



41217



Submission of Federal Rules Under the Congressional Review Act

☐ President of the Senate ☐ Speaker of the House of Representatives ☒ GAO

Please fill the circles electronically or with black pen or #2 pencil.

1. Name of Department or Agency

2. Subdivision or Office

Department of Labor

Employment and Training Administration

3. Rule Title

National Farmworker Jobs Program Housing Services Grants

4. Rule Identification Number (RIN) or Other Unique Identifier (if applicable) FOA-ETA-24-18

5. Major Rule ☐ Non-major Rule ☒

6. Final Rule ☐ Other ☒ Funding Opportunity Announcement

7. With respect to this rule, did your agency solicit public comments? Yes ☐ No ☐ N/A ☒

8. Priority of Regulation (fill in one)

☐ Economically Significant; or
Significant; or
Substantive, Nonsignificant

☒ Routine and Frequent or
Informational/Administrative/Other
(Do not complete the other side
of this form if filled in above.)

9. Effective Date (if applicable) April 30, 2024

10. Is a concise Summary of the Rule provided? Yes ☒ No ☐

Submitted by:

Name: Jose Javier Rodriguez

Title: Assistant Secretary

Employment and Training Administration

For Congressional Use Only:

Date Received: _____

Committee of Jurisdiction: _____



41217



Yes No N/A

- A. With respect to this rule, did your agency prepare an analysis of costs and benefits? ☐ Yes ☐ No ☐ N/A
- B. With respect to this rule, at the final rulemaking stage, did your agency
1. certify that the rule would not have a significant economic impact on a substantial number of small entities under 5 U.S.C. § 605(b)? ☐ Yes ☐ No ☐ N/A
2. prepare a final Regulatory Flexibility Analysis under 5 U.S.C. § 604(a)? ☐ Yes ☐ No ☐ N/A
- C. With respect to this rule, did your agency prepare a written statement under § 202 of the Unfunded Mandates Reform Act of 1995? ☐ Yes ☐ No ☐ N/A
- D. With respect to this rule, did your agency prepare an Environmental Assessment or an Environmental Impact Statement under the National Environmental Policy Act (NEPA)? ☐ Yes ☐ No ☐ N/A
- E. Does this rule contain a collection of information requiring OMB approval under the Paperwork Reduction Act of 1995? ☐ Yes ☐ No ☐ N/A
- F. With respect to this rule, did your agency prepare a statement regarding compliance with the requirements of the Administrative Pay-As-You-Go-Act of 2023, Pub. L. No. 118-5, div. B, title III, 137 Stat 31 (June 3, 2023)? ☐ Yes ☐ No ☐ N/A
- G. Did you discuss any of the following in the preamble to the rule
- E.O. 13132, Federalism ☐ Yes ☐ No ☐ N/A
 - E.O. 12630, Government Actions and Interference with Constitutionally Protected Property Rights ☐ Yes ☐ No ☐ N/A
 - E.O. 12866, Regulatory Planning and Review ☐ Yes ☐ No ☐ N/A
 - E.O. 12988, Civil Justice Reform ☐ Yes ☐ No ☐ N/A
 - E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks ☐ Yes ☐ No ☐ N/A

Other statutes or executive orders discussed in the preamble concerning the rulemaking process (please specify)

41217

Submission of Federal Rules Under the Congressional Review Act

☐ President of the Senate ☒ Speaker of the House of Representatives ☐ GAO

Please fill the circles electronically or with black pen or #2 pencil.

1. Name of Department or Agency

2. Subdivision or Office

Department of Labor

Employment and Training Administration

3. Rule Title

National Farmworker Jobs Program Housing Services Grants

4. Rule Identification Number (RIN) or Other Unique Identifier (if applicable) FOA-ETA-24-18

5. Major Rule ☐ Non-major Rule ☒

6. Final Rule ☐ Other ☒ Funding Opportunity Announcement

7. With respect to this rule, did your agency solicit public comments? Yes ☐ No ☐ N/A ☒

8. Priority of Regulation (fill in one)

☐ Economically Significant; or
Significant; or
Substantive, Nonsignificant

☒ Routine and Frequent or
Informational/Administrative/Other
(Do not complete the other side
of this form if filled in above.)

9. Effective Date (if applicable) April 30, 2024

10. Is a concise Summary of the Rule provided? Yes ☒ No ☐

Submitted by:

Name: José Javier Rodríguez

Title: Assistant Secretary

Employment and Training Administration

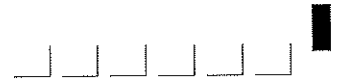
For Congressional Use Only:

Date Received: _____

Committee of Jurisdiction: _____



41217



Yes No N/A

- A. With respect to this rule, did your agency prepare an analysis of costs and benefits? ☐ Yes ☐ No ☐ N/A
- B. With respect to this rule, at the final rulemaking stage, did your agency
1. certify that the rule would not have a significant economic impact on a substantial number of small entities under 5 U.S.C. § 605(b)? ☐ Yes ☐ No ☐ N/A
2. prepare a final Regulatory Flexibility Analysis under 5 U.S.C. § 604(a)? ☐ Yes ☐ No ☐ N/A
- C. With respect to this rule, did your agency prepare a written statement under § 202 of the Unfunded Mandates Reform Act of 1995? ☐ Yes ☐ No ☐ N/A
- D. With respect to this rule, did your agency prepare an Environmental Assessment or an Environmental Impact Statement under the National Environmental Policy Act (NEPA)? ☐ Yes ☐ No ☐ N/A
- E. Does this rule contain a collection of information requiring OMB approval under the Paperwork Reduction Act of 1995? ☐ Yes ☐ No ☐ N/A
- F. With respect to this rule, did your agency prepare a statement regarding compliance with the requirements of the Administrative Pay-As-You-Go-Act of 2023, Pub. L. No. 118-5, div. B, title III, 137 Stat 31 (June 3, 2023)? ☐ Yes ☐ No ☐ N/A
- G. Did you discuss any of the following in the preamble to the rule
- E.O. 13132, Federalism ☐ Yes ☐ No ☐ N/A
 - E.O. 12630, Government Actions and Interference with Constitutionally Protected Property Rights ☐ Yes ☐ No ☐ N/A
 - E.O. 12866, Regulatory Planning and Review ☐ Yes ☐ No ☐ N/A
 - E.O. 12988, Civil Justice Reform ☐ Yes ☐ No ☐ N/A
 - E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks ☐ Yes ☐ No ☐ N/A

Other statutes or executive orders discussed in the preamble concerning the rulemaking process (please specify)

41217

Submission of Federal Rules Under the Congressional Review Act

☒ President of the Senate ☐ Speaker of the House of Representatives ☐ GAO

Please fill the circles electronically or with black pen or #2 pencil.

1. Name of Department or Agency

2. Subdivision or Office

Department of Labor

Employment and Training Administration

3. Rule Title

National Farmworker Jobs Program Housing Services Grants

4. Rule Identification Number (RIN) or Other Unique Identifier (if applicable) FOA-ETA-24-18

5. Major Rule ☐ Non-major Rule ☒

6. Final Rule ☐ Other ☒ Funding Opportunity Announcement

7. With respect to this rule, did your agency solicit public comments? Yes ☐ No ☐ N/A ☒

8. Priority of Regulation (fill in one)

☐ Economically Significant; or
Significant; or
Substantive, Nonsignificant

☒ Routine and Frequent or
Informational/Administrative/Other
(Do not complete the other side
of this form if filled in above.)

9. Effective Date (if applicable) April 30, 2024

10. Is a concise Summary of the Rule provided? Yes ☒ No ☐

Submitted by:

Name: José Javier Rodríguez

Title: Assistant Secretary

Employment and Training Administration

For Congressional Use Only:

Date Received: _____

Committee of Jurisdiction: _____

41217

Yes No N/A

- A. With respect to this rule, did your agency prepare an analysis of costs and benefits? ☐ Yes ☐ No ☐ N/A
- B. With respect to this rule, at the final rulemaking stage, did your agency
1. certify that the rule would not have a significant economic impact on a substantial number of small entities under 5 U.S.C. § 605(b)? ☐ Yes ☐ No ☐ N/A
 2. prepare a final Regulatory Flexibility Analysis under 5 U.S.C. § 604(a)? ☐ Yes ☐ No ☐ N/A
- C. With respect to this rule, did your agency prepare a written statement under § 202 of the Unfunded Mandates Reform Act of 1995? ☐ Yes ☐ No ☐ N/A
- D. With respect to this rule, did your agency prepare an Environmental Assessment or an Environmental Impact Statement under the National Environmental Policy Act (NEPA)? ☐ Yes ☐ No ☐ N/A
- E. Does this rule contain a collection of information requiring OMB approval under the Paperwork Reduction Act of 1995? ☐ Yes ☐ No ☐ N/A
- F. With respect to this rule, did your agency prepare a statement regarding compliance with the requirements of the Administrative Pay-As-You-Go-Act of 2023, Pub. L. No. 118-5, div. B, title III, 137 Stat 31 (June 3, 2023)? ☐ Yes ☐ No ☐ N/A
- G. Did you discuss any of the following in the preamble to the rule
- E.O. 13132, Federalism ☐ Yes ☐ No ☐ N/A
 - E.O. 12630, Government Actions and Interference with Constitutionally Protected Property Rights ☐ Yes ☐ No ☐ N/A
 - E.O. 12866, Regulatory Planning and Review ☐ Yes ☐ No ☐ N/A
 - E.O. 12988, Civil Justice Reform ☐ Yes ☐ No ☐ N/A
 - E.O. 13045, Protection of Children from Environmental Health Risks and Safety Risks ☐ Yes ☐ No ☐ N/A

Other statutes or executive orders discussed in the preamble concerning the rulemaking process (please specify)

| |
|--|
| |
|--|

U.S. DEPARTMENT OF LABOR
Employment and Training Administration

NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY
ANNOUNCEMENT FOR: National Farmworker Jobs Program Housing Services Grants

