degree attainment rates of 50 percent - 59.99 percent will receive 4 points for this subsection.
  - Previously funded REO applicants with weighted certificate/degree attainment rates of 49.99 percent or below will receive 0 points for this subsection.
- (iii) Spending Rate Analysis during the original period of performance (maximum 5 points):
- Previously-funded REO applicants that expended at least 98 percent of the grant funds for their most recently completed grant will receive 5 points.
  - Previously-funded REO applicants that expended at least 90 percent but less than 98 percent of the grant funds for their most recently completed grant will receive 3 points.
  - Previously-funded REO applicants that expended at least 80 percent but less than 90 percent of the grant funds for their most recently completed grant will receive 1 point.
  - Previously-funded REO applicants that expended less than 80 percent of their grant funds for their most recently completed grant will receive 0 points.

**b) Other Applicants**

- (i) Placement in Education, Employment, or similar outcome (maximum 13 points):
- Weighted placement rates of 80 percent or higher will receive 13 points for this subsection.
  - Weighted placement rates of 70 percent - 79.99 percent will receive 8 points for this subsection.
  - Weighted placement rates of 60 percent - 69.99 percent will receive 6 points for this subsection.
  - Weighted placement rates of 50 percent – 59.99 percent will receive 4 points for this subsection.
  - Weighted placement rates of 49.99 percent or below will receive 0 points for this subsection.
- (ii) Certificate/Degree Attainment or similar outcome (maximum 12 points):
- Weighted certificate/degree attainment rates of 80 percent or higher will receive 12 points for this subsection.

- Weighted certificate/degree attainment rates of 70 percent -79.99 percent will receive 8 points for this subsection.
  - Weighted certificate/degree attainment rates of 60 percent - 69.99 percent will receive 6 points for this subsection.
  - Weighted certificate/degree attainment rates of 50 percent - 59.99 percent will receive 4 points for this subsection.
  - Weighted certificate/degree attainment rates of 49.99 percent or below will receive 0 points for this subsection.
- (iii) Spending Rate Analysis (maximum 5 points):  
During the original period of performance:
- Applicants that expended at least 98 percent of the grant funds for their most recently completed grant will receive 5 points.
  - Applicants that expended at least 90 percent but less than 98 percent of the grant funds for their most recently completed grant will receive 3 points.
  - Applicants that expended at least 80 percent but less than 90 percent of the grant funds for their most recently completed grant will receive 1 point.
  - Applicants that expended less than 80 percent of the grant funds for their most recently completed grant will receive 0 points.

#### **7. Budget and Budget Narrative (Up to 5 points)**

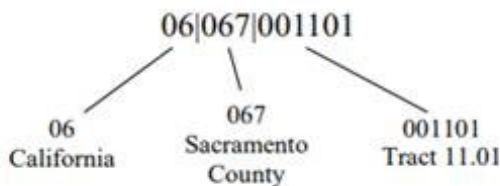
The reasonableness and feasibility of the budget will be judged by:

- (i) The extent the proposed expenditures will address all project requirements, and whether key personnel have adequate time devoted to the project to achieve project results. (Up to 1 point)
- (ii) The extent to which the budget narrative provides a description of costs associated with each line item on the SF-424A. It should also include a complete description of leveraged resources provided (as applicable) to support grant activities. (Up to 1 point)
- (iii) The extent to which the totals on the SF-424A and the Budget Narrative align. (Up to 1 point)
- (iv) The extent to which the cost-per-participant is reasonable and reflects the program model's ability to successfully meet all outcomes identified in the application. (Up to 2 points)

#### **8. Priority Consideration**

Applicants that demonstrate, in their abstract, at least one census tract in their target area is a qualified Opportunity Zone, designated by the Secretary of Treasury (Designated Opportunity Zone census tracts may be found at [www.cdfifund.gov/pages/opportunity-zones.aspx](http://www.cdfifund.gov/pages/opportunity-zones.aspx)) will receive 1 bonus point.

Please be aware that the IRS list provides the full 11-digit census tract number. Use the example below to identify your census tract.



06 – identifies California,  
067 – identifies Sacramento County within California, and  
001101 – identifies Census Tract 11.01 within Sacramento County.

## **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 101 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 distribution of grant funds between organizations serving persons incarcerated in state correctional facilities and organizations serving persons incarcerated in local jails as specified in this FOA, 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 codified 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:

- 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:

- 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 Training and Employment Guidance Letter (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 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>		

- (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.
- (2) Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.
- (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 ( <i>month, day, year</i> )	b. Principal officers <span style="float: right;">Titles</span>
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, non-profit, 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. ( <i>12 months</i> ) \$	

**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
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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? Yes    No    Not Sure

If so, who approved it (Federal Cognizant Agency or a Pass-through Entity)? What are the effective dates?