ANNOUNCEMENT TYPE: Initial

FUNDING OPPORTUNITY NUMBER: FOA-ETA-24-18

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER: 17.264

KEY DATES: *The closing date for receipt of applications under this Announcement is June 28, 2024. We must receive applications no later than **11:59 pm Eastern Time**.*

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

Table of Contents

| | |
|---|----|
| EXECUTIVE SUMMARY | 3 |
| I. FUNDING OPPORTUNITY DESCRIPTION | 4 |
| A. PROGRAM PURPOSE..... | 4 |
| II. AWARD INFORMATION..... | 6 |
| A. AWARD TYPE AND AMOUNT..... | 6 |
| B. PERIOD OF PERFORMANCE | 7 |
| III. ELIGIBILITY INFORMATION | 7 |
| A. ELIGIBLE APPLICANTS..... | 7 |
| B. SERVICE AREAS | 8 |
| C. COST SHARING OR MATCHING..... | 8 |
| D. OTHER INFORMATION..... | 8 |
| IV. APPLICATION AND SUBMISSION INFORMATION | 11 |
| A. HOW TO OBTAIN AN APPLICATION PACKAGE | 11 |
| B. CONTENT AND FORM OF APPLICATION SUBMISSION..... | 11 |
| C. SUBMISSION DATE, TIME, PROCESS AND ADDRESS | 28 |
| D. INTERGOVERNMENTAL REVIEW | 30 |
| E. FUNDING RESTRICTIONS | 30 |
| F. OTHER SUBMISSION REQUIREMENTS..... | 34 |
| V. APPLICATION REVIEW INFORMATION..... | 34 |
| A. CRITERIA | 34 |
| B. REVIEW AND SELECTION PROCESS..... | 35 |
| VI. AWARD ADMINISTRATION INFORMATION..... | 40 |
| A. AWARD NOTICES..... | 40 |
| B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS | 40 |
| C. REPORTING | 46 |
| VII. AGENCY CONTACTS | 48 |
| VIII. OTHER INFORMATION | 48 |
| A. WEB-BASED RESOURCES | 48 |
| B. WORKFORCEGPS RESOURCES | 48 |
| C. SKILLSCOMMONS RESOURCES | 49 |
| IX. OMB INFORMATION COLLECTION | 49 |
| APPENDIX A Suggested Abstract Format..... | 50 |

EXECUTIVE SUMMARY

The Employment and Training Administration (ETA), U.S. Department of Labor (DOL, or the Department, or we), announces the availability of approximately \$6,500,000 in grant funds authorized by the Workforce Innovation and Opportunity Act (WIOA) Section 167 for the National Farmworker Jobs Program (NFJP), Housing Services. The period of performance is 51 months and starts July 1, 2024, and ends September 30, 2028. The NFJP model aims to connect eligible migrant and seasonal farmworkers and their dependents to permanent housing that is owner-occupied, or occupied on a permanent, year-round basis (notwithstanding ownership). The permanent housing must be the person's primary residence to which they return to at the end of the work or training day. Additionally, the NFJP model aims to provide temporary housing that is not owner-occupied to eligible migrant and seasonal farmworkers whose employment requires occasional travel outside their normal commuting area. The Department will award at least 70 percent of the funds for permanent housing.

Although farmworkers are the keystone of the U.S. agriculture industry, farmworker households tend to have high rates of poverty and live disproportionately in housing that is in poor condition. Additionally, homelessness and affordable housing shortages continue to be a challenge across the U.S., including in agricultural regions, which significantly impacts the availability of affordable, accessible, and safe and sanitary housing for farmworkers. To address these challenges, under this Funding Opportunity Announcement (FOA), DOL will competitively award approximately eight NFJP housing grants to organizations that propose project designs that provide housing services in one or more of the following states: California, Arizona, Florida, Idaho, Illinois, Michigan, New York, North Carolina, Oregon, Puerto Rico, Texas, and Washington. Based on the Program Year 2023 results of the allotment formula that DOL used for the NFJP Career Services and Training grants, these 12 states have the highest estimated number of eligible migrant and seasonal farmworkers. By focusing on these 12 states, the Department is able to increase the availability of NFJP housing services in service areas where there are the most eligible migrant and seasonal farmworkers. Additionally, to maximize the impact of the limited NFJP housing funds during the grant's period of performance, DOL encourages applicants to propose project designs that result in enhanced access to permanent housing and temporary housing for eligible migrant and seasonal farmworkers and their dependents by using approaches that are responsive to peoples' immediate and near-term needs (for example, address homelessness, prevent homelessness, improve safety and sanitary standards of existing housing).

NFJP Housing activities are described in [WIOA 20 CFR 685.360](#).

Per section 167(b) of WIOA and 20 CFR 685.200, to be eligible to receive an NFJP grant, an entity must have: 1) an understanding of the problems of migrant and seasonal farmworkers; 2) a familiarity with the agricultural industries and the labor market needs of the proposed service area; and 3) the ability to demonstrate a capacity to administer and deliver effectively a diversified program of workforce investment activities, and related assistance for eligible migrant and seasonal farmworkers and their dependents.

This FOA is only for Housing grants. DOL has published a separate FOA for Career Services and Training grants. [Grants.gov](#) and [Funding Opportunities | U.S. Department of Labor \(dol.gov\)](#) provides information about grant funding opportunities.

I. FUNDING OPPORTUNITY DESCRIPTION

A. PROGRAM PURPOSE

This Funding Opportunity Announcement (FOA) solicits applications for Housing grants authorized under the Workforce Innovation and Opportunity Act (WIOA) Section 167, National Farmworker Jobs Program (NFJP).

Migrant and seasonal farmworkers often face distinctive housing challenges due to the nature of their work, including substandard living conditions, overcrowding, and lack of basic amenities. For example, according to the [Findings from the National Agricultural Workers Survey \(NAWS\) 2019-2020: A Demographic and Employment Profile of United States Farmworkers](#), 30 percent of farmworkers (and 39 percent of migrant workers) lived in “crowded” dwellings, defined in the survey as housing units in which the number of persons per room was greater than one. The need to work collaboratively to create solutions to improve access to affordable, accessible, and safe and sanitary housing for farmworkers and their families has never been greater.

The purpose of this program is to facilitate the delivery of housing solutions that are responsive to eligible migrant and seasonal farmworkers’ and their dependents’ immediate and near-term needs (for example, address homelessness, prevent homelessness, improve safety and sanitary standards of existing housing). Having access to safe and sanitary housing assists people in achieving their education and career goals, which can lead to improved economic mobility. Under the NFJP program model, grant recipients are required to leverage their understanding of the challenges that migrant and seasonal farmworkers experience, and familiarity with state and local labor markets and housing needs to deliver housing services that coordinate with workforce investment activities in the proposed service area. To that end, responsive proposals will fully integrate five core elements: 1) Housing Solutions; 2) Workforce Investment Strategies; 3) Strategic Partnerships; 4) Outreach, Enrollment, and Referral; and 5) Case Management.

For the purposes of this FOA, applicants must propose a project that will focus on providing permanent housing only or providing permanent and temporary housing. Focusing on or incorporating permanent housing solutions offers more stability and community integration for migrant and seasonal farmworkers. Permanent housing results in more sustainable and practical support for the workforce needs of migrant and seasonal farmworkers which makes it a more strategic choice than temporary accommodations. The NFJP appropriation (most recently, in the Further Consolidated Appropriations Act, 2024, P.L. 118-47) includes a specific appropriation “for migrant and seasonal housing” and requires that at least 70 percent of this funding be spent on permanent housing services. The WIOA Final Rule for NFJP, [20 CFR 685.100-20 and CFR 685.550](#), describes the regulatory requirements that NFJP grant recipients must use to administer their programs. The types of permanent housing and temporary housing services are explained in [20 CFR 685.360](#). Note, NFJP Career Services and Training grantees may provide housing services to eligible migrant and seasonal farmworkers as described in their program plan.

For the purpose of this FOA, the Department of Labor is emphasizing the following permanent housing services in Figure 1 and temporary housing services in Figure 2 because these types of services respond to the immediate housing needs of eligible migrant and seasonal farmworkers and their dependents.

Figure 1. Permanent Housing Services

Permanent housing is owner-occupied, or occupied on a permanent, year-round basis notwithstanding ownership. Permanent housing units are intended for permanent occupancy such as rental units, single family homes, duplexes, and other multi-family structures, dormitories, and group homes. Other examples of permanent housing units include modular structures, manufactured houses, or mobile units placed on permanent foundations and supplied with appropriate utilities, among others.

Since having access to safe and sanitary housing assists people in achieving their education and career goals, permanent housing services must respond to eligible migrant and seasonal farmworkers' and their dependents' immediate and near-term housing needs. Therefore, under this FOA, the Department is encouraging grantees to focus on housing that is move-in ready rather than housing in earlier stages of development. The Department prefers applications that propose projects centered on getting migrant and seasonal farmworkers into permanent housing, such as:

- Property management services (for example, identify and assist eligible migrant and seasonal farmworkers to connect to "move-in" ready permanent housing, ensure requests are met for accessible housing for people with disabilities and other individuals, and oversee maintenance and repair services); or
- Rehabilitation of existing structures, including improvements to infrastructure and utilities, among others, necessary to maintain existing structures may be considered part of managing permanent housing that is owner-occupied or occupied by an individual/family on a permanent, year-round basis.

Other examples of allowable permanent housing services include:

- Case management, including referral services
- Short-term mortgage assistance/ rental assistance for permanent housing
- Permanent housing relocation costs
- Tenant rights workshops, including advocacy training for Housing Liaisons who assist with raising awareness of housing needs

Figure 2. Temporary Housing Services

Temporary Housing is not owner occupied and is used by migrant and seasonal farmworkers whose employment requires occasional travel outside their normal community area. Temporary Housing units are intended for temporary occupancy but are located in permanent structures, such as rental units in an apartment complex or mobile structures that provide

short-term, seasonal housing opportunities. Temporary structures may be moved from site to site, dismantled and re-erected when needed for migrant and seasonal farmworker occupancy, closed during the off-season, or handled through other similar arrangements. Other examples of temporary housing include:

- Off-farm housing operated independently of employer interest in, or control of, the housing;
- On-farm housing located on property owned by an agricultural employer and operated by an entity such as an agricultural employer or non-profit; or
- Other housing types that provide short-term, seasonal, or temporary housing opportunities in temporary structures.

Under this FOA, the Department of Labor encourages applicants to propose projects that incorporate temporary housing services that respond to eligible migrant and seasonal farmworkers' and their dependents' immediate and near-term housing needs. Temporary housing services include but are not limited to:

- Case management, including referral services
- Emergency housing payments, including vouchers and cash payments for rent/lease and utilities
- Housing rights education to tenants, including awareness of housing safety and sanitary standards

This FOA is only for Housing grants. DOL has published a separate FOA for Career Services and Training grants. [Grants.gov](https://www.dol.gov/grants) and [Funding Opportunities | U.S. Department of Labor \(dol.gov\)](https://www.dol.gov/funding) provides information about grant funding opportunities.

B. PROGRAM AUTHORITY

Section 167 of the WIOA (Public Law 113-128) authorizes this program. The Further Consolidated Appropriations Act, 2024, Public Law 118-47, appropriated funding for this program.

II. AWARD INFORMATION

A. AWARD TYPE AND AMOUNT

Funding will be provided in the form of a grant.

We expect availability of approximately \$6,500,000 to fund approximately eight Housing grants in California, Arizona, Florida, Idaho, Illinois, Michigan, New York, North Carolina, Oregon, Puerto Rico, Texas, and Washington. Based on the Program Year 2023 results of the allotment formula that DOL used for the NFJP Career Services and Training grants, these 12 states have the highest estimated number of eligible migrant and seasonal farmworkers. Awards will range from approximately \$500,000 to no more than \$1,500,000. The NFJP appropriation (P.L. 118-47) requires that at least 70 percent of this funding be spent on permanent housing services. Awards made under this FOA are subject to the availability of federal funds. If additional funds become available, we reserve the right to use such funds to select additional grantees from

applications submitted in response to this FOA. Unlike the NFJP Career Services and Training grants, the Department does not use a formula for NFJP Housing Grants. The award amount is based on an applicant's proposed project and the results of the competition. See the Merit Review and Selection Process section of this FOA for additional information.

B. PERIOD OF PERFORMANCE

The period of performance is 51 months with an anticipated start date of July 1, 2024. This performance period includes all necessary implementation and start-up activities.

Within the 51-month period, grants are renewable annually for a total of four years based on annual Departmental application requirements and availability of funds. We anticipate that each year's award will have a fiscal period of performance of 15-months, from July 1 to September 30 of the subsequent calendar year. While ETA measures performance on a 12-month Program Year, July 1 to June 30, the extra quarter in the period of performance allows grant recipients flexibility to absorb minor fluctuations in spending within the four-year cycle without the need to request extensions from year to year. Therefore, the Program Year is July 1 to June 30, and the fiscal period of performance for each year's award is July 1 to September 30.

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

The following organizations are eligible to apply:

Per section 167(b) of WIOA and 20 CFR 685.200, to be eligible to receive an NFJP grant, an entity must have: 1) an understanding of the problems of eligible migrant and seasonal farmworkers, including their dependents; 2) a familiarity with the agricultural industries and the labor market needs of the proposed service area; and 3) the ability to demonstrate a capacity to administer and deliver effectively a diversified program of workforce investment activities, including youth workforce investment activities, and related assistance for eligible migrant and seasonal farmworkers. The Project Narrative section of this FOA is designed to elicit information from the applicants to demonstrate these three qualities.

Further, the department will only award NFJP Housing Funds to provide housing services in service areas located in one or more of the 12 states specified in Section III.B below. Applications that propose to serve areas outside these 12 states will be deemed non-responsive and will not be scored.

The Department encourages education and training providers, tenant and housing organizations, advocacy organizations, labor or worker organizations, industry representatives, and organizations that provide services to migrant and seasonal farmworkers and other populations facing multiple barriers to employment to apply.

B. SERVICE AREAS

The Department anticipates awarding approximately eight grants. *Note, an applicant's proposed service area(s) must be located in one or more of the following states: California, Arizona, Florida, Idaho, Illinois, Michigan, New York, North Carolina, Oregon, Puerto Rico, Texas, and Washington.* To make the most effective use of the funding available for these NFJP Housing grants, the Department is focusing only on the states with the highest estimated population of eligible migrant and seasonal farmworkers based on the Program Year 2023 results of the allotment formula that the Department used for the NFJP Career Services and Training grants.

Applicants must identify the service area(s) where they intend to provide NFJP housing services. A service area is the geographical jurisdiction in which a grantee is awarded to operate, and must be identified as the state(s) and the specific county or counties within each state that the project will serve. The smallest unit of service for this program is a county. Therefore, an applicant must propose to serve a county or set of counties within a state, but not specific cities or townships. Grantees will be required to provide NFJP services to eligible migrant and seasonal farmworkers and their dependents in the identified counties within a state.

C. COST SHARING OR MATCHING

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

D. OTHER INFORMATION

1. Application Screening Criteria

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

| Application Requirement | Instructions | Complete? |
|--|--------------|-----------|
| The deadline submission requirements are met | Section IV.C | |
| 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 | |

| Application Requirement | Instructions | Complete? |
|--|------------------|-----------|
| Application federal funds request does not exceed the ceiling amount of \$1,500,000.00 | Section II.A | |
| SAM Registration | Section IV.B | |
| SF-424, <i>Application for Federal Assistance</i> | Section IV.B | |
| SF-424 includes a Unique Entity Identifier (UEI) | Section IV.B | |
| SF-424 (Field 14, <i>Areas Affected by Project</i>) includes all counties in the proposed project service area within state(s). (If there is a discrepancy in the service areas listed on the applicant's SF-424 and what is discussed in the rest of the application, the Department will use the areas listed on the SF-424.) | Section IV.B.3.a | |
| SF-424A, Budget Information Form | Section IV.B.2 | |
| Budget Narrative | Section IV.B.2 | |
| Project Narrative | Section IV.B.3 | |

2. Number of Applications Applicants May Submit

ETA will consider only one application from each organization.

An applicant may apply to serve a single service area or may submit an application to serve multiple service areas (for example, multiple counties within a state, or multiple states and counties).

Applicants must note in field 14 of the SF-424, *Areas Affected by Project*, their proposed service area(s), including state and county or counties.

If ETA receives multiple applications from the same organization, ETA will consider only the most recently received application that meets the deadline. If the most recent application is disqualified for any reason, ETA will not replace it with an earlier application.

3. Eligible Participants

The intent of this FOA is to fund projects that provide housing services that result in enhanced access to permanent housing and temporary housing for farmworkers and their dependents who are:

1. Eligible seasonal farmworker adults, eligible migrant farmworker adults, eligible migrant and seasonal farmworker youth, dependent adult of eligible migrant and seasonal

farmworker, or a dependent youth of an eligible migrant and seasonal farmworker, as defined in 20 CFR 685.110, including the following requirements:

- a. Adults are ages 18 and older OR youth are ages 14-24; and
- b. Low-income and employed in farmwork, as determined via the procedures described in TEGL 23-10, TEGL No. 18-16 Change 1 or successive guidance.

2. Other Key Requirements:

- a. Selective Service: Male participants aged 18 or older must register for the U.S. Selective Service System (www.sss.gov) before being enrolled as a participant. If they turn 18 while participating, they must register at that time.
- b. Additionally, individuals who have been granted relief under the Deferred Action for Childhood Arrivals (DACA) Initiative and meet NFJP eligibility requirements qualify for NFJP if they have employment authorization. Additional information is available in TEGL No. 2-14.

Specific details about NFJP program eligibility requirements and other key requirements are described in TEGL No. 18-16 Change 1 or in successive guidance.

Note: Per 20 CFR 685.360, housing grantees must provide housing services to eligible migrant and seasonal farmworkers. Permanent housing may include new construction as well as rehabilitation of existing structures. Permanent housing developed with NFJP funds must be promoted and made widely available to eligible migrant and seasonal farmworkers. When grantees develop permanent housing with NFJP funds and are not able to identify eligible migrant and seasonal farmworkers to fill the available housing, the grantee must demonstrate that they promoted and made every effort to make the permanent housing available to eligible migrant and seasonal farmworkers. If they are unsuccessful with their efforts, they may request approval from the Department to make unoccupied permanent housing available to other individuals and other families who do not meet the program eligibility requirements as described in TEGL No. 18-16 Change 1 or in successive guidance. This does not apply to temporary housing, which grantees must only provide to eligible migrant and seasonal farmworkers.

4. Advancing Equity

In line with the January 2021, *Executive Order On Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, DOL aims to incorporate strategies that advance equity and build a strong, fair, and inclusive workforce and economy into the NFJP model. Accordingly, applicants must seek to serve the sub-populations within the farmworker community that are underserved by incorporating equity into their projects. The Executive Order defines equity as, “the consistent and systematic treatment of all individuals in a fair, just, and impartial manner, including individuals who belong to underserved communities that often have been denied such treatment, such as Black, Latino, Indigenous and Native American, Asian American, Native Hawaiian, and Pacific Islander persons and other persons of color; members of religious minorities; women and girls; LGBTQI+ persons; persons with disabilities; persons who live in rural areas; persons who live in United States Territories; persons otherwise adversely affected by persistent poverty or inequality; and individuals who belong to multiple such communities.” Applicants must also describe their efforts to reach

eligible migrant and seasonal farmworkers and their dependents who belong to the underserved communities described above. Applicants must be prepared to demonstrate how they will effectively serve eligible migrant and seasonal farmworkers and their dependents who are limited English proficient (LEP) by providing language assistance as required by Section 188 of WIOA. Specifically, applicants must be prepared to comply with the requirements of 29 CFR 38.9 to “take reasonable steps to ensure meaningful access to each limited English proficient (LEP) individual served or encountered so that LEP individuals are effectively informed about and/or able to participate in the program or activity.” It is noted that the requirement to ensure meaningful language access for beneficiaries, participants and applicants to a NFJP program is compulsory under the law.