8. Does the accounting/financial system include budgetary controls to preclude incurring obligations in excess of:

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.)?	Yes	No	Not Sure

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? Yes                      No If yes, please explain briefly.				
<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				
3. If an independent CPA was engaged to perform a review and no report was issued, please provide details and an explanation below:				
<b>SECTION F: ADDITIONAL INFORMATION</b>				
1. Use this space for any additional information <i>(indicate section and item numbers if a continuation)</i>				

**VI. AWARD ADMINISTRATION INFORMATION**

**A. AWARD NOTICES**

All award notifications will be posted on the ETA Homepage (<https://www.doleta.gov>). 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. ADMINISTRATIVE 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 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 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. If a faith-based organization is awarded a grant, the organization will be provided with more information.

### **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 section 6202 of Pub. Law 110-252, and the Strengthening Transparency and Accountability in Federal Spending Act of 2008), 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 they 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 NO.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 their handling of confidential information.

- i. You must ensure that PII and sensitive data developed, obtained, or otherwise associated with DOL/ETA funded grants is securely transmitted.
- ii. 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.
- iii. 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 TEGL 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.
- iv. 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.
- v. 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.
- vi. 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.

- vii. 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.
- viii. You must not extract information from data supplied by ETA for any purpose not stated in the grant agreement.
- ix. 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.
- x. 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.
- xi. 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.
- xii. 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.
- xiii. 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) DOL 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; (3) in the case of an impact analysis, facilitate, or support as requested, the assignment by lottery of participants to program services (i.e., treatment group) or to the control group (i.e., no 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 Training and Employment Guidance Letter (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.

### **3. Quarterly Narrative Performance Reports**

In addition to the Quarterly Performance Report, the grantee must submit the Joint Quarterly Narrative Performance Report Template (ETA 9179) progress report within 45 days after the end of each calendar-year quarter during which the grant is within the period of performance for the award. The report includes quarterly information regarding accomplishments, including project success stories, upcoming grant activities, and promising approaches and processes, as well as progress toward performance outcomes, including updates on product, curricula, and training development.

## **VII. AGENCY CONTACTS**

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For further information about this FOA, please contact Ariam Ferro, Grants Management Specialist, Office of Grants Management, at (202) 693-3968. Applicants should e-mail all technical questions to [ferro.ariam@dol.gov](mailto:ferro.ariam@dol.gov) and must specifically reference FOA-ETA-20-02, and along with question(s), include a contact name, fax 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**

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### **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://www.workforcegps.org/resources/browse?id=b8dd0aa1ecfb4b2282d6cd30c7248790> 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. SKILLSCOMMON 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.

### **E. LINKING EMPLOYMENT ACTIVITIES PRE-RELEASE (LEAP) IMPLEMENTATION STUDY**

This report explores lessons from the evaluation of the ETA’s Linking to Employment Activities Pre-Release (LEAP) grants, funded by DOL’s Chief Evaluation Office (CEO). The LEAP pilot tests the creation of jail-based American Job Centers (AJCs) to support the successful reentry of participants and directly link them to community-based AJCs upon release. The evaluation looks



at approaches to providing services before and after incarceration across 20 sites based on site visits, phone interviews, focus groups, and grantee quarterly performance reports. In addition to this report, the evaluation also produced a compendium of 10 issue briefs that summarize key issues important to helping the workforce development and corrections communities improve employment outcomes for those involved in the justice system. You can find the final report, an executive summary, and the LEAP issue brief compendium on CEO's website <https://www.dol.gov/asp/evaluation/CompletedStudies.htm>.

## **F. PAST DOL EVALUATIONS AND EVIDENCE**

ETA and CEO have funded a number of evaluations that are relevant to this grant. These evaluations and other resources may be helpful in identifying evidence-based and evidence-informed models and components of serving to improve the employment outcomes for young adults that have been involved in the juvenile or adult justice system. These include:

- Evaluation of Grants Serving Young Offenders. ETA funded an evaluation of its Face Forward and Pathways to Justice Careers grant initiatives, between 2013 and 2016. The purpose of the evaluation was to document and identify promising practices from the grantee's experiences of serving young offenders. The evaluation produced three issue briefs, a resource guide, and a case study on operating a vocational training program at a juvenile correctional facility.
- Supporting Reentry Employment and Success: A Summary of the Evidence for Adults and Young Adults. As part of the ongoing Reentry Employment Opportunities Evaluation, CEO funded an issue brief that summarized the evidence base for reentry employment interventions and services.
- Clearinghouse for Labor Evaluation and Research (CLEAR). CLEAR reviews studies in a variety of labor-related topic areas that are determined in collaboration with CEO and DOL agency staff. Relevant CLEAR topic areas include:
  - o Reentry
  - o Apprenticeship and Work-Based Training
  - o Community College
  - o Opportunities for Youth

## **IX. OMB INFORMATION COLLECTION**

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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.

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. 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 \_\_\_\_\_, 2020, in Washington, D.C. by:

Grant Officer, Employment and Training Administration