5. Veterans’ Priority for Participants

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 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://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-10-09>. This guidance applies to programs funded under WIOA. For additional information on veteran’s priority of service and WIOA, please see TEGL No. 19-16. TEGL No. 19-16 is available at <https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-19-16>.

IV. APPLICATION AND SUBMISSION INFORMATION

A. HOW TO OBTAIN AN APPLICATION PACKAGE

This FOA, found at www.Grants.gov and [Funding Opportunities | U.S. Department of Labor \(dol.gov\)](http://Funding Opportunities | U.S. Department of Labor (dol.gov)), 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. 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. Applicants must request a funding amount reflecting operational needs for Program Year 2024.

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

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

- 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 organization’s legal name on the SF-424 should match its name registered in the System for Award Management at www.sam.gov.
- 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/forms/forms-repository/sf-424-family>). You do not need to submit the SF-424B with the application.

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

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

The grant applicant also assures, that as a recipient of WIOA Title I financial assistance [as defined at 29 CFR 38.4(z)], it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant

applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

a. Requirement for Unique Entity Identifier

All applicants for federal grant funding must have a Unique Entity Identifier (UEI) and must supply their UEI on the SF-424. The UEI is a 12-character (alpha-numeric) code that uniquely identifies all entities. Any entity registering to do business with the government is required to have one. UEIs are issued by SAM.gov and are a part of an entity's record in the Entity Information section of SAM.gov. If you do not have a UEI, you can get one for free at <https://sam.gov>.

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

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

(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 grants.gov/forms/forms-repository/sf-424-family). In preparing the Budget Information Form, you must provide a concise narrative explanation to support the budget request, explained in detail below.

The Budget Narrative must explain the estimated cost-per-participant range.

Each category should include the total estimated cost for operational needs in Program Year 2024. Use the following guidance for preparing the Budget Narrative.

Personnel: List all staff positions by title (including individuals hired by an employment contract) 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 estimated 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 Part 200.1 for the definition of Equipment). List the item, quantity, and the unit cost per item.

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

Supplies: Identify the cost of supplies (e.g., general office supplies, desk/chairs, laptops/printers, other specialty items) in the detailed budget per category. Except for general office supplies, list the item, quantity, and the unit cost per item. Supplies include all tangible personal property other than "equipment" (see 2 CFR Part 200.1 for the definition of Supplies).

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

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

Construction: For the purpose of this FOA, the Department is emphasizing the permanent housing services listed in Figure 1 and temporary housing services in Figure 2 in section I.A. of this FOA because these types of services address the immediate housing needs of eligible migrant and seasonal farmworkers and their dependents. Using grant funds for new construction is discouraged. For permanent housing services, renovations or rehabilitations of existing structures for grant activities may be allowable. We do not consider renovations or rehabilitations of existing structures as construction and you must show the costs on other appropriate lines such as Contractual. Construction costs noted in the budget require a subsequent amendment seeking prior approval of the Grant Officer.

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 Part 200.414(f). Clearly state that your organization does not have a current negotiated (including provisional) rate, and is not one described in 2 CFR Part 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 Part 200.1 below for definition) as their cost allocation base. Provide an explanation of which portion of each line item, along with the associated costs, are included in your cost allocation base. Note that there are various items not included in the calculation of Modified Total Direct Costs. See the definitions below to assist you in your calculation.

- **Modified Total Direct Cost (MTDC) Definition:** To avoid a serious inequity in the distribution of indirect costs, DOL defines MTDC as all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward or subcontract (regardless of the period of performance of the subawards and subcontracts 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 or subcontract in excess of \$25,000.
 - You will also note that participant support costs are not included in modified total direct costs. Participant support costs are defined below.
 - 2 CFR Part 200.1 Participant Support Cost means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences or training projects.

See Section IV.B.4. and Section IV.E.1 for more information. Additionally, the following link contains information regarding the negotiation of Indirect Cost Rates at DOL:

<https://www.dol.gov/agencies/oasam/centers-offices/office-of-the-senior-procurement-executive/cost-price-determination-division>.

Indirect-type costs (such as top management salaries, financial oversight, human resources, payroll, personnel, auditing costs, accounting and legal, etc. used for the general oversight and administration of the organization) **must not be classified as direct costs**; these types of costs are recovered as part of charging the de minimis or NICRA rate. Note that the SF-424, SF-424A, and Budget Narrative must include the federal grant amount requested for Program Year 2024 only.

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 design. It must be succinct, self-explanatory, and well-organized so that reviewers can understand the proposed project design.

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 beyond the specified page limit in the application review process, except as specified in the Attachments to the Project Narrative section in this FOA.

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 chart summarizing points by section and sub-section is in Section V.A. Criteria.

NOTE:

- **Full points will not be given for simply repeating the requirements stated below or elsewhere in the Announcement.** For example, if the applicant is asked, “Describe in detail how the applicant will use a data-driven decision-making process to communicate expectations,” they will not receive full points (and may receive zero points) for simply saying, “We will use a data-driven decision-making process to communicate expectations.” To receive full points, the applicant must describe, in their own words, *how* they will meet the stated requirement, and convincingly demonstrate that they are using a sound approach.

- DOL encourages using a table format where useful. Tables must be legible but are not required to be 12-point font.
- Responsive proposals will fully integrate five core elements, which are: 1) Housing Solutions; 2) Workforce Investment Strategies; 3) Strategic Partnerships; 4) Outreach, Enrollment, and Referral; and 5) Case Management. Note, an applicant's project narrative must address each of these five core elements for each proposed service area, including state(s) and county or counties.

a. Statement of Need (Up to 10 Points)

Scoring for this criterion is based on the clarity, logical flow, robust support, and accurate analysis of the data presented in the subsequent factors.

i) Target Service Area (up to 2 points)

- Applicants must clearly identify the project's proposed service area in the Project Narrative and in Field 14 (*Areas Affected by Project*) of the SF-424, *Application for Federal Assistance*. The service area must only include counties in one or more of the following states: California, Arizona, Florida, Idaho, Illinois, Michigan, New York, North Carolina, Oregon, Puerto Rico, Texas, and Washington. Applicants may not propose to serve counties in other states under this FOA.
- For the purpose of this FOA, a service area includes a state and specific county or counties within a state. The smallest unit of service area for this program is a county. The applicant should not identify specific cities or townships. Grantees will be responsible to provide NFJP services to eligible migrant and seasonal farmworkers and their dependents in the approved service area. *Note, the proposed service area must be located in one or more of the following states: California, Arizona, Florida, Idaho, Illinois, Michigan, New York, North Carolina, Oregon, Puerto Rico, Texas, and Washington.*

ii) Target Population (up to 8 points)

- Applicants must describe any unique housing needs that eligible migrant and seasonal farmworkers and their dependents have in each proposed service area, including state(s) and county or counties. Applicants must provide data to support the explanation.
- Applicants must describe if the proposed project design will serve eligible migrant and seasonal farmworkers, eligible migrant and seasonal farmworker families, or both, and provide a justification for the selected population.
- All applicants must clearly identify the proposed number of participants that will receive permanent housing only or permanent housing and temporary housing services in each county in each proposed service area, during Program Years 2024, 2025, 2026, and 2027. Note, Program Year 2024 begins July 1, 2024 and ends June 30, 2025. Note that for this scoring element, applicants must provide the number of participants by county even if the service area includes multiple counties in the same state. If an applicant's proposed project will focus on providing permanent housing services only, then describe the number of eligible

migrant and seasonal farmworkers and the number of eligible migrant and seasonal farmworker families that will receive permanent housing in each county, during Program Year 2024, 2025, 2026, and 2027. If an applicant's proposed project will focus on providing permanent housing and temporary housing services, then describe the number of eligible migrant and seasonal farmworkers and the number of eligible migrant and seasonal farmworker families that will receive permanent housing and temporary housing services in each county, during Program Years 2024, 2025, 2026, and 2027.

Note: The information provided on the proposed number of participants to be served in each county may impact your approved award amount if your application is successful. If there is a discrepancy with the proposed participant numbers provided across the application, the Department will defer to the proposed participant numbers in the Project Abstract.

b. Project Design (Up to 40 Points)

Applicants must propose approaches and methods for effectively serving participants and outline a plan of action that describes the scope and detail of how the project will achieve the proposed project outputs and outcomes and include timelines for completion of key milestones.

i) Housing Solutions: Approaches and Methods (up to 10 points)

- Applicants must describe their plans to facilitate the delivery of housing solutions that are responsive to the needs of eligible migrant and seasonal farmworkers and their dependents. The plan must include one to three housing goals, resources, activities, desired results of activities, and outcomes. Clearly explain the type(s) of housing services that your proposed project will focus on: permanent housing only or both permanent and temporary housing services for each in each identified service area, including state(s) and county or counties.
- Applicants must describe their plans to prioritize the delivery of housing services that address the immediate and near-term housing needs of participants (for example, address homelessness, prevent homelessness, improve safety and sanitary standards of existing housing), as described in Figure 1 and Figure 2 in section I.A. of this FOA.
- Applicants must describe the data that they used to inform their proposed project's design and approaches.

ii) Workforce Investment Strategies (up to 8 points)

Although the primary purpose of these grants is to provide housing services, DOL acknowledges the strong connection between having access to affordable, accessible, safe and sanitary housing, and economic mobility. Therefore, applicants must provide a comprehensive narrative description that addresses: a) the overall current state of education and employment needs that eligible migrant and seasonal farmworkers and

their dependents have within each proposed service area, including state(s) and county or counties, including the barriers and inequities that migrant and seasonal farmworkers experience; b) how access to housing services will positively impact employment outcomes for participants; and c) how they will connect participants that receive housing services to workforce investment service providers that help participants make gains with their career goals.

iii) Strategic Partnerships (up to 8 points)

Cross-sector strategies between housing and workforce programs require partnerships that bring together education, health, workforce systems, and other community organizations to identify the housing and employment needs of eligible migrant and seasonal farmworkers and their dependents. DOL acknowledges the value of strong strategic partnerships in supporting the provision of effective housing services to migrant and seasonal farmworkers and their dependents. Applicants have the flexibility of leveraging grant funds to either initiate new partnerships or build on existing ones. A pivotal aspect of their application should detail how these partnerships, whether emerging or mature, will be instrumental in sculpting their program design.

a) Mandatory Partnerships (up to 4 points):

- Applicants must describe a strong plan to establish or, maintain, if already established, a memorandum of understanding (MOU) with the State Workforce Agency's State Monitor Advocate (SMA) in each proposed service area within six months of the award. The State Monitor Advocate is responsible to conduct an ongoing review of the delivery of services and protections afforded by the Wagner-Peyser Employment Services regulations to migrant and seasonal farmworkers. To better deliver services to migrant and seasonal farmworkers, WIOA regulations call for collaboration between SMAs and NFJP grantees, including that SMAs establish MOUs with NFJP grantees. Applicants must explain how this partnership will benefit their NFJP service delivery and respond to the needs of migrant and seasonal farmworkers and their dependents. Information about the MOU between SMAs and NFJP grant recipients is available in [TEGL No. 08-17](#).
- Applicants must describe a strong plan to establish or, maintain, if already established, MOUs with the local Workforce Development Boards (WDB) in each proposed service area, including state(s) and county or counties, within six months of the award and how this partnership will assist applicants with achieving any planned goals related to infrastructure or strategies to address challenges to negotiating these MOUs. Additional information about the MOU with the local WDB and contribution to infrastructure costs of one-stop centers is available in the [TEGL No. 17-16](#).

Note: Successful applicants receiving an award must submit to their Federal Project Officer within six months of receiving an award: 1) a signed MOU between the applicant and the State Workforce Agency's SMA and 2) a signed

MOU between the applicant and local WDB. Applicants who submit an application that proposes to serve multiple states and counties must meet these mandatory partnership requirements for each service area, including state(s) and county or counties, if they are selected for an NFJP Housing award. If the applicant already has complete Letters of Commitment or MOUs, the Department requests you submit them with your application. However, applicants who do not submit complete letters of commitment or MOUs will not be scored any lower.

b) **Coordination with Other Partners (up to 4 points):**

- Applicants must describe a strong plan to establish or maintain partners in a strategic and coordinated manner to identify the policies and actions that can be implemented to increase access to housing services.
- Applicants need to portray how they plan to mobilize and synergize with necessary partners in a systematic and coordinated approach. This strategy should identify the policies and initiatives that can be adopted to enhance housing services. It is crucial that the applicants indicate an intention to forge collaborations with organizations catering to historically marginalized populations and communities. This network might involve civil rights organizations, community-based entities, farmworker serving organization, educational institutions, industry associations, residential community associations, and other agencies focusing on underrepresented populations, to foster pathways leading to enhanced housing standards and community integration.
- Describe how you will develop partnerships with other housing partners to create safe and sanitary housing for eligible migrant and seasonal farmworkers and their families.

iv) **Outreach, Enrollment and Referral (up to 8 points)**

Continuous outreach is a key part to establishing trust with farmworker communities and is essential to effectively administer NFJP in your service area. NFJP grant recipients are required to conduct affirmative outreach to ensure they are providing equal access to their WIOA Title I-financially assisted programs and activities. 29 CFR 38.40. Specifically, affirmative outreach may include measures such as: advertising the recipient's programs and/or activities in media, including newspapers or radio programs; sending notices about openings in the recipient's programs and/or activities to schools or community service groups; and consulting with appropriate community service groups about ways in which the recipient may improve its outreach and service to various populations.

NFJP grant recipients play a critical role in reaching farmworker communities, who experience multiple barriers to accessing community resources. NFJP grant recipients are responsible to conduct outreach to farmworkers in the approved service area to recruit potential applicants as well as help farmworkers who are not eligible for the program connect to other services and community resources.

- a) Applicants must identify the number of full-time equivalent outreach staff positions and provide justification for the number of full-time equivalent outreach staff.
 - b) Applicants must provide an effective and feasible NFJP outreach plan for the identified state and service area(s), including the frequency of outreach efforts and quarterly and annual goals for number of contacts for Program Year 2024 (July 1-June 30). The outreach plan must include the number of outreach contacts that will be made with migrant and seasonal farmworkers in each proposed service area, including locations within the service area that migrant and seasonal farmworkers work, live, and gather, during a Program Year. An NFJP outreach contact means each migrant and seasonal farmworker who receives information or is offered NFJP housing assistance. Note: This goal is separate from the State Workforce Agencies' outreach contact goal under the Wagner-Peyser Act Employment Service. The Program Year 2024 NFJP outreach contact goal will be used as a starting point to establish goals for this NFJP housing grant over the 51-month period of performance.
 - c) Applicants must describe how they will use a seamless enrollment process for eligible participants.
 - d) Applicants must also describe their efforts to reach migrant and seasonal farmworkers and their dependents who belong to the underserved communities. In particular, applicants should endeavor to reach out to the following underserved communities: "persons of different sexes, various racial and ethnic/national origin groups, various religions, individuals with limited English proficiency, individuals with disabilities, and individuals in different age groups." 29 CFR 38.40.
 - e) Applicants must describe how they will efficiently refer individuals who are deemed ineligible to other one-stop partners or other partners.
- v) Case Management (up to 6 points)**
- Under the NFJP program model, grant recipients are required to leverage their understanding of the challenges that migrant and seasonal farmworkers experience, and familiarity with state and local labor markets and housing needs, to deliver housing services that coordinate with workforce investment activities in each proposed service area. Case management is a collaborative customer-driven process whereby a range of services are provided to assist participants realizing their career goals and improve access to safe and sanitary housing and other essential services. Case managers routinely assess the needs of participants and arrange, coordinate, monitor, evaluate, and advocate for comprehensive packages of services to meet the specific needs of NFJP participants.
- a) Case management must begin at the time of enrollment and continue throughout the participants' participation in the program, including through the follow-up period. Identify an effective strategy for tracking participants from enrollment to receipt of housing services.

- b) Identify the number of full-time equivalent case manager positions and provide justification for the ratio of case manager positions to participants, including the frequency of their interactions.
- c) Identify, justify, and describe types of case management services and activities that will be provided.

c. Organizational, Administrative, and Fiscal Capacity (up to 26 points)

Scoring under this section will be based upon how well applicants address the following rating factors.

i) Organizational Capacity (up to 12 points)

- Provide information on your organization's current mission and its relevant experience serving the targeted population for housing services.
- Identify the proposed office locations and goals for individual office locations and include an explanation on how you will reach the targeted population in each proposed service area, including state(s) and county or counties.
- Describe a plan to meet these preliminary steps within six months of receiving award: staffing strategy, including secure key staff, staff onboarding, staff retention, and succession planning; finalize sub-grant agreements; engage employers from selected sector(s) and embed diverse workers' voices; and establish formal MOUs with mandatory partners and other agreements with recommended partners identified in the application.
- Describe each key staff's background, experience, and performance expectations, including staff's time commitment for the project. Provide a staffing chart as an attachment to the application, which describes the staff managing, executing, and overseeing the primary grant management functions below:
 - Continuous quality reviews and improvements to ensure program policies and procedures are aligned with applicable statutory and regulatory requirements and ETA guidance.
 - Customer-centered design approach or other methodologies to address complex challenges, improve customer experiences, and amplify impact for participants.
 - Fiscal and administrative compliance measures to meet grant requirements.
 - Support, update, and maintain a performance management information system to track participant progress and overall program outcomes.
 - Meaningful partnerships with required and recommended partnerships and other community partners that could facilitate the process to increase access to safe and sanitary housing for eligible migrant and seasonal farmworkers and their dependents.
 - Case management strategy to coordinate housing and other necessary services.
 - Outreach plan to establish trust and connect migrant and seasonal farmworkers and other sub-populations within farmworker communities to NFJP services and other essential services.

- As WIOA Title I partners, provide a comprehensive plan to enhance your entry-level, middle-level, and senior- and executive- level staff skills by providing appropriate professional development and training opportunities that enhance your ability to provide seamless customer support, make informed decisions about program design and delivery of quality services, and connect key staff to tools and resources that drive performance.
 - Describe what type of training grant staff will receive to effectively work with migrant and seasonal farmworkers who experience barriers to employment and explain how participation in the professional development and training will result in helping your organization realize the program purpose and achieve positive outcomes for participants. The plan should include clear strategies they will adopt and implement to provide housing assistance services to participants. Training topics may include but are not limited to customer-centered design, effective outreach strategies, engaging with community housing partners, and trauma-informed approaches, and may be delivered by in-house experts, partner programs, associations, or third-party training organizations.

ii) Administrative and Fiscal Capacity (up to 14 points)

- Describe how you will effectively collect and submit client information to meet ETA's reporting requirements, reduce unnecessary burden on client, and conduct analysis of that data to lead to improved outcomes throughout the life of the grant.
- Describe the financial reporting system that you will use to operate NFJP, how you will ensure fiscal and program integrity, and how you will generate reliable reports and data. In describing these systems, you must specify which staff positions will manage those systems, what the staff's responsibilities will be, and what training will be available to enhance staff skills in the operation of the systems described.
- Describe a fiscal management reporting system that is sufficient to prepare financial reports and to trace funds to adequate levels of expenditures to ensure lawful spending. Demonstrate that the system has the capacity to track spending by program, and to ensure that, for those organizations with funding from more than one federal program, expenditures are allocated to the appropriate program. In addition, describe the system's capability to effectively track program income generated through activities funded by NFJP grants and to show the link between program income and those additional participants and services funded through program income. Describe your capacity to effectively manage related assistance services and to account for expenditures related to those services.

d. Past Performance – Programmatic Capability (up to 14 points)

The application requirements in this section apply to all applicants.

All applicants must submit a Past Performance Chart. See Figure 3 and Figure 4 below. The performance data must be for a grant that is similar in size and relevance to the proposed project and was completed within the past five years of the closing date of this FOA. The

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

Scoring under this section will be based upon how well applicants address the following rating factors:

i) Past performance data related to housing activities (up to 8 points):

Applicants should use two performance indicators most similar to:

- Number of farmworkers that received permanent housing or other housing related outcomes.
- Number of farmworkers that received temporary housing or other housing related outcomes.

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 an NFJP housing service project. Applicants may substitute a different indicator if the substituted indicator is applicable to the outcomes required in this FOA. DOL may disqualify indicators that we determine not to be sufficiently similar to the indicators above and award zero points for non-qualifying indicators.

In the Past Performance Chart, applicants must identify the name of previous grantor organization, grantor contact information, project title and grant number, project period of performance, number of participants enrolled, population served, and two performance indicators and the goals, the outcomes, and rates of goal of achievement. Below is a sample format for the chart:

| |
|---|
| Figure 3. Housing Activities Performance |
| Name of Previous Grantor Organization: |
| Grantor Contact – Name, Title, Signature (if non-ETA grant), E-mail Address, and Telephone Number: |
| Project Title and Grant Number: |
| Project Period of Performance: |
| Number of Participants Enrolled: |
| Population Served: |
| Performance Goals |

| Performance Indicator | Goal | Outcome | Outcome /Goal (Fraction) | Rate of Goal Achievement (Percentage) |
|--|-------------|----------------|---------------------------------|--|
| <i>Number of Farmworkers that received permanent housing</i> | <i>60</i> | <i>58</i> | <i>58/60</i> | <i>97%</i> |
| <i>Number of Farmworkers that received temporary housing</i> | <i>100</i> | <i>105</i> | <i>105/100</i> | <i>105%</i> |

Applicants will be scored on past performance demonstrated in the performance chart as follows:

- Applicants that met all two performance goals for their most recently completed grant will receive 8 points for this subsection.
- Applicants that met one performance goals but did not meet the other performance goal for their most recently completed grant will receive 4 points for this subsection.
- Applicants that did not meet either performance goals for their most recently completed grant will receive 0 points for this subsection.

ii) Spending Rate Analysis (up to 6 points):

Applicants must submit, as part of the Past Performance Chart described above, the total grant amount and the percentage of grant funds spent during the original period of performance for their grant specified above. Below is a sample format for the chart:

| Figure 4. Spending Rate Analysis | | | |
|---|--|--|-------------------------------------|
| Grant Funds Received: | Grant Funds Spent by end of the Original Period of Performance: | Total Spent / Total Grant Funds | Percentage Rate of Spending: |
| <i>Example: \$1,000,000</i> | <i>\$800,000</i> | <i>\$800,000/ \$1,000,000</i> | <i>80%</i> |

Applicants will be scored on their spending rate, as demonstrated in the chart they provide, as follows:

- Expended 100 percent of grant funds: 6 points.
- Expended at least 80 percent but less than 100 percent: 4 points.
- Expended at least 70 percent but less than 80 percent: 2 points.
- Expended less than 70 percent: 0 points.

e. Budget and Narrative (Up to 10 Points)

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.

- i. The extent the proposed expenditures will address all project requirements, and costs associated with the key staff who are managing, executing, and overseeing primary grant functions described above in the Organizational Capacity section in this FOA. (up to 5 points)
- ii. The extent to which the budget narrative provides a description of costs associated with each line item on the SF-424A. The budget narrative should total the requested funding amount for an applicant's proposed project. It must also provide a breakdown of costs associated for each type of housing service that is included in an applicant's proposed project. For example, if an applicant intends to provide permanent housing and temporary housing, the budget narrative needs to provide a description of costs associated with permanent housing and temporary housing. (up to 5 points)

4. Attachments to the Project Narrative

In addition to the Project Narrative, you must submit attachments. You must clearly label all attachments. We will exclude all attachments listed below from the page limit.

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 three-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 the table in III.D.1 for the required application components that if omitted, result in the disqualification of an application package.) Should your organization be selected for an award, the information provided in your abstract may be published to a public facing website as a summary of your project. The abstract must include the following:

- Unique Entity Identifier (UEI)
- Name of the applicant's organization

- Project title
- Total funding level requested for PY 2024
- Proposed service area(s) (must list each state and county or counties within a state to be served) (Note: If there is a discrepancy in the service areas listed on the applicant's SF-424 and what is discussed in the rest of the application, the Department will use the areas listed on the SF-424.)
- Type of housing services in each proposed service area, including state(s) and county or counties (permanent housing only or permanent housing and temporary housing services)
- Project purpose
- Number of participants to receive services in each county of the proposed service area (eligible migrant and seasonal farmworkers and eligible migrant and seasonal farmworker families). Note: The information provided on the proposed number of participants to be served in each county may impact your approved award amount if your application is successful. If there is a discrepancy with the proposed participant numbers provided across the application, the Department will defer to the proposed participant numbers in the Project Abstract.
- Number of outreach contacts for Program Year 2024
- Total cost-per-participant range
- Activities to be performed
- Subrecipient activities, if applicable

b. Requested Attachments

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

(1) 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.d for which applicants are to submit this documentation and additional instructions.

These documents must be uploaded as an attachment to the application package and labeled "Past Performance."

(2) Letters of Commitment or MOUs For applicants who have signed and dated Letters of Commitment or Memoranda of Understanding between the applicant and partner organizations and/or sub-grantees (See Section IV.B.3.b.iii.), please upload as an attachment to the application package and label as "Letters of Commitment." Applicants who do not submit these will not be penalized in scoring.

(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.) This attachment does not impact scoring of the application.

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

(4) Financial System Risk Assessment Information

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

(5) Staffing Chart

Provide a staffing chart that describes each key staff’s background, experience, and performance expectations, including staff’s time commitment for the project and describes the staff managing, executing, and overseeing the primary grant management functions. See Section IV.B.3.c.i for related scoring and application requirements.

C. SUBMISSION DATE, TIME, PROCESS AND ADDRESS

Due Date for Applications: June 28, 2024

You must submit your application electronically on <https://www.grants.gov> **no later than 11:59 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 11:59 p.m. Eastern Time on the closing date. We will not accept applications sent by hard-copy, e-mail, telegram, or facsimile (FAX).

1. Hardcopy Submission

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

2. Electronic Submission through Grants.gov

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

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

a. How to Register to Apply through Grants.gov

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

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

An application submitted through Grants.gov constitutes a submission as an electronically signed application. The registration and account creation with Grants.gov, with E-Biz Point of Contact (POC) approval, establishes an Agency Organizational Representative (AOR). When an application is submitted through Grants.gov, the name of the AOR who submitted the application is inserted into the signature line of the application, serving as the electronic signature. The E-Biz POC must authorize the individual who is able to make legally binding commitments on behalf of your organization as the AOR; this step is often missed and it is crucial for valid submissions.

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

Grants.gov applicants can apply online using Workspace. Workspace is a shared online environment where members of a grant team may simultaneously access and edit different webforms within an application. For a complete workspace overview, refer to <https://www.grants.gov/web/grants/applicants/workspace-overview>. For access to complete instructions on how to apply for opportunities, refer to <https://www.grants.gov/web/grants/applicants/apply-for-grants>.

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>.

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://grantsapplicationandmanagement.workforcegps.org/resources/2022/05/10/15/23/How-to-Apply-for-a-Grant>. 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>.

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

- call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or
- email support@grants.gov.

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

Late Applications

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

D. INTERGOVERNMENTAL REVIEW

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

E. FUNDING RESTRICTIONS

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

Indirect Costs

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

Option 1: You may use a NICRA or Cost Allocation Plan (CAP) supplied by the federal Cognizant Agency. If you do not have a NICRA/CAP or have a pending NICRA/CAP, and in either case choose to include estimated indirect costs in your budget, at the time of award the Grant Officer will release funds in the amount of 10 percent of Modified Total Direct Costs to support indirect costs. Within 90 days of award, you are required to submit an acceptable indirect cost proposal or CAP to your federal Cognizant Agency to obtain a provisional indirect cost rate. (See Section IV.B.2. for more information on NICRA submission requirements.)

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

Modified Total Direct Cost definition: To avoid a serious inequity in the distribution of indirect costs, DOL defines MTDC as all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward or subcontract (regardless of the period of performance of the subawards and subcontracts 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 or subcontract in excess of \$25,000.

Administrative Cost Limitation

Under this FOA, an entity that receives a grant to carry out a project or program is limited to 15 percent of the amount of the grant to pay administrative costs associated with the program or project. Such costs include both personnel and non-personnel costs and both direct and indirect costs. Administrative costs as defined in 20 CFR Part 683.215 are for the performance of administrative functions in carrying out activities under Title I of WIOA that are not related to the direct provision of workforce investment services (including services to participants and employers). Administrative costs do not need to be identified separately from program costs on the SF-424A Budget Information Form. However, they must be tracked through the recipient's accounting system. To claim any administrative costs that are also indirect costs, the applicant must obtain an Indirect Cost Rate Agreement from its federal Cognizant Agency or be eligible to use the 10 percent de minimis rate, as specified above. For WIOA grants, all costs charged as a result of the de minimis rate will be counted towards the administrative cost limitation specified below.

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 Part 200 Subpart F). Where states are recipients of such funds, states may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost of living in the state, the compensation levels for comparable state or local government employees, and the size of the organizations that administer federal programs involved including ETA programs. See Public Law 113-235, Division G, Title I, section 105, and TEGL number 05-06 for further clarification:

<https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-05-06>.

Intellectual Property Rights

Pursuant to 2 CFR Part 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.

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.”

Credential Transparency

The Department wishes to ensure that individuals, employers, educators and training providers have access to the most complete, current and beneficial information about providers, programs credentials, and competencies supported with these public, federal funds. To this end, the Department requires that information about all credentials (including but not limited to diplomas, badges, certificates, certifications, apprenticeships, licenses, and degrees of all levels and types) and competencies (knowledge, skills and abilities) developed or delivered through the use of these public federal funds be made publicly accessible through the use of linked open data formats that support full transparency and interoperability, such as through the use of credential transparency description language specifications. ETA will provide specific guidance and technical assistance on data elements to include in the published open data, such as information about the credential provider, the credential and its associated competencies, delivery mode, geographic coverage, the industry sector(s) and occupation(s) for which the credential was developed, related assessments, related accreditations or other quality assurances where appropriate, costs, and available outcomes.

WIOA Infrastructure

All one-stop partner programs including all programs funded under title I of WIOA are required to contribute to the infrastructure costs and certain additional costs of the one-stop delivery system in proportion to their use and relative benefits received as required in 20 CFR Part 678.700 and 678.760. The sharing and allocation of infrastructure costs between one-stop partners is governed by WIOA sec. 121(h), WIOA’s implementing regulations, and the federal Cost Principles contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200 (Uniform Guidance). The federal Cost Principles state that a partner’s contribution is an allowable, reasonable, necessary, and

allocable cost to the program and is consistent with other legal requirements. A list of the required one-stop partner programs is available at 20 CFR Part 678.400.

F. OTHER SUBMISSION REQUIREMENTS

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

V. APPLICATION REVIEW INFORMATION

A. CRITERIA

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

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

| Criterion | Points |
|---|--------------------|
| | (maximum) |
| 1. Statement of Need (See Section IV.B.3.a. Statement of Need) | 10 Points Total |
| 2. Project Design (See Section IV.B.3.b. Project Design) | 40 Points Total |
| 3. Organizational, Administrative, and Fiscal Capacity (See Section IV.B.3.c. <u>Organizational, Administrative, and Fiscal Capacity</u>) | 26 Points Total |
| 4. Past Performance – Programmatic Capability (See Section IV.B.3.d. Past Performance – Programmatic Capability) | 14 Points Total |
| 5. Budget and Narrative (See Section IV.B.2. Project Budget and Section IV.B.3.e Budget Narrative) | 10 Points Total |
| TOTAL | 100 |

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

| Standard Rating | Definition | Standard for Calculating Points |
|------------------------|--|--|
| Thoroughly Meets | The application thoroughly responds to the rating factor and fully and convincingly satisfies all of the stated specifications. | Full Points |
| Partially Meets | The application responds incompletely to the rating factor or the application convincingly satisfies some, but not all, of the stated specifications. | Half Points |
| Fails to Meet | The application does respond to the rating factor but does not convincingly satisfy any of the stated specifications or the application does not respond to the rating factor. | Zero Points |

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

B. REVIEW AND SELECTION PROCESS

1. Merit Review and Selection Process

A technical merit review panel will carefully evaluate applications against the selection criteria to determine the merit of applications. These criteria are based on the policy goals, priorities, and emphases set forth in this FOA. Up to 100 points may be awarded to an applicant, depending on the quality of the responses provided. The final scores (which may include the mathematical normalization of review panels) will serve as the primary basis for selection of applications for funding. The panel results are advisory in nature and not binding on the Grant Officer. The Grant Officer reserves the right to make selections based solely on the final scores or to take into consideration other relevant factors when applicable. Such factors may include the geographic distribution of funds; proposed service area(s); proposed number of participants to be served within service area(s); selected type of housing services (permanent only or

permanent housing and temporary housing); 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), and Sam.gov. 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 the following:

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

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

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

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

All applicants are requested to submit the following information as an attachment to their application (suggested template below) for ETA to assess the applicant's Financial System. This information will be taken into account as one component of ETA's Risk Review Process. Applicants may use the suggested template or answer the questions in a separate attachment. It

is unlikely that an organization will be able to manage a federal grant without the following system/processes in place. Applicants are expected to have these in place before applying for a grant with ETA.

| | | |
|--|--|---|
| <p align="center">U.S. DEPARTMENT OF LABOR -EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK ASSESSMENT</p> | | |
| <p align="center">SECTION A: PURPOSE</p> | | |
| <p>The financial responsibility of grantees must be such that the grantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate administrative and financial systems including the accounting systems should meet the following criteria as contained in 2 CFR 200 and 2 CFR 2900.</p> <p>(1) Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.</p> <p>(2) Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.</p> <p>(3) The accounting system should provide accurate and current financial reporting information.</p> <p>(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.</p> | | |
| <p align="center">SECTION B: GENERAL</p> | | |
| <p>1. Applicant Legal Name (as it appears in SAM.gov):</p> | | |
| <p>a. When was the organization founded/incorporated (<i>month, day, year</i>)</p> | <p>b. Principal Officers Names, Title, Email Address</p> | |
| <p>c. Employer Identification Number:</p> | <p>President/Chair Board of Directors:</p> <p>Chief Executive Officer:</p> <p>Chief Financial Officer:</p> | |
| <p>d. Number of Employees Full Time: Part Time:</p> | <p>Accounting/Budget Officer:</p> | |
| <p>2. Is the organization or institution affiliated with any other organization: Yes No</p> | | <p>3. Total Sales/Revenues in most recent</p> |

| | | | | | |
|---|-------------------------|--|-----------------------|-------------------------|-----------|
| <p align="center">U.S. DEPARTMENT OF LABOR -EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK ASSESSMENT</p> | | | | | |
| If yes, please provide details as to the nature of the company (for profit, nonprofit, LLC, etc) and if it provides services or products to the organization in relation to this grant. | | accounting period. (12 months) \$ | | | |
| <p>SECTION C: ACCOUNTING SYSTEM</p> | | | | | |
| <p><i>NOTE: Provide a detailed response (on a separate page on your organization's letterhead and signed/dated by a Principal Officer) for any items 2-9 of Section C that have "No" or "Not Sure" answer(s), providing enough information to clearly reflect the expertise of the organization in these areas.</i></p> | | | | | |
| 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. | | | |
| 2. Which of the following best describes the accounting system: <table border="0" style="width: 100%;"> <tr> <td style="text-align: center;">State administered</td> <td style="text-align: center;">Internally Developed</td> <td style="text-align: center;">Web-based</td> </tr> </table> | | | State administered | Internally Developed | Web-based |
| State administered | Internally Developed | Web-based | | | |
| 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? | | | | | |

| | | |
|--|--|---|
| <p align="center">U.S. DEPARTMENT OF LABOR -EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM RISK ASSESSMENT</p> | | |
| <p>8. Does the accounting/financial system include budgetary controls to preclude incurring obligations in excess of:</p> <p>a. Total funds available for a grant?</p> <p>b. Total funds available for a budget cost category (e.g. Personnel, Travel, etc)?</p> | | <p>Yes No Not Sure</p> <p>Yes No Not Sure</p> |
| <p>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?</p> | | <p>Yes No Not Sure</p> |
| <p>SECTION D: FINANCIAL STABILITY</p> | | |
| <p>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</p> <p>If yes, please explain briefly.</p> | | |
| <p>SECTION E: FINANCIAL STATEMENTS</p> | | |
| <p>1. Did an independent certified public accountant (CPA) ever examine the financial statements? Yes No</p> | | |
| <p>2. If an independent CPA review was performed please attach a copy of their latest report and any management letters issued. Enclosed N / A</p> | | |
| <p>3. If an independent CPA was engaged to perform a review and no report was issued, please provide details and an explanation below:</p> | | |
| <p>SECTION F: ADDITIONAL INFORMATION</p> | | |
| <p>1. Use this space for any additional information (<i>indicate section and item numbers if a continuation</i>)</p> | | |

VI. AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

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

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

B. 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 Part 2900 (DOL's Supplement to 2 CFR Part 200).
- ii. All recipients must comply with the applicable provisions of the Workforce Innovation and Opportunity Act (WIOA), Public Law No. 113-328, 128 Stat. 1425 (codified as amended at 29 U.S.C. 3101 et. seq.) and the applicable provisions of the regulations at 20 CFR Part 675 et. seq. Note that 20 CFR Part 683 (Administrative Provisions) allows unsuccessful applicants to file administrative appeals.
- iii. All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Governmentwide 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.dol.gov/agencies/eta/grants/resources>.

2. Other Legal Requirements

a. Religious Activities

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb, applies to all federal law and its implementation. If an applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive federal financial assistance under this grant solicitation and maintain that hiring practice. As stated in 29 CFR 2.32(a), religious organizations are eligible on the same basis as any other organization, to seek DOL support or participate in DOL programs for which they are otherwise eligible. Guidance from DOL is found at <https://www.dol.gov/agencies/oasam/grants/religious-freedom-restoration-act/guidance>.

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

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

c. Transparency Act Requirements

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

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

found at <https://www.govinfo.gov/content/pkg/CFR-2021-title2-vol1/pdf/CFR-2021-title2-vol1-part170-appA.pdf>.

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

1. 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);
2. Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
3. Federal awards, if the required reporting would disclose classified information.

d. Safeguarding Data Including Personally Identifiable Information (PII)

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

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

- i. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted using a Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and Technology (NIST) validated cryptographic module. You must not e-mail unencrypted sensitive PII to any entity, including ETA or contractors.
- ii. You must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. You must maintain such PII in accordance with the ETA standards for information security described in 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.
- iii. You must ensure that any PII used during the performance of your grant has been obtained in conformity with applicable federal and state laws governing the confidentiality of information.
- iv. You further acknowledge that all PII data obtained through your ETA grant must be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using recipient-issued equipment, managed information technology (IT) services, and designated locations approved by ETA.

- Accessing, processing, and storing of ETA grant PII data on personally owned equipment, at off-site locations, (e.g., employee's home), and non-recipient managed IT services, (e.g., Yahoo mail), is strictly prohibited unless approved by ETA.
- v. Your employees and other personnel who will have access to sensitive/confidential/proprietary/private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in federal and state laws.
 - vi. You must have policies and procedures in place under which your employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must comply in their handling of such data, as well as the fact that they may be liable to civil and criminal sanctions for improper disclosure.
 - vii. You must not extract information from data supplied by ETA for any purpose not stated in the grant agreement.
 - viii. Access to any PII created by the ETA grant must be restricted to only those employees of the grant recipient who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.
 - ix. All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal, or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST validated software products based on FIPS 140-2 encryption. In addition, wage data may be accessed only from secure locations.
 - x. PII data obtained by the recipient through a request from ETA must not be disclosed to anyone but the individual requestor, except as permitted by the Grant Officer or by court order.
 - xi. You must permit ETA to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that you are complying with the confidentiality requirements described above. In accordance with this responsibility, you must make records applicable to this Agreement available to authorized persons for the purpose of inspection, review, and/or audit.
 - xii. You must retain data received from ETA only for the period of time required to use it for assessment and other purposes, or to satisfy applicable federal records retention requirements, if any. Thereafter, you agree that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.

e. Record Retention

You must follow federal guidelines on record retention, which require that you maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR Part 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 Part 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 Part 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.dol.gov/sites/dolgov/files/ETA/grants/pdfs/GCFAQ.pdf>.

3. Other Administrative Standards and Provisions

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

provide goods or services, the award does not provide the justification or basis to sole-source the procurement (i.e., avoid competition).

4. Special Program Requirements

a. ETA Evaluation

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

b. WIOA Performance Indicators

Applicants are required to propose targets for WIOA performance indicators for Program Year 2024, 2025, 2026, and 2027 in their application for this FOA, as described below. Within the three months after award, the Department will establish final goals for WIOA performance indicators for each selected grantee and incorporate them into every new NFJP grant agreement. Additional information on these performance indicators is described in the TEGL No. 14-18, including Appendix III – Table C and Attachment 7.

The WIOA performance indicators for NFJP housing grants are described at [20 CFR 685.400\(c\)](#). Housing grantees must provide housing services to eligible migrant and seasonal farmworkers, as specified in 20 CFR 685.360(a). NFJP Housing grantees that provide permanent housing services, to those who are eligible, will establish targets for each proposed service area, including the state(s) and county or counties, and report on two (2) primary indicators of performance.

Primary Indicators of Performance for Permanent Housing:

- i. Total number of eligible migrant and seasonal farmworkers served: The total number of eligible migrant and seasonal farmworkers who benefit from the permanent housing activities provided within the Program Year.

- ii. Total number of eligible migrant and seasonal farmworker families served: The total number of eligible migrant and seasonal farmworker families that benefit from the permanent housing activities provided within the Program Year.

When grantees develop permanent housing with NFJP funds and are not able to identify eligible migrant and seasonal farmworkers to fill the available housing, the grantee must demonstrate that they promoted and made every effort to make the permanent housing services to eligible migrant and seasonal farmworkers. If they are unsuccessful with their efforts, they may request approval from the Department to make unoccupied permanent housing available to other individuals and other families who do not meet the program eligibility requirements as described in TEGL No. 18-16 Change 1 or in successive guidance. NFJP Housing grantees that provide permanent housing services to those who are not eligible will report on two (2) secondary indicators of performance. Applicants will not establish targets for secondary indicators for performance for permanent housing.

Secondary Indicators of Performance for Permanent Housing:

- i. Total number of individuals served: The total number of individuals who benefit from the permanent housing activities provided within the Program Year.
- ii. Total number of families served: The total number of families that benefit from the permanent housing activities provided within the Program Year.

NFJP Housing grantees that provide temporary housing services to eligible migrant and seasonal farmworkers and their dependents will report on two primary indicators of performance.

Primary Indicators of Performance for Temporary Housing:

- i. Total number of eligible migrant and seasonal farmworkers served: The total number of eligible migrant and seasonal farmworkers who benefit from the temporary housing activities provided within the Program Year.
- ii. Total number of eligible migrant and seasonal farmworker families served: The total number of eligible migrant and seasonal farmworker families that benefit from the temporary housing activities provided within the Program Year.

c. Additional Performance Indicators

Additionally, under this FOA, applicants are required to propose goals for outreach contacts for Program Year 2024. Housing grantees may also propose additional performance indicators. The Department will establish final goals for these additional performance indicators within three months after the award and will incorporate them into every NFJP grant agreement. The goals for these additional performance indicators for Program Year 2024 will be used to negotiate and establish goals for the three subsequent years of this four-year NFJP competition cycle.

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

All ETA award recipients are required to report financial data on the ETA-9130 Financial Report through the U.S. Health and Human Services Payment Management System (PMS). Reporting quarter end dates and the associated due dates for those reports are as follows: quarter ending March 31 is due May 16; quarter ending June 30 is due August 15; quarter ending September 30 is due November 15; and quarter ending December 31 is due February 15. The final financial report must be submitted no later than 120 calendar days after the end of the quarter encompassing the period of performance end date. For additional guidance on ETA's financial reporting, reference [TEGL No. 16-22](#) and [TEGL No. 16-22, Change 1](#).

2. Quarterly Performance Reports

The grantee must submit a quarterly performance report by the 15th day of the second month of the subsequent 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. ETA Form 9172 (DOL-Only PIRL) is the data layout that provides a standardized set of data elements, definitions, and reporting instructions used to describe the characteristics, activities, and outcomes of WIOA participants. The PIRL provides a framework to help the public workforce development system meet federal reporting requirements while ensuring consistency and comparability across grant recipients and programs. NFJP grant recipients submit the DOL-Only PIRL, ETA Form 9172, quarterly for performance accountability. PIRL data elements required explicitly for the NFJP program are noted in the column labeled "National Farmworker Jobs Program". Housing grant recipients do not report out on all of the same elements that are noted in the DOL-Only PIRL, housing required PIRL data elements will be provided to grantees upon award. NFJP grant recipients must submit performance reports through the Workforce Integrated Performance System (WIPS). 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 Form 9179) progress report by the 15th day of the second month of the subsequent quarter. 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.

4. Grant Performance Management System Development

The Department anticipates that it will begin development soon on the Grant Performance Management System (GPMS) for NFJP. Once launched, DOL anticipates that GPMS will serve as the primary mechanism for grantees to enter, track, and submit the participant data that feeds into generating grantees Quarterly Performance Reports (QPR) through the Workforce Integrated Performance System (WIPS). This new GPMS system will help grantees to more effectively manage participant cases, business processes, and performance data. Participation may include providing input to the program business requirements and user acceptance testing process.

VII. AGENCY CONTACTS

For further information about this FOA, please email NFJP.OGM@dol.gov. Applicants must specifically reference FOA-ETA-24-18, and along with question(s), include a contact name, and phone number. This Announcement is available on the ETA website at [Funding Opportunities | U.S. Department of Labor \(dol.gov\)](#) and at <https://www.grants.gov>.

VIII. OTHER INFORMATION

A. WEB-BASED RESOURCES

DOL maintains a number of web-based resources that may be of assistance to applicants. These include the CareerOneStop portal (<https://www.careeronestop.org>), which provides national and state career information on occupations; the Service Locator function within the CareerOneStop webpage which provides a directory of the nation's American Job Centers, also known as one-stop centers, (<https://www.careeronestop.org/LocalHelp/service-locator.aspx>); and the Occupational Information Network (O*NET) Online (<https://online.onetcenter.org>), which provides occupational competency profiles.

B. 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://www.workforcegps.org>.

We encourage you to view the online tutorials, “Grant Applications 101: A Plain English Guide to ETA Competitive Grants,” and “Grants Application 101: Budgetary Forms - SF-424, 424A, 424B, and Budget Narrative” available through WorkforceGPS at <https://grantsapplicationandmanagement.workforcegps.org/resources/2022/05/10/15/23/How-to-Apply-for-a-Grant>.

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

We created a technical assistance portal at <https://grantsapplicationandmanagement.workforcegps.org/> that contains online training and

resources for fiscal and administrative issues. Online trainings available include, but are not limited to, Introduction to Grant Applications and Forms, Indirect Costs, Cost Principles, and Accrual Accounting.

C. SKILLSCOMMONS RESOURCES

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

IX. OMB INFORMATION COLLECTION

OMB Information Collection No 1225-0086, Expires July 31, 2025.

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 50 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.

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 April 30, 2024, in Washington, D.C. by:

Carla Wills
Grant Officer, Employment and Training Administration

APPENDIX A Suggested Abstract Format

Appendix A: Suggested Abstract Format

Applicant may tailor this template as needed to fit the proposed application.

| |
|---|
| Unique Entity Identifier (UEI): |
| Name of applicant's organization: |
| Project Title: |
| Total Funding Level Requested for PY 2024: |
| Proposed Service Area(s) (must list each state and county or count(ies) within a state to be served) (Note: If there is a discrepancy in the service areas listed on the applicant's SF-424 and what is discussed in the rest of the application, the Department will use the areas listed on the SF-424.): |
| Type of Housing Services in each proposed service area, including state(s) and county or counties (permanent housing only or permanent housing and temporary housing services): |
| Project Purpose (short paragraph): |
| Number of participants to receive services in each proposed service area, identified by state and county (eligible migrant and seasonal farmworkers and eligible migrant and seasonal farmworker families). Note: The proposed number of participants information provided could impact an award amount if your application is successful. If there is a discrepancy with the information that is provided in the project narrative and in the abstract, the Department will use the information in the abstract. |
| Number of outreach contacts for Program Year 2024: |
| The total cost-per-participant range: |
| Activities to be performed: |

Subrecipient activities, if applicable: