



Administration for Children and Families

Office of Refugee Resettlement

Home Study and Post-Release Services for Unaccompanied Children

HHS-2023-ACF-ORR-ZU-0153

Application Due Date: 08/08/2023

Due Date for Applications:

FY 2024: August 08, 2023 (Project Period: January 1, 2024 - December 31, 2026)

FY 2024: May 16, 2024 (Project Period: September 29, 2024 - September 28, 2027)

FY 2025: August 31, 2024 (Project Period: January 1, 2025 - December 31, 2027)

FY 2025: May 16, 2025 (Project Period: September 29, 2025 - September 28, 2028)

FY 2026: August 31, 2025 (Project Period: January 1, 2026 - December 31, 2028)

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Executive Summary

Notice:

- Applicants are strongly encouraged to read the entire notice of funding opportunity (NOFO) carefully and observe the application formatting requirements listed in *Section IV.2. Content and Form of Application Submission*. For more information on applying for grants, please visit "How to Apply for a Grant" on the ACF Grants & Funding Page at <https://www.acf.hhs.gov/grants/how-apply-grant>.

This SNOFO has been updated for Fiscal Year (FY) 2024 competition. The Office of Refugee Resettlement (ORR) has modified: Executive Summary, *II. Federal Award Information*; *Section IV.4. Submission Dates and Times*; *Section VI.3. Reporting*; and *VII. HHS Award Agency Contact(s)*.

In accordance with the requirements of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), the Office of Refugee Resettlement (ORR) within the U.S. Department of Health and Human Services (HHS) Administration for Children and Families (ACF) conducts Home Studies (HS) for certain categories of unaccompanied children prior to their release from ORR custody and provides Post Release Services (PRS) for all

unaccompanied children who receive a HS and certain other unaccompanied children it determines could benefit from ongoing assistance from a social welfare agency after they are released. HS and PRS promote the safety and well-being of unaccompanied children after their release to a sponsor in the United States (U.S.).

ORR is publishing this Standing Notice of Funding Opportunity (SNOFO) to seek providers for unaccompanied children's HS and PRS nationwide. Primary recipient HS/PRS providers may form partnership(s) with subrecipient(s) to assist with the HS and PRS core services, for example completing HS or providing PRS case management. However, the prime recipient must maintain a substantive role in the project. ACF defines a substantive role as conducting activities and/or providing services funded under the award that are necessary and integral to the completion of the project. ACF does not fund awards where the role of the applicant is primarily to serve as a conduit for passing funds to other organizations unless that arrangement is authorized by statute. In addition to the required provision of core services, ORR specifies that, for any recipient(s) that have subrecipient(s), the prime recipient must provide the required oversight and monitoring of subrecipient(s). For more information, please reference *Section I. Program Description, Subawards*. Monitoring of subrecipient activities alone as specified in 45 C.F.R. § 75.352 does not constitute a substantive role.

All entities funded under this SNOFO must comply with ORR HS/PRS policies and procedures, *Flores v. Reno*, Case No. CV 85-4544RJK (C.D. Cal. 1996) (the *Flores* Settlement Agreement) as applicable, and pertinent regulations and laws. ORR encourages applicants to review ORR's Unaccompanied Children (UC) Program policies and procedures in the [ORR UC Program Policy Guide](#) and the [UC Program Field Guidance](#). Please see *Section VI.2. Administrative and National Policy Requirements, Pertinent Authorities for the UC Program* for a list of relevant federal laws and regulations.

I. Program Description

Statutory Authority

The ORR Unaccompanied Children (UC) program is governed by section 462 of the Homeland Security Act of 2002 (HSA of 2002), 6 U.S.C. § 279, which transferred responsibility for the care and custody of unaccompanied children from the Commissioner of the former Immigration and Naturalization Service to the Director of ORR. In making decisions on placement and residential services provided to unaccompanied children, ORR is governed by Section 462 of the HSA of 2002; Section 235 of the TVPRA, 8 U.S.C. § 1232, as amended; relevant portions of the Prison Rape Elimination Act of 2003 (PREA of 2003), 42 U.S.C. § 15607, as amended; and, when it is not inconsistent with subsequent law, the *Flores* Settlement Agreement, which was entered in the case of *Flores v. Reno*, Case No. CV 85-4544RJK (C.D. Cal. 1996).

In December 2014, HHS released an Interim Final Rule (IFR) on standards to prevent, detect, and respond to sexual abuse and sexual harassment involving unaccompanied children (45 C.F.R. Part 411). The IFR sets forth standards to prevent, detect, and respond to sexual abuse and sexual harassment in ORR care provider facilities that house unaccompanied children in accordance with section 1101(c) of the Violence Against Women Reauthorization Act of 2013, Public Law 113-4 (VAWA 2013). VAWA 2013 directed the Secretary of HHS to adopt national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in

facilities that maintain custody of unaccompanied children. The standards apply to all ORR care provider facilities housing unaccompanied children with the exclusion of secure care provider facilities and individual foster care homes. The standards build upon and enhance existing state and local laws, regulations, and licensing standards.

Description

HOME STUDY (HS)/POST-RELEASE SERVICES (PRS) OVERVIEW

The primary function of the ORR UC Program is to provide temporary shelter care and other related services to unaccompanied children in ORR custody in accordance with section 462 of the HSA of 2002, 6 U.S.C. § 279. HSA of 2002 uses the term “unaccompanied alien children,” but ORR uses the term “unaccompanied children” or “unaccompanied child.” An unaccompanied child is defined by 6 U.S.C. § 279(g)(2) as a child who “has no lawful immigration status in the United States; has not attained 18 years of age; and with respect to whom there is no parent or legal guardian in the United States; or no parent or legal guardian in the United States is available to provide care and physical custody.” (6 U.S.C. § 279(g)(2)).

A home study is an in-depth assessment of the potential sponsor’s ability to ensure the child’s safety and well-being. The process includes background checks of the sponsor and adult household members, a home visit(s), a face-to-face sponsor interview and possibly interviews with other household members, and post-release services. A home study is conducted for any case in which the safety and well-being of the unaccompanied child is in question and on any case that meets the mandatory Trafficking Victims Protection Reauthorization Act of 2008 home study categories.

PRS are designed to facilitate a continuum of care and provide support for children transitioning into their communities upon release to the custody of their sponsors. ORR facilitates the provision of PRS through its network of PRS providers. PRS providers coordinate supportive services in the community where the unaccompanied child resides.

According to the TVPRA, PRS are required during the pendency of removal proceedings for children for whom a HS was conducted and are authorized in cases involving “children with mental health or other needs who could benefit from ongoing assistance from a social welfare agency.” *Id.* Given the importance of PRS to the safety and well-being of unaccompanied children who have been released from ORR’s custody to a sponsor in the United States, and consistent with its authority under the TVPRA, ORR is expanding its PRS program (as described in this SNOFO), such that all discharged unaccompanied children are now eligible for and may receive PRS. Additionally, and as detailed in this SNOFO, ORR will expand the levels of PRS provision and core service referral areas and will extend the length of service provision in certain cases, among other components of PRS. While all children discharged from ORR’s UC Program are eligible for PRS, participation by released unaccompanied children and their sponsors is voluntary.

ORR seeks HS/PRS providers who can provide services for a diverse population of unaccompanied children of all ages and genders, as well as pregnant and parenting teens, subject to timeframes established in ORR policies (e.g., PRS end when the unaccompanied child turns 18). Unaccompanied children come from all over the world, with the majority from El Salvador, Honduras, Guatemala, and Mexico. Unless otherwise specified, successful applicants are

expected to provide culturally competent, linguistically appropriate services for unaccompanied children from any country (using interpretation services as appropriate/necessary).

ORR is committed to providing quality services to unaccompanied children. Primary recipient HS/PRS providers must provide both HS and PRS. Primary HS/PRS providers may form partnership(s) with subrecipient(s) to assist with the HS and PRS core services, such as for the primary purpose of completing HS visits and reports and PRS case management; however, the primary provider itself must provide direct HS and PRS throughout the project period. Subrecipients may assist in providing both HS and PRS, only HS, or only PRS. For more information, please reference *Section I. Subawards*. Applicants may propose to use subcontractors or subrecipients, subject to 45 C.F.R. § 75.351 and other applicable requirements. Applicants may not propose virtual-only home visits within their or their subrecipients' proposed service delivery models. Finally, information on restrictions regarding property and renovations for the UC Program is found in *Section I. Property* and *Section IV.6. Funding Restrictions*.

ORR provides HS and PRS through organizations incorporated under state law that have demonstrated child welfare, social service, or related experience and that can provide evidence of previously established working relationships with community and other service provider organizations. Recipients of ORR funding that provide HS and PRS for unaccompanied children must comply with the terms of the *Flores Settlement Agreement*, Case No. CV85-4544-RJK (C.D. Cal. 1996) (*Flores Settlement Agreement*, or FSA); pertinent federal laws and regulations; and all ORR policies and procedures, including, but not limited to, the [ORR UC Program Policy Guide](#), the UC Manual of Procedures, and the [UC Program Field Guidance](#), both as written on the effective date of the award and as amended subsequent to the effective date. Accordingly, recipients must also implement internal policies and procedures for the prompt dissemination, training, and implementation of new or updated ORR policies, procedures, and field guidance.

The provision of safe and timely home study and post-release services will be monitored and evaluated by ORR and poor performance may result in corrective actions or termination of the award in accordance with all of HHS's regulatory provisions for termination at 45 C.F.R. § 75.372. When considering recipients for future awards or expansions, performance in this area will be taken into consideration.

Sponsors

According to ORR policy, a sponsor is an individual (in the majority of cases a parent or other relative) or entity to whom ORR releases an unaccompanied child out of federal custody. Individuals considered for sponsorship include the unaccompanied child's parent(s), legal guardian, close or distantly related family members or other non-related individuals in specific circumstances, in accordance with ORR policy, procedures, and field guidance (please refer to ORR Policy Guide [Section 2.2.1](#) for more information). Many sponsors are non-U.S. citizens and may lack lawful immigration status in the United States, and many have experienced a prolonged separation from the unaccompanied child.

The care provider screens each case to determine whether to conduct a HS of the potential sponsor as required under the TVPRA. Information about the child is collected during initial placement into an ORR facility and throughout his or her stay. The care provider then uses the

information collected about and from the child in conjunction with the sponsor assessment process to determine whether to conduct a HS. The TVPRA requires a HS under the following circumstances:

- The child is a victim of a severe form of trafficking in persons;
- The child is a special needs child with a disability as defined by section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102);
- The child has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened; or
- The child's sponsor clearly presents a risk of abuse, maltreatment, exploitation, or trafficking to the child, based on all available objective evidence.

ORR also requires a HS before releasing any child to a non-relative sponsor who is seeking to sponsor multiple children, or who has previously sponsored or sought to sponsor a child and is seeking to sponsor additional children. ORR requires a HS for children who are 12 years and under before releasing to a non-relative sponsor.

In circumstances in which a HS is not required by the TVPRA or ORR policy, the Case Manager and Case Coordinator may recommend that a HS be conducted if they agree that the HS is likely to provide additional information required to determine that the sponsor is able to care for the health, safety and well-being of the child.

The care provider must inform the potential sponsor whenever a HS is conducted, explaining the scope and purpose of the study and answering the potential sponsor's questions about the process. In addition, the HS report will be provided to the potential sponsor if the release request is denied.

Unaccompanied children in ORR custody must be placed with sponsors in a safe and timely manner; therefore, HS providers must work in a time-sensitive, but thorough, manner in conducting HS.

HS/PRS Provider Expertise

In order to effectively implement these services, HS/PRS providers, as well as any subrecipient(s), must have prior experience in the provision of child welfare services, child protective services, services to children with special needs and/or victims of trafficking, youth outreach, and/or other services to foreign-born immigrant children and families, and more specifically, with individuals who may not have legal status in the U.S. In addition, HS/PRS providers are required to have staff that are highly proficient in Spanish or must have access to qualified interpreters, who are bilingual in English and Spanish, and must have access to other language speakers or interpreters in the event that an unaccompanied child speaks a language other than Spanish. HS/PRS providers may have separate staff for HS and PRS, or staff may have a combined caseload of both. HS/PRS providers must also evidence previously established working relationships with community-based organizations responsible for social services in their proposed area of operations.

HS/PRS Service Delivery Area

ORR provides HS and PRS nationwide and needs HS/PRS providers to serve both high-need and remote locations where sponsors reside. ORR encourages providers located in or near geographic areas where unaccompanied children are commonly unified with sponsors to apply and will award bonus points to applicant providers with nationwide service delivery models. For more information regarding unaccompanied children released to sponsors by the counties, please visit [Unaccompanied Children Released to Sponsors by County](#). Sponsor location data may vary depending on immigration trends.

ORR will award bonus points to HS/PRS applicants proposing a national service delivery model. To be considered a national service delivery model, applicant must demonstrate that the proposed program structure provides coverage to every area of the United States. In addition, a national service delivery model must either include a minimum of four regional offices (with each office located in a different state) or remote staff located in at least 8 of the 10 regions, as defined by ACF. See *Section V.1. Criteria, Bonus Points* for an overview of the regions.

In any proposed national service delivery model where a primary HS/PRS provider is unable to offer direct provision of services in specific locations, subrecipients may be proposed. Please reference *Section I. Subawards* for more information.

HOME STUDY (HS) OVERVIEW

A HS assesses a potential sponsor's ability to meet an unaccompanied child's needs upon release from ORR custody, according to ORR Policy Guide [Section 2.4.2](#). See also TVPRA, 8 U.S.C. 1232(c)(3)(B). Certain unaccompanied children must receive a HS according to statute, and ORR may as a matter of its policies require HS for other unaccompanied children, or fund discretionary home studies, but not all unaccompanied children in ORR custody receive a HS.

Under the TVPRA, ORR is required to perform a HS when:

- The child is a victim of a severe form of trafficking in persons;
- The child is a special needs child with a disability (as defined in 42 U.S.C. § 12102);
- The child has been a victim of physical or sexual abuse under circumstances that indicate that the child's health or welfare has been significantly harmed or threatened; or
- The proposed sponsor clearly presents a risk of abuse, maltreatment, exploitation, or trafficking to the child based on all available objective evidence.

Additionally, ORR policy mandates that HS be completed for unaccompanied children who meet the following criteria:

- The child is being released to a non-relative sponsor who is seeking to sponsor multiple children or has previously sponsored or sought to sponsor a child and is seeking to sponsor additional children;
- The child is 12 years of age or under and is being released to a non-relative sponsor; and/or
- Other circumstances, as recommended by ORR through the release of new policy or initiatives.

In circumstances in which a HS is not required by the TVPRA or ORR policy, ORR may permit a discretionary HS according to ORR Policy Guide [Section 2.4.2](#).

HS Services Requirements

A HS must consist of the following:

- Interviews,
- A home visit, and
- A written report containing the HS caseworker's findings.

The HS provider conducts the home visit in person. In the event of exceptional circumstances where conducting the visit virtually would be in the best interest of the child, the HS provider may request ORR's case-by-case approval to conduct the visit virtually.

A HS assesses the potential sponsor's ability to meet the unaccompanied child's needs, educates and prepares the sponsor for the unaccompanied child's release, and builds on the sponsor assessment conducted by the care provider staff to verify or corroborate information gathered during that process. The HS is conducted as a collaborative psychoeducational process in which the HS caseworker identifies areas where additional support, resources, or information are needed to ensure a successful sponsorship and provides corresponding psychoeducational assistance. Psychoeducation refers to the provision of education and information to those seeking and/or in need of mental health services and support. The final recommendation must present a comprehensive and detailed assessment of the sponsor's ability to care for the needs of the unaccompanied child and address any additional information that emerges during the HS regarding the sponsor, the sponsor's household, the physical environment of the sponsor's home, or the unaccompanied child. The HS provider determines whether to provide a positive or negative HS based on their assessment. ORR takes the HS provider assessment into consideration when making a release decision.

ORR provides a HS assessment template. Please reference *Section I. Post-Award Requirements, Required UC Reporting* for more information on the template for the report.

HS Timeframes

The HS provider must accept the HS referral from ORR and staff the case with a case manager within 3 calendar days of ORR's referral. The HS provider must contact the referring care provider within 24 hours of a HS referral acceptance and must contact the sponsor to schedule the home visit within 48 hours of referral acceptance. The HS provider submits the written report to the referring care provider case manager or referring provider within 10 calendar days of receipt of the referral. The HS is generally accepted by ORR for 1 year once finalized but only for the sponsor assessed. A list of all Office of Management and Budget (OMB)-approved information collections relevant to HS can be found in *Section I. Post-Award Requirements, Required UC Reporting*.

POST-RELEASE SERVICES (PRS) OVERVIEW

PRS under this NOFO will cover three areas of support:

1. Level 1 — Virtual Check-ins
2. Level 2 — Case Management Services
3. Level 3 — Intensive In-Home Engagements

A released child may receive one or more levels of PRS, and all children will be referred for the appropriate level of PRS, depending on the needs of the case. Children whose referral to PRS is legally mandated, pursuant to the TVPRA, will be referred automatically for Level 2 — Case Management Services or Level 3 — Intensive In-Home Family Engagement. If there is a waitlist for referrals of children legally mandated to receive Level 2 or Level 3 PRS as a result of a TVPRA-required home study, such children will receive Level 1 PRS — Virtual Check-ins — pending referral acceptance for Level 2 or Level 3 PRS. ORR recipients are required to provide PRS to children who receive a HS.

PRS Case Management Approach

ORR requires that PRS providers coordinate service(s) through a case management approach. Case management is a collaborative process of assessment, planning, facilitation, care coordination, evaluation, and advocacy for options and services to meet the unaccompanied child and the sponsor's presenting needs. PRS providers are responsible for assessing safety and providing psychoeducation to released children and their sponsor families on the impact of prolonged separation from their families, significant changes to family composition and functioning, and trauma from community or family violence, among other topics, in order to maintain a safe and stable home. At each level of PRS, the PRS provider must ensure that all required contacts with the child and sponsor are conducted individually and together. Additionally, the PRS provider must adjust services in response to the changing needs of the unaccompanied child and sponsor. If the unaccompanied child moves to a new home, the PRS provider must ensure continuation of PRS at the unaccompanied child's new residence. Any concerns must be elevated to ORR, through the prime recipient of the award, if applicable.

While providing PRS, providers must take special consideration of the case-specific needs of certain unaccompanied children, as follows:

- Children with special needs;
- Children with disabilities;
- LGBTQI+ and gender non-conforming children;
- Adjudicated youth and youth at high risk of involvement with the juvenile justice system;
- Youth at high risk of sex and labor exploitation and trafficking;
- Unaccompanied children who entered ORR custody after being separated by DHS from a parent or legal guardian, or a close family member; and/or
- Children who entered the United States as special immigrant entrants following a special operation (such as the Operation Allies Welcome).

ORR requires the use of evidence-based child welfare best practices that are culturally and linguistically appropriate to the unique needs of each released child and are grounded in a trauma-informed approach.

PRS Levels of Service

PRS providers must assist the unaccompanied child and sponsor in accessing services in the areas listed below, in accordance with ORR Policy Guide [Section 6](#) as written on the effective date of the award or amended subsequently.

Level 1 (Virtual Check-Ins): Children who have not received a HS and have not been identified as presenting particular needs that would benefit from PRS Level 2 or PRS Level 3. Under PRS Level 1, a PRS caseworker conducts three virtual check-ins with the released child to confirm the child is residing with their sponsor, enrolled in school, aware of upcoming court dates, and is healthy, safe, and well. The intent of this level of service is to check the safety and well-being of the child, to refer for community-based services and to assess needs and elevate to a higher level of PRS, if necessary. This level of PRS will replace the Safety and Well-being Follow-up calls that are currently conducted by ORR care providers.

Level 2 (Case Management Services): Children who are legally mandated to receive a HS or PRS, or have been identified, based on their needs, as likely to benefit from ongoing case management services. Under PRS Level 2, PRS case managers conduct an initial in-home assessment. If there are no safety or wellbeing concerns, case managers may conduct subsequent monthly engagements either in person or virtually but must complete an in person home visit at least every 90 days. Under PRS Level 2, case managers conduct ongoing assessments, make safety plans, create strengths-based plans with children and their sponsors, and refer and connect children to community-based services. Community-based services include the following:

- Legal services;
- Education and English language classes;
- Medical care and behavioral healthcare;
- Placement stability and safety services;
- Assistance with immigration proceedings;
- Assistance with guardianship proceedings;
- Family stabilization/counseling;
- Substance abuse treatment;
- Gang prevention services;
- Youth programming (such as youth mentoring, tutoring, afterschool and vocation programs, sports clubs, or other extracurricular clubs, etc.);
- Services related to cultural heritage and other traditions; and
- Integration and independence supports.

Level 3 (Intensive In-Home Engagements): Children placed in a family requiring additional support for specific challenges or special circumstances (e.g., medically or psychologically vulnerable children, family conflict or crisis, education-related issues, etc.). PRS Level 3 is a

higher level of intensive in-home service and engagement that provides trauma-informed and intensive case management. Its focus is on stabilizing the family unit by utilizing intervention(s) tailored to the needs of the family and connecting the released child and sponsor family with community-based services to address concerns that require long-term care (such as a mental health diagnosis). Under PRS Level 3, PRS intensive case managers conduct an initial in-home assessment followed by weekly in-person contacts for the first 45 to 60 days, depending on the needs of the family. Following this, weekly contact will be replaced by monthly in-person or virtual contacts for 6 months following referral acceptance.

For PRS Level 2 and PRS Level 3 engagements that are required to be in-person, PRS providers may request ORR's case-by-case approval to conduct the engagement virtually in the event of exceptional circumstances where conducting the engagement virtually would be in the best interest of the child.

PRS Assessments, Timeframes, and Minimum Contacts

Assessments

For each level of service, PRS providers are responsible for assessing the released child and sponsor. Regardless of the PRS Level, the assessment must be completed in a developmentally appropriate, child-centered, and trauma-informed manner and be documented in the unaccompanied child's PRS case file. The assessment tool utilized must be appropriate for children, and the professionals administering the assessment must understand the impact of the trauma on the child's development and minimize the effects of the assessment process on the child. PRS providers must be culturally and linguistically sensitive when connecting the unaccompanied child and sponsor to resources within their local community.

For Level 1, the PRS provider assesses the safety and well-being of the child. For Level 2 or Level 3, the PRS provider must conduct an age-appropriate comprehensive assessment to understand the levels of need for the following: sponsor family functioning, legal services, education, medical care, behavioral healthcare (including substance abuse, mental health, and overall well-being), support appropriate for a child's personal belief system, healthy relationships, food and material goods security (e.g., adequate clothing for each season), transportation, housing, and any special circumstance(s).

The level and intensity of PRS must correspond with the child's and the sponsor's needs, as judged by the PRS provider according to regular and repeated assessments. If needed, children and their sponsors should seamlessly move between the different PRS Levels after each assessment. For example, a child who is receiving Level 3 could have already been either at Level 1 or Level 2 initially but assessed to need more intensive PRS.

Typically, the needs assessment starts during the first virtual check-in or in-home visit and then at periodic intervals as determined by the PRS provider's policies. The needs assessment must be developmentally appropriate, trauma-informed, and focused on the needs of the child and sponsor to function effectively. The PRS provider must document the assessment in its PRS case file for the released child.

PRS providers must also assess the sponsors' ability to access community resources and review the [Sponsor Care Agreement](#) with them to ensure compliance with the agreement.

Assessing Risk and Protective Factors

PRS providers are responsible for assessing risk and protective factors in released children to inform their service provision. PRS providers must help to educate children and their sponsor families on identifying risks and red flags that may lead to child exploitation; sex and labor trafficking; substance abuse; physical, emotional, or sexual abuse; coercion by gangs or gang affiliation; or other situations where the child would be in danger or at risk of harm.

PRS providers must also work with the child and sponsor family to identify their unique protective factors and tailor PRS accordingly, with the goals of building up the child's resilience, fostering well-being, and promoting healthy development.

In any circumstance where a released child is at risk of harm and the PRS provider cannot reach the child or sponsor, the PRS provider should contact local law enforcement and request a well-being check on the child.

Timeframes

All contacts between the PRS provider and the unaccompanied child and unaccompanied child's sponsor must be fully and accurately documented in the unaccompanied child's PRS case file, with complete information about how the contact was initiated, who was present, the date and time, and a case note about what was discussed. A list of all OMB-approved information collections relevant to PRS can be found in *Section I. Post-Award Requirements, Required UC Reporting*.

Level 1 (Virtual Check-Ins): PRS caseworkers conduct three virtual check-ins with child and sponsor at 7 business days, 14 business days, and 30 business days after release from ORR custody.

Level 2 (In-Person Case Management Services): PRS case managers will start Level 2 services at 14 business days with an initial in-person visit and monthly visits thereafter for 6 months. Monthly visits may occur in-person or, if there are no safety concerns, virtually. At minimum, in-person contact in sponsor's home must be established every 90 calendar days. Referrals and their outcomes must be documented in the released unaccompanied child's PRS case file.

1. **Initial Contact:** PRS case managers must make initial contact with the unaccompanied child and/or sponsor within 2 business days of accepting a referral. At the point of initial contact, the PRS case manager inquires about the welfare and whereabouts of the released unaccompanied child and sets a time and date for the first in-home visit.
2. **First In-Home Visit:** PRS case managers are required to make an in-home visit within 14 business days of referral acceptance.

Following the in-home visit, PRS case managers will maintain ongoing contact with the released unaccompanied child and sponsor, the frequency of which should be determined by the level of need and support required, in consultation with the released unaccompanied child and sponsor. Under Level 2 PRS, PRS case managers must make an initial in-person visit with released

unaccompanied children and their sponsors and monthly visits thereafter for 6 months. Monthly visits may occur in-person or, if there are no safety concerns, virtually. At minimum, in-person contact in sponsor's home must be established every 90 calendar days. PRS case managers must document all ongoing check-ins and in-home visits, as well as document progress and outcomes of their home visits in the unaccompanied child's PRS case file.

Level 3 (Intensive In-Home Engagements): PRS intensive case managers conduct initial in-home assessment within 7 business days of referral acceptance, followed by weekly in-person contacts for the first 45-60 calendar days, depending on the presenting need(s) of the released child and sponsor family.

1. **Initial Contact:** A PRS intensive case manager must make initial contact with the unaccompanied child and/or sponsor within two business days of accepting a referral. At the point of initial contact, the PRS intensive case manager inquires about the welfare and whereabouts of the released child and sets a time and date for the first in-home visit.
2. **In-Home Visits:** The PRS intensive case manager conducts an initial in-home assessment within 7 business days of referral acceptance, followed by weekly in-person contacts for the first 45-60 calendar days. Level 3 PRS will taper off to monthly contacts for the first 6 months. While intended to be short-term, Level 3 PRS may continue as long as necessary to stabilize the placement and ensure the safety of the unaccompanied child.

Level 3 PRS interventions and outcomes must be documented in the released unaccompanied child's PRS case file.

PRS Case Closure (for non-TVPRA cases)

PRS must end when the unaccompanied child turns 18 years of age or when the unaccompanied child's immigration case is terminated. An unaccompanied child's case is considered terminated when the unaccompanied child:

- Is granted voluntary departure;
- Receives an order of removal; or
- Obtains lawful immigration status.

In addition to the above, Level 2 and 3 PRS cases are also appropriately terminated under the following conditions:

- A PRS case manager assesses that Level 2 or Level 3 PRS, as applicable, are no longer needed;
- The unaccompanied child or sponsor chooses to disengage from these services; or
- PRS have been provided for 6 months following referral acceptance.

For all three levels, PRS providers must upload the ORR Case Closure form to ORR's case management system within 30 calendar days of a case's closure.

TVPRA Cases

Where PRS are required under the TVPRA, Level 2 and/or 3 PRS may continue beyond the timeframes noted above (i.e., generally 6 months, unless the child turns 18 or their immigration

case has been terminated).

TVPRA-mandated cases require that PRS be provided during the pendency of an unaccompanied child's removal proceedings. Based on the needs of the child and case circumstances, PRS will be provided for a portion of or the entirety of the pendency of the immigration proceedings.

For TVPRA-mandated cases receiving Level 2 or 3, PRS case managers and/or intensive case managers should make at least two additional in-home visits within the first year of the child's release, at 6 months and at 1 year.

If a TVPRA-mandated case has been active and engaged in services for more than a year, and the PRS case manager and/or intensive case manager has assessed that the risk level with respect to the concerns identified at 8 U.S.C. § 1232(c)(3)(B) is low and there are no major concerns (e.g., trafficking, disability-related needs, abuse, maltreatment, exploitation, acute mental health crisis, placement disruption, etc.), the PRS case manager and/or intensive case manager may limit their check-ins to a quarterly or biannual basis, based on the circumstances of the individual child and sponsor family. These check-ins must be documented in the PRS case file.

PRS Case Closure of TVPRA Cases

PRS continue during the pendency of an unaccompanied child's removal proceedings. PRS must end when the unaccompanied child turns 18 years of age or when the unaccompanied child's immigration case is terminated. An unaccompanied child's case is considered terminated when the unaccompanied child:

- Is granted voluntary departure;
- Receives an order of removal; or
- Gains immigration status.

PRS providers may terminate PRS for TVPRA-mandated cases under the following additional circumstances:

- 30 calendar days from last contact, if an unaccompanied child or sponsor chooses not to engage in PRS; or
- After providing PRS for 1 year, the unaccompanied child or sponsor as relevant has been assessed to no longer need these services.

STAFFING REQUIREMENTS

Organizational Structure

Care providers are required to have an organizational structure that establishes clear lines of authority and supervision. Staffing plans must be in place that provide a sound relationship between the proposed responsibilities of lead program staff. All direct service and supervisory employees shall be considered mandated reporters in the jurisdictions in which they provide services and are required to report promptly to the appropriate child welfare authorities and to ORR, via the prime recipient, if it is suspected that an unaccompanied child is being abused or

neglected.

Staffing

Care providers are required to develop, implement, and document a staffing plan based on the populations served, the scope and type of services provided, anticipated requirements, staff vacancies, and budgets. The staffing plan must be in accordance with the care provider's state licensing requirements, where applicable, and as required by ORR's policies and procedures. Care provider must be staffed with qualified, bi-lingual professionals, paraprofessionals, and support staff to meet the diverse needs, level of care, supervision, and safety and well-being of unaccompanied children. All staff must be proficient in using the internet and related computer programs including ORR's Official System of Record (also known as the UC Portal).

Care providers must have job descriptions and selection criteria for all staff positions that state the qualifications, performance standards, and responsibilities for each position (each job description must include a section on essential functions as mandated by the Americans with Disabilities Act or ADA). Subcontracted staff (including per diem subcontractors) may be utilized.

Key Staffing Positions

ORR requires certain key staffing positions for HS/PRS providers and has established minimum qualifications for these positions (listed below). Of the key staffing positions, the Regional Supervisor/Lead Case Manager position is optional based on staff size; however, if a HS/PRS recipient chooses to fill the position(s), recipients must adhere to the minimum qualifications specified below as well as the same procedures as pertain to other key staffing positions. Recipients may also choose to use the same individual to fill more than one staffing position but must adhere to the minimum qualifications specified below. Care providers must obtain prior written approval from ACF before selecting individuals for the key positions as identified below. Please refer to *Section I. Post-Award Requirements, Required UC Reporting* for more information. Exceptions to the minimum qualifications require ORR's explicit written approval prior to hire. If there is a change in a key staffing position listed below during the period of performance, the recipient must submit a request for prior approval from ACF.

Program Director

The Program Director must have experience managing projects, including both financial and managerial responsibilities. Program Directors must have knowledge of local community social services and should have specialized experience conducting Home Studies and working with immigrant populations. Program Directors should be knowledgeable about family preservation, kinship care, and/or general child welfare. At minimum, the Program Director must have a Master of Social Work (MSW) degree or an equivalent degree in education, psychology, sociology, or other behavioral science. This requirement may be substituted by a bachelor's degree in one of the aforementioned sciences, plus approximately 5 years of relevant employment experience, that demonstrates advanced levels of supervisory and financial management experience. The Program Director is responsible and accountable for the entire program and its outcomes, as well as those of any subrecipient(s). The Program Director of the

prime recipient acts as the main liaison between ORR and its regional staff. The Program Director coordinates both programmatic and financial elements for the services provided to unaccompanied children through the HS/PRS program.

Assistant Program Director

The Assistant Program Director must have a bachelor's degree in education, psychology, sociology, or other relevant behavioral science plus 5 years of progressive employment experience with a social services or childcare agency or organization. The Assistant Program Director of the prime recipient serves as secondary liaison with ORR, on behalf of the program as well as any subrecipient(s). The need for an Assistant Program Director will vary depending on the number of discharged children served by the provider.

Regional Supervisor/Lead Case Manager for HS and/or PRS (optional position based on staff size)

The Regional Supervisor/Lead Case Manager (RS/LCM) for HS and/or PRS must have experience in conducting HS and writing professional, thorough assessment reports. The RS/LCM must have knowledge of local community social services and should have specialized experience conducting home studies and working with immigrant populations. The RS/LCM should be knowledgeable about family preservation, kinship care, and/or general child welfare. At minimum, the RS/LCM must have a Master's degree in the behavioral sciences, human services or social services fields or a bachelor's degree and at least 5 years of progressive employment experience that demonstrates supervisory and case management experience.

The RS/LCM is responsible for overseeing the assignment of referrals, training new case managers, and supervising the work of other case managers.

PRS Caseworker Supervisors

PRS Caseworker Supervisors must have a Master's degree in the behavioral sciences, human services or social services fields; or a Bachelor's degree with at least 3 years of progressive employment experience that demonstrates supervisory and case management experience. PRS Caseworker Supervisors supervise the provision of Level One (1) and Level Two (2) PRS. They may advise on the services provided under Level Three (3) PRS.

PRS Clinical Supervisors

PRS Clinical Supervisors must have a Master's degree in social work, psychology, sociology, or other relevant behavioral science in which clinical experience is a program requirement, plus at least 2 years of postgraduate direct service experience; or a Bachelor's degree with at least 6 years of clinical employment experience in the behavioral sciences. Clinical supervisors must have prior supervisory experience and may be licensed to provide clinical supervision, so long as supervising PRS conducted across state lines does not violate state licensing rules.

Other Required Staffing

The following staff roles do not require prior approval from ACF before hiring:

HS Caseworkers

HS Caseworkers must have experience in conducting HS according to the requirements in the state where services are being provided and must be skilled at writing professional, thorough assessment reports. HS caseworkers will have knowledge of local community social services and should have specialized experience conducting home studies and working with immigrant populations. Caseworkers should be knowledgeable about family preservation, kinship care, and/or general child welfare. At minimum, HS caseworkers must have a Bachelor of Social Work (BSW) degree or an equivalent degree in education, psychology, sociology, or other behavioral science equivalent. HS caseworkers must be bilingual in English and Spanish or have access to professional interpretation services.

PRS Caseworkers (Level 1 PRS)

PRS Caseworkers who have direct contact with released children must be at least 21 years of age, highly proficient in Spanish or have access to qualified interpreters and have at least 1 year of experience working with children and youth. PRS caseworkers provide Level One (1) PRS only.

PRS Case Manager (Level 2 PRS)

PRS Case Managers must have knowledge of local community social services and should have specialized experience working with immigrant populations and should be knowledgeable about family preservation, kinship care, and/or general child welfare. PRS case managers must have a BSW or an equivalent degree in education, psychology, sociology, or other behavioral science equivalent. PRS case managers must be bilingual in English and Spanish or have access to professional interpretation services. PRS case managers provide Level Two (2) PRS and may also provide Level One (1) PRS.

PRS Intensive Case Managers (Level 3 PRS)

PRS Intensive Case Managers must have a Master's degree in social work, psychology, sociology, or other relevant behavioral science in which direct clinical experience is a program requirement; or a Bachelor's degree with at least 5 years of clinical experience. They may be licensed, or eligible for licensure. They must be highly proficient in Spanish or have access to qualified interpreters. PRS intensive case managers provide Level Three (3) PRS and may also provide Level Two (2) PRS and Level (1) PRS.

Required Screening of Personnel

HS/PRS providers must complete background investigations on all of their staff, contractors, subcontractors, and volunteers working directly with children. They must successfully complete the following background checks with favorable results prior to an offer of employment as a HS/PRS provider or as a volunteer who has direct access to released children:

- National Federal Bureau of Investigation criminal background check and State repository check results for all jurisdictions lived in for the past 5 years;
- If available from the state, child abuse and neglect record check results for all jurisdictions lived in for the past 5 years; and
- Driver's Record and Clearance (if transporting children).

At a minimum, a background check must be updated every 5 years thereafter and be favorably adjudicated for the HS/PRS provider to continue direct service provision. All results must be kept in the employee's personnel file. In general, ORR will require HS/PRS providers to meet the same personnel background check requirements as it applies to its care provider facilities. See ORR Policy Guide [Section 4.3 Personnel](#).

HS/PRS Staff Training

HS/PRS providers are required to train all staff in accordance with the following requirements, ORR Policy and the terms of their Cooperative Agreement.

Initial Training Requirements

Following an offer of employment, and before providing services to children and sponsors, HS/PRS staff providing direct services (including subcontracted staff) must complete 40 hours of training on the following topics (more topics may be covered at the discretion of the recipient):

Administration: ORR policies and procedures; other relevant authorities and agency guidance impacting the provision of PRS; and writing effective case notes.

Child Welfare: Stages of healthy child and adolescent development; childhood trauma and its long-term effects (i.e., Complex PTSD); understanding and responding to risk and protective factors in children and youth, including sex and labor trafficking; family stabilization and preservation; state child abuse laws and mandated reporting.

Direct Service Provision: Culturally and Linguistically Appropriate Services (CLAS) standards; core areas of PRS service provision; trauma-informed care; making specialized referrals; child-friendly interviewing; client boundaries; and role of the interpreter and best practices in intercultural interpretation.

Staff Wellness: Understanding and responding to compassion fatigue, burnout, vicarious trauma, organizational stress, and secondary traumatic stress; and ethical considerations in serving the PRS population.

Annual Training Requirements

HS/PRS providers and all staff (including subcontracted staff) must complete at least 40 hours of training annually on topics most pertinent to their scope of practice or caseload. Annual training records must be kept in the employee's personnel file.

Core Competencies

All HS/PRS providers should have a foundational knowledge of case management principles and practice, child welfare principles, family preservation, child and adolescent development, trauma-informed care, and issues related to forced migration.

Sex and Labor Trafficking Training

Care providers must be familiar with, and train staff on, the issue of human trafficking in order to provide appropriate services to unaccompanied children who are victims of trafficking, as well as to protect unaccompanied children from potential threats of trafficking. The TVPRA defines "severe forms of trafficking in persons" as:

- Sex trafficking: the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age; (and)
- Labor trafficking: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

For more information, visit <https://www.acf.hhs.gov/otip>.

HS/PRS Case Ratio Requirements

The required ratios are as follows:

- HS-only caseworkers will carry a minimum caseload of 3, if regionally based, or 2, if cases require travel outside the area, and PRS-only workers will carry a minimum caseload of 15, if regionally based, or 8, if cases require travel outside the area. Intensive case managers will carry a minimum caseload of 3 cases per worker.
- Caseworkers assigned to carry a caseload of both HS and PRS will be required to carry a minimum of 1 HS and 8 PRS at any time.
- PRS caseloads must not exceed 40 cases per worker in accordance with the ORR Policy Guide [Section 6.2](#).

HS/PRS providers will also be required to demonstrate a commitment to comply with mandatory state reporting requirements for child abuse and neglect.

FAITH-BASED ORGANIZATIONS

ACF is mindful that potential recipients may have religious objections to providing certain kinds of services, or providing referrals for such services. ACF is committed to exploring ways for faith-based organizations to partner with ACF and other recipients even if they object to providing specific services on religious grounds. At the same time, ACF is committed to providing the full range of legally permissible services to people who need them, and to do so in a timely fashion and in a manner that respects the diverse religious and cultural backgrounds of those we serve.

To accomplish these goals, ORR requires that organizations that have a religious objection to providing any unaccompanied children required services or referrals for any unaccompanied children required services must indicate in their application that they have such objection and include a summary of an alternative approach that clearly describes how the organization will meet its award obligations. Please refer to *Section IV.2. The Project Description, Administrative and Service Environment* for more information.

The alternative approach must be one that accomplishes the goal of ensuring that unaccompanied children in ORR's custody understand the full range of services available in the program, and

that there is a mechanism by which unaccompanied children requesting such services can receive them, either directly through the prime recipient or through partnering organization(s). If an alternative approach is proposed, ORR will review the alternative approach during the merit review process to preliminarily determine whether it is consistent in principle with the following three criteria: 1) the approach will ensure timely provision of all services for which the individual is eligible; 2) the approach is not burdensome to the unaccompanied children; and 3) the approach is operationally feasible for ACF. These findings will be finalized during the award negotiations, and, if ORR/ACF decides to fund the proposal, the cooperative agreement will be conditioned on an obligation to ensure that the alternative approach conforms to these criteria.

SUBAWARDS

Recipients under this award program may opt to transfer a portion of substantive programmatic work to other organizations through subaward(s). The prime recipient must maintain a substantive role in the project. ACF defines a substantive role as conducting activities and/or providing services funded under the award that are necessary and integral to the completion of the project. Subrecipient monitoring activities alone as specified in 45 C.F.R. § 75.352 do not constitute a substantive role. Furthermore, ACF does not fund awards where the role of the applicant is primarily to serve as a conduit for passing funds to other organizations, unless that arrangement is authorized by statute.

Subrecipient(s) must meet the eligibility requirements identified in the SNOFO, *Section III.1. Eligible Applicants*. Additionally, all subrecipient(s) must obtain a Unique Entity Identifier (UEI) number assigned by the System for Award Management (SAM), if they do not already have one. Prime recipients are required to check the SAM to verify that the subrecipient(s) is/are not debarred, suspended, or ineligible.

Please reference the [Award Term and Condition on Subawards](#) on the [ACF Administrative and National Policy Requirements](#) website for further requirements involving subawards.

HS/PRS Monitoring and Quality Assurance of Subrecipient Agencies

HS/PRS award recipients that choose to utilize a subrecipient(s) agency(ies) or entity(ies) to provide HS/PRS as listed in *Section I. Program Description* will be required to have a subaward agreement and a Memorandum of Understanding (MOU) with the agency(ies) or entity(ies). The MOU must clearly define milestones (i.e., all ORR timeframes that are stipulated in this SNOFO), progress markers, and reporting requirements, and the potential for discontinuation of the subaward if these are not satisfactorily met. HS/PRS award recipients must have established corrective action policies and procedures to guide the practice of subawards and to ensure compliance. In addition, ORR requires that HS/PRS providers conduct on-site, bi-annual monitoring of subrecipient(s) to ensure that they comply with all requirements outlined in this SNOFO, ORR policies, and all applicable laws and regulations, including 45 C.F.R. §§ 75.351 – 75.353. HS/PRS award recipients, and subrecipient(s), if applicable, must ensure ORR's timely accessibility to corrective action plans and monitoring reports of subrecipients.

POST-AWARD REQUIREMENTS

HS/PRS providers are required to provide services in a manner that meets relevant federal law, their cooperative agreement, the ORR Policy Guide, and any field guidance for the UC Program.

Service Contract Act Requirements

The Service Contract Act (SCA) establishes standards for prevailing wages and safety and health protections for employees performing work for contractors and subcontractors involving the federal government and the District of Columbia. The SCA has been determined to apply to the UC program cooperative agreement awards and subrecipients, including awards made pursuant to this SNOFO. For this reason, every service employee under this agreement must be paid not less than the monetary wages and must be furnished fringe benefits that the Secretary of Labor has determined to be prevailing in the locality for the classification in which the employee is working. The term *service employee* means any person engaged in the performance of a contract entered into by the United States unless otherwise exempted under section 7 of the SCA, whether negotiated or advertised, the principal purpose of which is to furnish services in the United States (other than any person employed in a bona fide executive, administrative, or professional capacity, as set forth in 29 § 4.156 and defined in 29 C.F.R. Part 541, as of July 30, 1976, and any subsequent revision of those regulations); and shall include all such persons regardless of any contractual relationship that may be alleged to exist between a contractor or subcontractor and such persons.

The definition of service employees expressly excludes those employees who are employed in a bona fide executive, administrative, or professional capacity as set forth in 29 C.F.R. § 4.156 and defined in 29 C.F.R. Part 541. Some of the specific types of service employees who may be employed on service contracts are noted in other sections which discuss the application of the Act to employees.

The SCA applies to service employees under cooperative agreements awarded through this SNOFO as well as service employees covered under subrecipient or vendor relationships that are included within cooperative agreements awarded under this SNOFO.

HS/PRS providers are subject to the provisions of the SCA and implementing regulations found in title 29 of the C.F.R. Part 4 and must abide by applicable [U.S. Department Of Labor \(DOL\) wage determinations on the SAM website](#) in their programs. *See also Appendix A* (providing SCA labor standards clauses described at 29 C.F.R. Part 4). This award also is subject to Executive Order 14026, Increasing the Minimum Wage for Federal Contractors, and its implementing regulations at 29 C.F.R. Part 23 (Appendix B within this SNOFO); and Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, and its implementing regulations at 29 C.F.R. Part 13 (Appendix C within this SNOFO).

In computing SCA wage and fringe benefit rates, applicants can initiate a [SAM.gov](#) search. Prospective applicants shall enter the location of the UC Program facility identified in the application in the search field to access the applicable SCA wage determination. Once the applicable SCA wage determination has been selected, applicants must then identify the occupation code and title on the wage determination list that corresponds with the position at the UC Program facility within the application to identify the prevailing wage and fringe benefits for

that position. Information about identifying the applicable occupation code for positions at UC Program shelter facilities can be found at ORR's website [Service Contract Act \(SCA\) Wage Classifications for ORR Providers](#). Please note that information on this website is provided to assist applicants, but applicants and awarded recipients still bear full responsibility for ensuring that the position is correctly selected, by comparing the work a position will perform against the position description.

Additional information about the SCA in general may be found on the DOL website [McNamara-O'Hara Service Contract Act \(SCA\)](#). Specific information about the SCA labor standards provisions and procedures may be found at [29 C.F.R. Part 4](#) and [DOL wage determinations on the SAM website](#). For additional information and reference to the SCA within this SNOFO, please refer to *Section VI.2. Administrative and National Policy Requirements* and *Appendices A-C*.

Response to Coronavirus Disease and Other Communicable Diseases

ORR recognizes that as a result of the coronavirus disease (COVID-19) outbreak, activities may need to be adjusted and public health interventions implemented to ensure the safety and health of children and care provider staff. If during the project period, grantees are required to adjust activities due to COVID-19 or other communicable diseases, ORR will exercise maximum flexibilities as needed. Adjustments must be consistent with the health recommendations provided by ORR, the care provider's local health jurisdiction, and the [Centers for Disease Control and Prevention \(CDC\) COVID-19 guidance](#). Modifications must include safeguards to prevent the spread of disease; planning to respond to disease cases among staff or children; and planning for staffing absenteeism and shortages.

Records Management

HS/PRS providers are required to maintain a high standard of recordkeeping and must safeguard individual unaccompanied child and sponsor case information according to ORR instructions and procedures. HS/PRS providers will be required to maintain information on ORR's case management system, including, but not limited to uploading HS reports and assessments and Notifications of Concern to unaccompanied children case files. Programs must ensure compliance with 45 C.F.R. §75.303(e) and take reasonable measures to safeguard and protect personally identifiable information of program participants, such as names, alien registration numbers (a-numbers), etc.

HS/PRS providers are required to develop a system that preserves the confidentiality of unaccompanied children's information and protects records from unauthorized use or disclosure. Documentation of all contacts between the unaccompanied child and the HS and PRS staff should be maintained in the unaccompanied child's case file. All records pertaining to hiring, clearances, evaluations, and training for staff should be maintained in a personnel file for each employee.

The records of children served under the HS/PRS program are the property of ORR to the extent the child is in ORR custody at the time the records are developed. HS/PRS providers may not release these records without prior approval from ORR. Records generated while PRS were

initiated are recipient records, but are subject to ORR access provisions in 45 C.F.R. Part 75 V. PRS providers must provide records to ORR or an individual or entity that ORR designates access upon request. Collection of records by ORR is subject to approval from OMB pursuant to the Paperwork Reduction Act (PRA), 44 U.S.C. § 3501, et. seq.

Program Performance Evaluation

To ensure the provision of high-quality HS/PRS, ORR will collect data quarterly to assess the performance of recipients under this SNOFO and reserves the right to periodically review all UC Reporting documents in the ORR official record system to ensure that the recipient is accurately inputting and submitting all documents within identified timeframes.

If ACF identifies additional resources to fund a federal study of the funded Home Study and Post Release Services for Unaccompanied Children activities, then the recipient will be required to participate. The study would utilize an outside non-recipient evaluation team and would focus on the processes, implementation, progress indicators, and quality improvement of funded activities.

NOTE: Consistent with the PRA of 1995, 44 U.S.C. §§ 3501-3521, under this NOFO, ORR will not conduct or sponsor, and a person is not required to respond to, a collection of information covered by such Act, unless it displays a currently valid OMB control number. Home Study and Post Release Services for Unaccompanied Children will obtain OMB approval for a federal study of the funded grant activities, as appropriate.

Required UC Reporting

As required by the PRA of 1995, 44 U.S.C. §§ 3501-3521, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number. The following ORR collections and specific instruments that apply to HS/PRS providers have been approved by OMB:

Services Provided to Unaccompanied Children (OMB #0970-0553), Expiration date April 30, 2025:

- Home Study Assessment (Form S-6)
- Home Study/Post-Release Services Referral (Form S-19)
- Home Study/Post-Release Services Primary Provider Entity (Form S-21A)
- Home Study/Post-Release Services Subcontractor Entity (Form S-21B)
- Home Study/Post-Release Services Primary Provider Profile (Form S-21C)
- Home Study/Post-Release Services Subcontractor Profile (Form S-21D)
- Post-Release Services Event (Form S-22)

Administration and Oversight of the Unaccompanied Children Program (OMB #0970-0547), Expiration date May 31, 2025:

- Notification of Concern (Form A-7)

Release of Unaccompanied Children from ORR Custody (OMB #0970-0552), Expiration date May 31, 2025:

- Safety and Well-Being Follow-Up Call Report (Form R-6)

Monitoring and Compliance for ORR Care Provider Facilities (OMB #0970-0564), Expiration date October 31, 2024:

- Home Study and Post-Release Services Site Visit Guide (Form M-7E)
- Home Study and Post-Release Services Personnel File Checklist (Form M-10C)
- Home Study and Post-Release Services Director Questionnaire (Form M-11A)
- Home Study and Post-Release Services Caseworker Questionnaire (Form M-13B)

NOTE: Consistent with the PRA of 1995, 44 U.S.C. §§ 3501-3521, under this SNOFO, ORR will not conduct or sponsor – and a person is not required to respond to – a collection of information covered by such Act, unless it displays a currently valid OMB control number. ORR will not request any information if forms are not approved at the time that reports are due. Please see *Section VI.3. Reporting* for more information.

PROPERTY

Unallowable Real Property Costs

Recipients, and if applicable, subrecipient(s), awarded funds through this SNOFO must adhere to all property regulations found in 45 C.F.R. Part 75. In general, see [ACF Property Guidance](#). In addition, award funds may not be used for the acquisition, construction, and major renovation of real property under this Program. Such a use of award funds is not authorized by statute and would be considered an unallowable expenditure. Unallowable expenditures are subject to disallowances and other remedial measures described at 45 C.F.R. Part 75. Please refer to *Section IV.6. Funding Restrictions* for more information. See also [Unallowable Property Costs](#).

Leasing Real Property Documentation

All leases will be subject to ACF administrative review. The recipient and, if applicable, subrecipient(s), will be required to provide lease documentation for administrative review. For more information, see [Rent/Lease Arrangement Guidance](#) and [Real Property Documentation](#). Applicants must refer to *Section IV.2. The Project Description, Administrative and Service Environment* for more information.

Costs for Leased Real Property and/or Space

Recipients awarded funds through this SNOFO must adhere to the rental costs of real property in accordance with 45 C.F.R. § 75.465. For more information, see [Rent/Lease Arrangement](#)

[Guidance.](#)

Minor Alterations and Renovations (A&R) of Real Property

Recipients that want to include costs for minor A&R to real property must seek approval by providing a detailed request in this application or submit for post-award prior written approval from ORR and the ACF Office of Grants Management (OGM) before they undertake certain activities and/or incur specific costs. Please see 45 C.F.R. § 75.407 for more information. The major A&R threshold applies to each land parcel as identified by state property records where UC Program activities occur, regardless of the number of structures/improvements that exist on each land parcel. Recipients and, if applicable, their subrecipient(s), must maintain entity property records and track the amount of federal funds being used for minor A&R to ensure that the threshold is not exceeded for the entire project period (e.g., if the project period is a 3-year project period, minor A&R must not exceed a total of \$249,999 per parcel). For more information, see [Property Glossary](#) and [Unallowable Property Costs](#).

Post-Award Requests Involving Real Property

After the initial award, if there are any modifications, budget revisions, and/or additional requests for funding, and they impact any of the original approved real property or real property-related costs, the real property listing, and related costs documentation requested in *Section IV.2. The Project Budget and Budget Justification* must be included and updated, accordingly. Further instructions regarding real property cost requests can be found in *Section V.2. Review and Selection Process*.

For more information on application requirements specific to this SNOFO, please reference *Section IV.2. The Project Description and The Project Budget and Budget Justification*.

II. Federal Award Information

Funding Instrument Type:

CA (Cooperative Agreement)

Estimated Total Funding:

\$500,000,000

Expected Number of Awards:

25

Award Ceiling:

\$100,000,000

Per Budget Period

Award Floor:

\$1,000,000

Per Budget Period

Average Projected Award Amount:

\$20,000,000

Per Budget Period

Anticipated Project Start Date:

01/01/2024

Length of Project Periods:

36-month project period with three 12-month budget periods

Additional Information on Project Periods and Explanation of 'Other'

Additional Information on Awards:

Awards made under this funding opportunity are subject to the availability of federal funds.

Applications requesting an award amount that exceeds the *Award Ceiling* per budget period, or per project period, as stated in this section, will be disqualified from competitive review and funding under this funding opportunity. This disqualification applies only to the *Award Ceiling* listed for the first 12-month budget period for projects with multiple budget periods. If the project and budget period are the same, the disqualification applies to the *Award Ceiling* listed for the project period. Please see *Section III.3. Other, Application Disqualification Factors*.

Note: For those programs that require matching or cost sharing, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period or by project period for fully funded awards, even if the projected commitment exceeds the required amount of match or cost share. **A recipient's failure to provide the required matching amount may result in the disallowance of federal funds.** For more information on these requirements, see *Section III.2. Cost Sharing or Matching*.

Funds for the second and third years will be awarded on the basis of submission and approval of the non-competing continuation applications. Awards are subject to satisfactory progress by the recipient, availability of funds, and a determination that continued funding would be in the best interest of the federal government. Funds for this award may be terminated by ORR in accordance with HHS's regulatory provisions for termination at 45 C.F.R. § 75.372. *See also* 2 C.F.R. § 200.340. Applications may request an award amount that is less than the *Award Ceiling*, but must not exceed the *Award Ceiling* per budget period. Please see *Section III.3. Other, Application Disqualification Factors*.

Description of ACF's Anticipated Substantial Involvement Under the Cooperative Agreement Award

ORR recipients must obtain ACF prior approval for the transfer of substantive programmatic work (subawards).

ORR supports recipients in the following areas:

- design, implementation, and modification of program activities, and services;
- design of protocols or procedures;
- approval of key program staff;
- provision of training and technical assistance to staff;
- input of case information into ORR's case management system; and

- consultations regarding individual case management activities.

ORR has final authority on all release decisions.

III. Eligibility Information

III.1. Eligible Applicants

Eligibility is unrestricted.

Any current recipient funded under the UC program who wishes to apply to this SNOFO to provide HS/PRS services must propose services in a new and different service coverage area. Current recipients with awards in the final year of their project period need to review the dates for their existing cohorts and apply to the correct application due date. Please note that ACF does not fund concurrent projects (i.e., funding a recipient to provide the same type of service in the same coverage area). If an applicant is successful under this SNOFO, any subsequent applications in response to other SNOFOs from the same applicant for the same service delivery area will not be funded.

Applications from individuals (including sole proprietorships) and foreign entities are not eligible and will be disqualified from competitive review and funding under this funding opportunity. See *Section III.3. Other, Application Disqualification Factors*.

Faith-based and community organizations that meet the eligibility requirements are eligible to receive awards under this funding opportunity. Faith-based organizations may apply for this award on the same basis as any other organization, as set forth at and, subject to the protections and requirements of 45 CFR Part 87 and 42 U.S.C. 2000bb *et seq.*, ACF will not, in the selection of recipients, discriminate against an organization on the basis of the organization's religious character, affiliation, or exercise.

Reference to Legal Status

See *Section IV.2. Legal Status of Applicant Entity* for documentation required to support eligibility.

Funding Restrictions Reference

Please see *Section IV.6. Funding Restrictions* for any limitations on the use of federal funds that could affect the eligibility of an applicant or project.

III.2. Cost Sharing or Matching

Cost Sharing / Matching Requirement:

No

For all federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the recipient's cost sharing or matching when such contributions meet all criteria listed in 45 CFR § 75.306.

For awards that require matching by statute, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period, or by project period for fully funded awards, even if the projected commitment exceeds the amount required by the statutory match. **A recipient's failure to provide the**

statutorily required matching amount may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.

For awards that do not require matching or cost sharing by statute, where “cost sharing” refers to any situation in which the recipient voluntarily shares in the costs of a project other than as statutorily required matching, recipients will be held accountable for projected commitments of non-federal resources in their application budgets and budget justifications by budget period, or by project period for fully funded awards. These include situations in which contributions are voluntarily proposed by a recipient or subrecipient and are accepted by ACF. Non-federal cost sharing will be included in the approved project budget so that the recipient will be held accountable for proposed non-federal cost sharing funds as shown in the Notice of Award (NoA). **A recipient’s failure to provide voluntary cost sharing of non-federal resources that have been accepted by ACF as part of the approved project costs and that have been shown as part of the approved project budget in the NoA, may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

III.3. Other

Application Disqualification Factors

Applications from individuals (including sole proprietorships) and foreign entities are not eligible and will be disqualified from competitive review and funding under this funding opportunity.

Award Ceiling Disqualification

Applications that request an award amount that exceeds the *Award Ceiling* per budget period or per project period (“per project period” refers only to fully funded awards), as stated in *Section II. Federal Award Information*, will be disqualified from competitive review and funding under this funding opportunity. This disqualification applies only to the *Award Ceiling* listed for the first 12-month budget period for projects with multiple budget periods. If the project and budget period are the same, the disqualification applies to the *Award Ceiling* listed for the project period.

Required Electronic Application Submission

ACF requires electronic submission of applications at Grants.gov. **Paper applications received from applicants that have not been approved for an exemption from required electronic submission will be disqualified from competitive review and funding under this funding opportunity.**

Applicants that do not have an internet connection or sufficient computing capacity to upload large documents to the internet may contact ACF for an exemption that will allow the applicant to submit applications in paper format. Information and the requirements for requesting an exemption from required electronic application submission are found in "[ACF Policy for Requesting an Exemption from Electronic Application Submission](#)."

Missing the Application Deadline (Late Applications)

The deadline for electronic application submission is 11:59 pm ET on the due date listed in the Overview and in Section IV.4. Submission Dates and Times. Electronic applications submitted to Grants.gov after 11:59 pm ET on the due date, as indicated by a dated and time-stamped email from Grants.gov, will be disqualified from competitive review and funding under this funding opportunity. That is, applications submitted to Grants.gov, on or after 12:00 am ET on the day after the due date will be disqualified from competitive review and funding under this funding opportunity.

Applications submitted to Grants.gov at any time during the open application period, and prior to the due date and time, which fail the Grants.gov validation check, will not be received at, or acknowledged by ACF.

Each time an application is submitted via Grants.gov, the submission will generate a new date and time-stamp email notification. Only those applications with on-time date and time stamps that result in a validated application, which is transmitted to ACF will be acknowledged.

The deadline for receipt of paper applications is 4:30 pm ET on the due date listed in the Overview and in Section IV.4. Submission Dates and Times. Paper applications received after 4:30 pm ET on the due date will be disqualified from competitive review and funding under this funding opportunity. **Paper applications received from applicants that have not received approval of an exemption from required electronic submission will be disqualified from competitive review and funding under this funding opportunity.**

Notification of Application Disqualification

Applicants will be notified of a disqualification determination by email or by USPS postal mail within 30 federal business days from the closing date of this NOFO.

IV. Application and Submission Information

IV.1. Address to Request Application Package

Karen
Code
Administration for Children and Families
Office of Grants Management
Attn: FON# HHS-2023-ACF-ORR-ZU-0153
Mary E. Switzer Building
330 C Street, SW
Washington
DC
20201
(202) 401-6888
Karen.Code@acf.hhs.gov

<https://www.acf.hhs.gov/orr/programs/ucs/about>

Application Packages

Electronic Application Submission:

The electronic application submission package is available in the NOFO's listing at Grants.gov.

Applications in Paper Format:

For applicants that have received an exemption to submit applications in paper format, Standard Forms (SFs), assurances, and certifications are available in the "Select Grant Opportunity Package" available in the NOFO's Grants.gov Synopsis under the Package tab at Grants.gov. See *Section IV.2. Request an Exemption from Required Electronic Application Submission* if applicants do not have an Internet connection or sufficient computing capacity to upload large documents (files) to Grants.gov.

Federal Relay Service:

Hearing-impaired and speech-impaired callers may contact the Federal Relay Service (FedRelay) for assistance at www.gsa.gov/fedrelay.

IV.2. Content and Form of Application Submission

FORMATTING APPLICATION SUBMISSIONS

Each applicant applying electronically via Grants.gov is required to upload only two electronic files, excluding SFs and Office of Management and Budget (OMB)-approved forms. No more than two files will be accepted for the review, and additional files will be removed. SFs and OMB-approved forms will not be considered additional files.

FOR ALL APPLICATIONS:

Authorized Organization Representative (AOR)

AOR is the designated representative of the applicant/recipient organization with authority to act on the organization's behalf in matters related to the award and administration of grants. In signing a grant application, this individual agrees that the organization will assume the obligations imposed by applicable Federal statutes and regulations and other terms and conditions of the award, including any assurances, if a grant is awarded.

Point of Contact

In addition to the AOR, a point of contact on matters involving the application must also be identified. The point of contact, known as the Project Director or Principal Investigator, should not be identical to the person identified as the AOR. The point of contact must be available to answer any questions pertaining to the application.

Application Checklist

Applicants may refer to *Section VIII. Other Information* for a checklist of application requirements that may be used in developing and organizing application materials.

Accepted Font Style

Applications must be in Times New Roman (TNR), 12-point font, except for footnotes, which may be TNR 10-point font. Pages that contain blurred text, or text that is too small to read comfortably, will be removed.

English Language

Applications must be submitted in the English language and must be in the terms of United States (U.S.) dollars. If applications are submitted using another currency, ACF will convert the foreign currency to U.S. currency using the date of receipt of the application to determine the rate of exchange.

Page Limitations

Applicants must observe the page limitation(s) listed under "PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:." Page limitation(s) do not include SFs and OMB-approved forms.

All applications must be double-spaced. An application that exceeds the cited page limitation for double-spaced pages in the Project Description file or the Appendices file will have extra pages removed, and those pages will not be reviewed.

Application Elements Exempted from Double-Spacing Requirements

The following elements of the application submission are exempt from the double-spacing requirements and may be single-spaced: the table of contents, the one-page Project Summary, required Assurances and Certifications, required SFs, required OMB-approved forms, resumes, logic models, proof of legal status/non-profit status, third-party agreements, letters of support, footnotes, tables, the line-item budget and/or the budget justification.

Adherence to NOFO Formatting, Font, and Page Limitation Requirements

Applications that fail to adhere to ACF's NOFO formatting, font, and page limitation requirements will be adjusted by the removal of page(s) from the application. Pages will be removed before the objective review and will not be made available to reviewers.

Applications that have more than one scanned page of a document on a single page will have the page(s) removed from the review.

For applicants that submit paper applications, double-sided pages will be counted as two pages. When the maximum allowed number of pages is reached, excess pages will be removed and will not be made available to reviewers.

NOTE: Applicants failing to adhere to ACF's NOFO formatting, font, and page limitation requirements will receive a letter from ACF notifying them that their application was amended. The letter will be sent after awards have been issued and will specify the reason(s) for removal of page(s).

Corrections/Updates to Submitted Applications

When applicants make revisions to a previously submitted application, ACF will accept only the last on-time application for pre-review under the Application Disqualification Factors. The Application Disqualification Factors determine the application's acceptance for competitive review. See *Section III.3. Other, Application Disqualification Factors* and *Section IV.2. Application Submission Options*.

Copies Required

Applicants must submit one complete copy of the application package electronically. Applicants submitting electronic applications need not provide additional copies of their application package.

Applicants submitting applications in paper format must submit one original and two copies of the complete application, including all SFs and OMB-approved forms. The original copy must have original signatures.

Signatures

Applicants submitting electronic applications must follow the registration and application submission instructions provided at Grants.gov.

The original of a paper format application must include original signatures of the authorized representatives.

Accepted Application Format

With the exception of the required SFs and OMB-approved forms, all application materials must be formatted so that they are 8 ½" x 11" white paper with 1-inch margins all around.

If possible, applicants are encouraged to include page numbers for each page within the application.

ACF generally does not encourage submission of scanned documents as they tend to have reduced clarity and readability. If documents must be scanned, the font size on any scanned documents must be large enough so that it is readable. Documents must be scanned page-for-page, meaning that applicants may not scan more than one page of a document onto a single page. Pages with blurred text will be removed from the application.

PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:

With the exception of SFs and OMB-approved forms, the application submission in its entirety (Project Description and Appendices) is limited to 200 pages.

The Project Description (Narrative) (File One) must include the following items:

- A one-page Project Summary/Abstract;
- Table of Contents;
- Approach;

- Project Timeline and Milestones;
- Plan for Oversight of Federal Award Funds and Activities;
- Protection of Sensitive and/or Confidential Information;
- Geographic location(s) served and service delivery model;
- Program Performance Evaluation Plan; and
- Line-Item Budget and Budget Justifications.

The Appendices (File Two) must include the following:

- Proof of Legal Status;
- Third Party Agreements/MOUs and proposed budgets;
- Organizational Capacity;
 - Organizational charts of Applicant Entity, and if applicable, the subrecipient(s) for the Project;
 - Resumes of current staff, and/or Position Descriptions;
 - List of Board of Directors;
 - Audit reports or statements from Certified Public Accountants/Licensed Public Accountants, if available, submit statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations);
 - Evidence that the applicant organization, and any partnering organizations, have relevant experience and expertise with administration, development, implementation, management, and evaluation of programs similar to that offered under this funding opportunity;
 - Evidence that each participating organization, including partners, contractors and/or subrecipients, possess the organizational capability to fulfill their role(s) and function(s) effectively;
 - Information on compliance with federal/state/local government standards;
 - Job descriptions for each vacant key position.
- Letter of Agreement with Cognizant Federal Agency on Indirect Charges, if relevant;
- Executed Leases for proposed real property(ies) and/or draft leases for proposed real property(ies) (for applicants that have multiple leases for different real property, if the page limitation will be exceeded, only include the lease(s) for the highest number of unaccompanied children served). ORR and OGM will contact awardees through this announcement to obtain leases that were not submitted as part of the application; and
- Any other information the applicant deems relevant and necessary.

ELECTRONIC APPLICATION SUBMISSION INSTRUCTIONS

Applicants are required to submit their applications electronically unless they have received an exemption that will allow submission in paper format. See *Section IV.2. Application Submission Options* for information about requesting an exemption.

Electronic applications will only be accepted via Grants.gov. **ACF will not accept applications submitted via email or via facsimile.**

Each applicant is required to upload ONLY two electronic files, excluding SFs and OMB-approved forms.

File One: Must contain the entire Project Description, and the Budget and Budget Justification (including a line-item budget and a budget narrative).

File Two: Must contain all documents required in the Appendices.

Adherence to the Two-File Requirement

No more than two files will be accepted for the review. Applications with additional files will be amended and files will be removed from the review. SFs and OMB-approved forms will not be considered additional files.

Application Upload Requirements

ACF strongly recommends that electronic applications be uploaded as Portable Document Files (PDFs). One file must contain the entire Project Description and Budget Justification; the other file must contain all documents required in the Appendices. Details on the content of each of the two files, as well as page limitations, are listed earlier in this section.

To adhere to the two-file requirement, applicants may need to convert and/or merge documents together using a PDF converter software. Many recent versions of Microsoft Office include the ability to save documents to the PDF format without need of additional software. Applicants using the Adobe Acrobat Reader software will be able to merge these documents together. ACF recommends merging documents electronically rather than scanning multiple documents into one document manually, as scanned documents may have reduced clarity and readability.

Applicants must ensure that the version of Adobe Acrobat Reader they are using is compatible with Grants.gov. To verify Adobe software compatibility please go to Grants.gov and click on “Applicants” at the top bar menu and select “Adobe Software Compatibility”, which is listed under “Applicant Resources.” The Adobe verification process allows applicants to test their version of the software by opening a test Workspace PDF form. Grants.gov also includes guidance on how to download a supported version of Adobe, as well as troubleshooting instructions for use, if an applicant is unable to open the test form.

The Adobe Software Compatibility page located on Grants.gov also provides guidance for applicants on filling out a Workspace PDF form. In addition, it addresses local network and/or computer security settings and the impact this has on use of Adobe software.

Required SFs and OMB-approved Forms

SFs and OMB-approved forms are uploaded separately at Grants.gov. These forms are submitted separately from the Project Description and Appendices files. See *Section IV.2. Required Forms, Assurances, and Certifications* for the listing of required SFs, OMB-approved forms, and required assurances and certifications.

Naming Application Submission Files

Carefully observe the file naming conventions required by Grants.gov. Limit file names to 50 characters (characters and spaces). Please also see

<https://www.grants.gov/web/grants/applicants/submitting-utf-8-special-characters.html>.

Use only file formats supported by ACF

Applicants must submit applications using only the supported file formats listed here. While ACF supports all of the following file formats, **we strongly recommend that the two application submission files (Project Description and Appendices) are uploaded as PDFs in order to comply with the two-file upload limitation.** Documents in file formats that are not supported by ACF will be removed from the application and will not be used in the competitive review. This may make the application incomplete, and ACF will not make any awards based on an incomplete application.

ACF supports the following file formats:

- Adobe PDF – Portable Document Format (.pdf)
- Microsoft Word (.doc or .docx)
- Microsoft Excel (.xls or .xlsx)
- Microsoft PowerPoint (.ppt)
- Image Formats (.JPG, .GIF, .TIFF, or .BMP only)

Do Not Encrypt or Password-Protect the Electronic Application Files

If ACF cannot access submitted electronic files because they are encrypted or password protected, the affected file will be removed from the application and will not be reviewed. This removal may make the application incomplete, and ACF will not make awards based on an incomplete application.

FORMATTING FOR PAPER APPLICATION SUBMISSIONS:

The following requirements are only applicable to applications submitted in paper format. Applicants must receive an exemption from ACF in order for a paper format application to be accepted for review. For more information on the exemption, see "*ACF Policy for Requesting an Exemption from Required Electronic Application Submission*" at www.acf.hhs.gov/grants/howto#chapter-6.

Format Requirements for Paper Applications

All copies of mailed or hand-delivered paper applications must be submitted in a single package. If an applicant is submitting multiple applications under a single NOFO, or multiple applications under separate NOFOs, each application submission must be packaged separately. The package(s) must be clearly labeled with the NOFO title and Funding Opportunity Number.

Applicants using paper format should download the application forms package associated with the NOFO's Synopsis on Grants.gov under the Package tab.

Applicants are advised that the copies of the application submitted, not the original, will be reproduced by the federal government for review. **All application materials must be one-sided**

for duplication purposes. All pages in the application submission must be sequentially numbered.

Addresses for Submission of Paper Applications

See *Section IV.7. Other Submission Requirements* for addresses for paper format application submissions.

Required Forms, Assurances, and Certifications

Applicants seeking an award under this funding opportunity must submit the listed SFs, assurances, and certifications with the application. All required SFs, assurances, and certifications are available in the Application Package posted for this NOFO at Grants.gov.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
SF-424 - Application for Federal Assistance	Submission is required for all applicants by the application due date.	Required for all applications.
Unique Entity Identifier (UEI) and System for Award Management (SAM) registration.	Required of all applicants. Applicants must have a UEI and maintain an active SAM registration throughout the application and project award period. Obtain a UEI and SAM registration at: http://www.sam.gov .	See <i>Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)</i> for more information.
SF-424 Key Contact Form	Submission is required for all applicants by the application due date.	Required for all applications.
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Submission required of all applicants	Submission of the certification is required for all applicants.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	with the application package. If it is not submitted with the application package, it must be submitted prior to the award of a grant.	
SF-424A - Budget Information - Non- Construction Programs and SF-424B - Assurances - Non-Construction Programs	Submission is required for all applicants when applying for a non-construction project. SFs must be used. Forms must be submitted by the application due date. By signing and submitting the SF-424B, applicants are making the appropriate certification of their compliance with all Federal statutes relating to nondiscrimination.	Required for all applications when applying for a non-construction project.
SF-Project/Performance Site Location(s) (SF-P/PSL)	Submission is required for all applicants by the application due date.	Required for all applications. In the SF-P/PSL, applicants must cite their primary location and up to 29 additional performance sites.
SF-LLL - Disclosure of Lobbying Activities	If submission of this form is applicable, it is due at the time of application. If it is not available at the time of application, it may also be	If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	submitted prior to the award of a grant.	member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the applicant shall complete and submit the SF-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

Additional Required Assurances and Certifications

Mandatory Grant Disclosure

All applicants and recipients are required to submit, in writing, to the awarding agency and to the HHS Office of the Inspector General (OIG), all information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. (Mandatory Disclosures, 45 CFR § 75.113)

Disclosures must be sent in writing to:

The Administration for Children and Families, U.S. Department of Health and Human Services, Office of Grants Management, ATTN: Grants Management Specialist, 330 C Street, SW., Switzer Building, Corridor 3200, Washington, DC 20201

And to:

U.S. Department of Health and Human Services, Office of Inspector General, ATTN: Mandatory Grant Disclosures, Intake Coordinator, 330 Independence Avenue, SW., Cohen Building, Room 5527, Washington, DC 20201

Fax: (202) 205-0604 (Include "Mandatory Grant Disclosures" in subject line) or

Email: grantdisclosures@oig.hhs.gov

SF-P/PSL

Applicants must document each real property in the SF-Project/Performance Site Locations(s).

ORR Non-Discrimination Assurance

Submission of an application for this award constitutes assurance that, in serving beneficiaries of this program, applicants have made reasonable, good faith efforts to:

- Have policies in place prohibiting discrimination and harassment of such beneficiaries based on race, sexual orientation, gender identity (or expression), religion, and national origin;
- Ensure that all staff serving program beneficiaries are trained to prevent and respond to harassment in all forms; and

- Monitor claims of harassment and discrimination of beneficiaries, address them seriously, and document corrective action(s) so all participants are assured that programs are safe, inclusive, and non-stigmatizing by design and in operation.

Submission of an application for this award further constitutes an assurance that any subrecipient(s) directly engaged in provision of services for unaccompanied children:

- Train all staff on preventing and responding to harassment and discrimination per the ORR Staff Code of Conduct;
- Be inclusive of and non-stigmatizing toward LGBTQI+ individuals (staff, sponsors, foster parents, etc.), including LGBTQI+ youth;
- Ensure that all staff will be trained prior to program implementation on how to prevent and respond to harassment and discrimination of beneficiaries in all forms; and
- Be prepared to monitor claims of harassment and discrimination of beneficiaries, address them seriously, and document corrective action(s) so all participants are assured that programs are safe, inclusive, and non-stigmatizing by design and in operation.

Non-Federal Reviewers

Since ACF will be using non-federal reviewers in the review process, applicants have the option of omitting from the application copies (not the original) specific salary rates or amounts for individuals specified in the application budget as well as Social Security Numbers, if otherwise required for individuals. The copies may include summary salary information. If applications are submitted electronically, ACF will omit the same specific salary rate information from copies made for use during the review process.

The Project Description

The Project Description Overview

General Expectations and Instructions

The Project Description provides the information by which an application is evaluated and ranked in competition with other applications for financial assistance. It must address all activities for which federal funds are being requested and all application requirements as stated in this section. The Project Description must explain how the project will meet the purpose of the NOFO, as described in *Section I. Program Description*. As a reminder, reviewers will be evaluating this section in accordance with *Section V.1. Criteria*.

The Project Description must be clear, concise, and complete. ACF is particularly interested in Project Descriptions that convey strategies for achieving intended performance. Project Descriptions are evaluated on the basis of substance and measurable outcomes, not length.

Cross-referencing should be used rather than repetition. Supporting documents designated as required must be included in the Appendix of the application.

Table of Contents

List the contents of the application including corresponding page numbers. The table of contents may be single spaced.

Project Summary

Provide a summary of the application project description. It must be clear, accurate, concise, and without cross-references to other parts of the application. The summary must include a brief description of the proposed grant project including the needs to be addressed, the proposed services, and the population group(s) to be served.

Please place the following at the top of the Project Summary:

- Project Title
- Applicant Name
- Address
- Contact Phone Numbers (Voice, Fax, Cell)
- Email Address
- Website Address, if applicable

The Project Summary must be single-spaced, Times New Roman 12-point font, and limited to one page in length. Additional pages will be removed and will not be reviewed.

Geographic Location

Describe the precise physical location of the project and boundaries of the area to be served by the proposed project.

Legal Status of Applicant Entity

Applicants must provide the following documentation:

Certification of their legal status and/or eligibility. This may include but is not limited to, Governing Board Membership Documentation and/or articles of incorporation. In addition, certain types of entities will need to provide additional documentation specified as follows to document their legal status.

Non-Profit Organizations**Proof of Non-Profit Status Options:****Option 1: 501(c)(3) and non-501(c)(3) non-profit organizations are eligible**

Non-profit organizations applying for funding are required to submit proof of their non-profit status. Proof of non-profit status is any one of the following:

- A reference to the applicant organization's listing in the IRS's most recent list of tax-exempt organizations described in the IRS Code.
- A copy of a currently valid IRS tax-exemption certificate.
- A statement from a state taxing body, state attorney general, or other appropriate state official certifying that the applicant organization has non-profit status and that none of the net earnings accrue to any private shareholders or individuals.
- A certified copy of the organization's certificate of incorporation or similar document that clearly establishes non-profit status.
- Any of the items in the subparagraphs immediately above for a state or national parent organization and a statement signed by the parent organization that the applicant organization is a local non-profit affiliate.

Unless directed otherwise, applicants must include proof of non-profit status in the *Appendices* file of the application submission.

For-Profits and Small Businesses

For-profit organizations (including small businesses) applying for funding must submit the following to provide proof of their legal status: Documentation establishing the power granted to the entity to enter into contractual relationships and/or accept awards (i.e., articles of incorporation, bylaws).

Small Businesses

Small businesses must submit a certification signed by the chief executive officer or designee that states that the entity qualifies as a small business under 13 CFR §§ 121.101- 121.201.

Approach

Outline a plan of action that describes the scope and detail of how the proposed project will be accomplished. Applicants must account for all functions or activities identified in the application.

Cite potential obstacles and challenges to accomplishing project goals and explain strategies that will be used to address these challenges.

Program Design and Service Provision

Applicants must provide their Program Design and Service Provision plan and, if applicable, their subrecipients' plan in accordance with the following requirements:

- Applicants must include a description of their service delivery coverage model, as well as that of any proposed subrecipient(s), and identify any subrecipient(s) that they intend to use to provide the requested services, as outlined in *Section I. Program Description, HS/PRS Overview*. The description must include details on location(s) of office(s) and/or of remote staff, if any, as well as the proposed geographic coverage area(s) for each office or remote staff member. If the applicant is proposing to conduct travel to remote locations where sponsors may reside, this information must be included as a line-item in the proposal budget.
- Applicants must list the number of staff per geographic area;
- Applicants must describe their capacity and ability, as well as that of their subrecipient(s), if applicable, to serve high-need areas, as well as remote locations where sponsors reside, as outlined in *Section I. HS/PRS Overview; HS/PRS Service Delivery Area*.
- Applicants must describe how their service delivery will be sensitive to the culture, native language, sex, and special needs of unaccompanied children. Applicant's program design must describe how it is appropriate for the target population, as outlined in *Section I. PRS Overview; PRS Case Management Approach*.
- Applicants must describe their experience and proficiency in implementing a child centered, trauma-informed assessment in accordance with the requirements outlined in *Section I. PRS Overview, PRS Case Management Approach* and *Section I. PRS Overview; PRS Assessments, Timeframes, and Minimum Contacts*.
- Applicants must describe their experience and provide documentation supporting their ability to provide direct case management in accordance with the requirements outlined in *Section I. PRS Overview, PRS Case Management Approach*.

- Applicants must describe how they will conduct HS for the unaccompanied children population, including how they will ensure they will meet the 10-calendar day completion deadline, as required under *Section I. HS Overview, HS Timeframes*.
- Applicants must describe their program model to provide PRS to unaccompanied children as required in the areas of service and in the timeframes outlined under *Section I. PRS Overview; PRS Assessments, Timeframes, and Minimum Contacts*.
- Applicants must describe their capacity to identify and make referrals for possible victims of human trafficking and other crimes to the appropriate organizations, as stated in *Section I. PRS Overview, PRS Levels of Service* and *Section I. PRS Overview; PRS Assessments, Timeframes, and Minimum Contacts*.
- Applicants must show evidence of established working relationships with community-based organizations responsible for social services in their proposed area of operations, as required under *Section I. HS/PRS Overview*.
- Applicants must describe an ability to comply with the pertinent laws, regulations and settlement agreements, and with ORR policies, procedures, and instructions, as referenced in *Section I. Program Description*.

Project Timeline and Milestones

Provide quantitative monthly or quarterly projections (for the entire project period) of the accomplishments to be achieved for each function or activity, in such terms as the number of people to be served and the number of activities accomplished. Data may be organized and presented as project tasks and subtasks with their corresponding timelines during the project period. When accomplishments cannot be quantified by activity or function, list them in chronological order to show the schedule of accomplishments and their target dates.

Organizational Capacity

Provide the following information on the applicant organization and, if applicable, on any cooperating partners:

- Organizational charts.
- Resumes.
- List of Board of Directors.
- Audit reports or statements from Certified Public Accountants/Licensed Public Accountants, if available, submit statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations).
- Evidence that the applicant organization, and any partnering organizations, have relevant experience and expertise with administration, development, implementation, management, and evaluation of programs similar to that offered under this funding opportunity.
- Evidence that each participating organization, including partners, contractors and/or subrecipients, possess the organizational capability to fulfill their role(s) and function(s) effectively.
- Information on compliance with federal/state/local government standards.

- Job descriptions for each vacant key position.

The applicant must disclose their intent to enter into subaward arrangements in their application. For each proposed subaward, the applicant must include a description of the work to be performed by the subrecipient(s).

Program Management

Applicants must provide their Program Management plan and, if applicable, their subrecipient's plan(s) in accordance with the following requirements:

- Applicants must provide a comprehensive overview of the applicant's organization, including qualifications, agency history, mission and goals; and lists of all current federal grants and/or contracts awarded. This includes direct awards, as well as subrecipient/subcontractor awards.
- Applicants must describe their experience in the provision of child welfare services, child protective services, services to children with special needs and/or victims of trafficking, youth outreach, and/or other services as relevant; and describe organizational experience working directly with unaccompanied children or cross-cultural/international or related services to children from various cultural backgrounds, various language capabilities, and special needs, including vulnerability to human trafficking.
- Applicants must provide documentation of clear organizational structure outlining lines of authority and supervision.
- Applicants must provide staffing plans that will meet case-to-staff ratio requirements and that demonstrate a sound relationship between the proposed responsibilities of program staff and the educational and professional experience required for the position, according to requirements outlined in *Section I. Staffing Requirements*.
- Applicants must describe a plan to implement the HHS and ORR's sexual abuse and harassment policies, including but not limited to, appropriate screening of new hires, developing internal policy documents, and training staff on these policies under *Section I. Staffing Requirements*.
- Applicants must describe the training curriculum used for all employed staff in accordance with the requirements outlined in *Section I. Staffing Requirements, HS/PRS Staff Training*.

Administrative and Service Environment

Applicants must provide their service plan and, if applicable, their subrecipients' plan(s) in accordance with the requirements below. Applicants proposing multiple real property(ies) must delineate by real property the following requirements:

- Applicants must describe their overall administrative service environment and provide documentation supporting its ability to provide the required services indicated in *Section I. Program Description, HS Overview and PRS Overview*.
- Applicants with religious objections to providing any unaccompanied children -required service or referrals for unaccompanied children-required services must specify this within their Project Summary (see *Section IV.2 The Project Description, Project Summary*) and provide further detail as to their objection and alternative approach within their application as referenced in *Section I. Faith-Based Organizations*.

- Applicants must delineate their real properties into the following three categories: owned, leased (current lease already in place), or intent to lease (through either a letter of intent or an actual draft/unsigned lease). If applicable, the applicant must provide a lease for each real property proposed as well as leases for any real properties(ies) provided through subrecipient(s) partnerships. If a lease(s) has not been executed prior to submission of an application, the application must include an actual draft of the lease, the unsigned lease, or a letter of intent describing the potential arrangement, including the address, terms, length, and proposed expenses. As part of the application, the applicant must identify if the lease is an “arm's-length” or “less-than-arm's-length” lease and provide how costs are calculated in accordance with 45 C.F.R. § 75.465 and 45 C.F.R. § 75.436. If any lease is a “less-than-arm's-length” lease, a copy of the residing state or county real property records (no more than 2 years old) must be provided to show proof of the “less-than-arm's-length arrangement.” For more information, see *Rent/Lease Arrangement Guidance and Real Property Documentation*. Please reference *Section I. Program Description, Post-Award Requirements, Property, Rent/Lease Arrangement Costs* for more information. Applicants must delineate real properties proposed in the following manner:
 - Owned
 - Leased (Lessor is “Arm's-Length” or Lessor is “Less-Than-Arm's-Length”)
 - Intent to Lease (Lessor is “Arm's-Length” or Lessor is “Less-Than-Arm's-Length”)

Plan for Oversight of Federal Award Funds and Activities

Recipients are required to ensure proper oversight in accordance with 45 CFR Part 75 Subpart D.

These regulations set forth the following standards for effective oversight:

- Financial and Program Management
- Property (if applicable by program legislation)
- Procurement
- Performance and Financial Monitoring and Reporting
- Subrecipient Monitoring and Management
- Record Retention and Access
- Remedies for Noncompliance

Describe the framework (e.g., governance, policies and procedures, risk management, systems) in place to ensure proper oversight of federal funds and activities in accordance with 45 CFR Part 75 Subpart D. The description must include: system(s) for record-keeping and financial management; procedures to identify and mitigate risks and issues (e.g., audit findings, continuous program performance assessment findings, program monitoring); and those key staff that will be responsible for maintaining oversight of program activities staff, and, if applicable, partner(s) and/or subrecipient(s).

Program Performance Evaluation Plan

Applicants must describe a plan for the program performance evaluation that will contribute to continuous quality improvement. The program performance evaluation must monitor ongoing

activities and the progress towards the goals and objectives of the project. Include descriptions of the inputs (e.g., organizational profile, collaborative partners, key staff, budget, and other resources), key activities, and expected outcomes of the funded activities. The plan must explain how the inputs, activities, and outcomes will be measured; how the resulting information will be used to inform improvement of funded activities; and any processes that support the overall data quality of the performance outcomes.

Applicants must describe the organizational systems and processes that will effectively track performance outcomes, including a description of how the organization will collect and manage data (e.g., assign skilled staff, data management software, data integrity, etc.) in a way that allows for accurate and timely reporting of performance outcomes. Applicants must describe any potential obstacles for implementing the program performance evaluation and how those obstacles will be addressed. Applicants must include a timeline for how information from the quality improvement evaluation will be reviewed and applied to the ongoing project.

Applicants must provide their service plan and, if applicable, each subrecipient's plan in accordance with the following requirements:

- Applicants must describe effective and resource-efficient strategies for programmatic control, predictability, and accountability as evidenced by the program design for HS/PRS.
- Applicants must describe ability to maintain adequate records, including client files, personnel files, and financial files as outlined in *Section I. Post-Award Requirements, Records Management*.
- Applicants must provide documentation of a system that preserves the confidentiality of unaccompanied children's information and protects records from unauthorized use or disclosure. Records must be provided to ORR upon request as outlined in *Section I. Post-Award Requirements, Records Management*.
- Applicants must describe the ability to make regular reports as required by ORR that permit ORR to monitor and enforce the *Flores* Settlement Agreement, federal requirements, ORR policies and procedures, and other requirements and standards as outlined in *Section I. Post-Award Requirements*.
- Applicants must describe the ability to implement and maintain required record-keeping in ORR's case management system as outlined in *Section I. Post-Award Requirements, Records Management*.

Protection of Sensitive and/or Confidential Information

Provide a description of how protected personally identifiable information and other information that is considered sensitive, consistent with applicable federal, state, local and tribal laws regarding privacy and obligations of confidentiality, will be collected and safeguarded. The applicant must provide the methods and/or systems that will be used to ensure that confidential and/or sensitive information is properly handled and if applicable, address the process for subrecipient(s) and/or contractors. Also, provide a plan for the disposition of such information at the end of the project period.

Third-Party Agreements

Third-party agreements include Memoranda of Understanding (MOU) and Letters of

Commitment. Letters of Commitment and MOUs must both clearly describe the roles and responsibilities for project activities and the support and/or resources that the third-party (i.e., subrecipient, contractor, or other cooperating entity) is committing. The Letters of Commitment and MOUs must be signed by the person in the third-party organization with the authority to make such commitments on behalf of their organization. General letters of support are **not** considered to be third-party agreements.

Applicants must provide Letters of Commitment or MOUs between recipients and third-parties (i.e., subrecipients, contractors, or other cooperating entities).

The Project Budget and Budget Justification

All applicants are required to submit a project budget and budget justification with their application. The project budget is entered on the Budget Information SF, either SF- 424A or SF-424C. Applicants are encouraged to review the form instructions in addition to the guidance in this section. The budget justification consists of a budget narrative and a line-item budget detail that includes detailed calculations for "object class categories" identified on the Budget Information Standard Form. Applicants must indicate the method they are selecting for their indirect cost rate. See Indirect Charges for further information.

Project budget calculations must include estimation methods, quantities, unit costs, and other similar quantitative detail sufficient for the calculation to be duplicated. If cost sharing or matching is a requirement, applicants must include a detailed listing of any funding sources identified in Block 18 of the SF-424 (Application for Federal Assistance). See the table in *Section IV.2. Required Forms, Assurances, and Certifications* listing the appropriate budget forms to use in this application.

Special Note: *The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2022 and Consolidated Appropriations Act, 2022, (Division H, Title II, Sec. 202), limits the salary amount that may be awarded and charged to ACF grants and cooperative agreements. Award funds issued under this funding opportunity may not be used to pay the salary of an individual at a rate in excess of Executive Level II. For the Executive Level II salary, please see "Executive & Senior Level Employee Pay Tables" under <https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/>. The salary limitation reflects an individual's base salary exclusive of fringe benefits, indirect costs and any income that an individual may be permitted to earn outside of the duties of the applicant organization. This salary limitation also applies to subawards and subcontracts under an ACF grant or cooperative agreement.*

Provide a budget using the SF-424A and/or SF-424C, as applicable, for each year of the proposed project.

Provide a budget justification, which includes a budget narrative and a line-item detail, for each year of the proposed project. The budget narrative should describe how the categorical costs are derived. Discuss the necessity, reasonableness, and allocation of the proposed costs.

Start-up Costs: All applicants must identify one-time costs, i.e., start-up costs, that are necessary to operationalize the workspace(s) and service provision. Start-up costs are defined as those costs that are limited to the initial budget year and are related to expenses incurred during

the process of creating a new program. **Start-up costs are included within the total costs of the first-year budget.** These costs are not included in budgetary forecasts after the initial year. Start-up costs must be identified within the line-item detail costs and in the budget narrative, clearly distinguished from ongoing operating costs, and consistent with the SF-424A cost categories.

Please note: “Pre-award costs” are costs that occur prior to the project period and are not approved for applications submitted to this SNOFO. See *Section IV.6 Funding Restrictions* for more information.

Office Space(s): The budget must include a detailed breakdown of **all proposed costs for each real property.** It must clearly state which costs are related to each real property. The budget justification must include a corresponding detailed narrative explaining the purpose and need for each proposed cost under this award in order to determine reasonableness, allocability, and allowability of costs.

Each real property must include a separate breakdown of proposed costs and narrative, including all of the following, if applicable, and in accordance with 45 C.F.R. § 75.465 and 45 C.F.R. § 75.436: the terms of the lease(s); the allocable percentage and total dollar amount; the depreciation amount with type of method and calculation used; rent amount with calculation; tax amount; insurance amount and what it covers; maintenance and repair amounts with details on each type of expense proposed and its associated cost; and minor A&R with specifics for each type of proposed expense and its associated cost.

The applicant must provide a listing of all real property (e.g., buildings, facilities, administrative offices, structures, land, etc.) by property address(es), including county location and land parcel number. Each property listed must clearly identify whether the existing or proposed property is recipient-owned or leased. Leased property must be identified as either “arm’s-length” or “less-than-arm's-length” and provide how costs are calculated in accordance with 45 C.F.R. § 75.465 and 45 C.F.R. § 75.436. Please refer to *Section I. Post-Award Requirements* and *Section IV.2 The Project Description, Administrative and Service Environment* for more information. ACF does not require applicants to format their list of real property in any specific way, but the list should clearly document the real property owned or leased that are proposed, claimed, and/or contributed to the award. For example, see ACF's website regarding [Real Property Documentation](#).

Subawards: For applicants proposing to use subaward(s), if the total amount budgeted for subawards exceeds 50 percent of total direct costs for the budget period, the applicant must provide a justification for subawarding the portion of the project and must explain how the prime recipient plans to maintain a substantive role in the project. Applicants must explain why the participation of the subrecipient is necessary, and why the applicant cannot achieve the objectives without the subrecipient(s)’ participation. This 50 percent threshold does not preclude an applicant from submitting a budget where subawards go above and beyond 50 percent.

Requirements: The applicant must provide a description of their internal financial monitoring system, and if applicable, proposed subrecipient(s)'s financial monitoring system, that demonstrates structure, fiscal management and accountability consistent with the requirements

for financial management and standards for financial management systems indicated at [45 C.F.R. §§ 75.302-303](#).

Applicants proposing staff allocated to several funding sources or several funding applications must ensure that full-time equivalent allocations do not exceed 100 percent. Budgets must include the names of staff for positions already filled and the level of effort (percentage dedicated to the project).

Applicants must include line-item budgeting for any travel to remote locations where sponsors reside.

SCA: This award is also subject to the provisions of the SCA and its implementing regulations found in title 29 of C.F.R. Part 4. Please note specific requirements at 29 C.F.R. § 4.6(b)(2). The SCA applies to service workers under cooperative agreements awarded through this SNOFO as well as service workers covered under subrecipient or vendor relationships that are included within cooperative agreements awarded under this SNOFO.

Accordingly, budgets submitted must reflect SCA-compliant compensation and fringe benefit rates for all positions that are subject to SCA provisions. For more information, please refer to *Section I. Program Description, Post-Award Requirements, Service Contract Act Requirements* on how to compute wage and fringe benefit rates.

For-Profits: For-profit organizations, including recipients and subrecipient(s), must clearly describe that they are only charging the program actual costs incurred. No HHS funds awarded under this SNOFO may be paid as profit to any recipient or subrecipient(s), even if the recipient or subrecipient is a commercial organization. Profit is any amount in excess of allowable direct or indirect costs of carrying out the award requirements. Please reference *Section IV.6. Funding Restrictions* for more information.

General

Use the following guidelines for preparing the project budget and budget justification. The budget justification includes a budget narrative and a line-item detail. Applications should only include allowable costs in accordance with 45 CFR Part 75 Subpart E.

Personnel

Description: Costs of employee salaries and wages. See 45 CFR § 75.430 for more information on allowable personnel costs. Do not include the personnel costs of consultants, contractors and subrecipients under this category.

Justification: For each position, provide: the name of the individual (if known), their title; time commitment to the project in months; time commitment to the project as a percentage or full-time equivalent; annual salary; grant salary; wage rates; etc. Identify the project director or principal investigator, if known at the time of application.

Fringe Benefits

Description: Costs of employee fringe benefits are allowances and services provided by employers to their employees in addition to regular salaries and wages. For more information on Fringe Benefits please refer to 45 CFR § 75.431. Do not include the fringe benefits of consultants, contractors, and subrecipients.

Typically, fringe benefit amounts are determined by applying a calculated rate for a particular class of employee (full-time or part-time) to the salary and wages requested. Fringe rates are often specified in the approved indirect cost rate agreement. Fringe benefits may be treated as a direct cost or indirect cost in accordance with the applicant's accounting practices. Only fringe benefits as a direct cost should be entered under this category.

Justification: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, Federal Insurance Contributions Act taxes, retirement, taxes, etc.

Travel

Description: Costs of project-related travel (i.e., transportation, lodging, subsistence) by employees of the applicant organization who are in travel status on official business. Travel by non-employees such as consultants, contractors or subrecipients should be included under the Contractual line item. Local travel for employees in non-travel status should be listed on the Other line. Travel costs should be developed in accordance with the applicant's travel policies and 45 CFR § 75.474.

Justification: For each trip show: the total number of travelers; travel destination; duration of trip; per diem; mileage allowances, if privately owned vehicles will be used to travel out of town; and other transportation costs and subsistence allowances. If appropriate for this project, travel costs for key project staff to attend ACF-sponsored workshops/conferences/recipient orientations should be detailed in the budget justification.

Equipment

Description: "Equipment" means an article of nonexpendable, tangible personal property (including information technology systems) having a useful life of more than one year and a per unit acquisition cost that equals or exceeds the lesser of: (a) the capitalization level established by the organization for the financial statement purposes, or (b) \$5,000. (Note: Acquisition cost means the net invoice unit price of an item of equipment, including the cost of any modifications, attachments, accessories, or auxiliary apparatus necessary to make it usable for the purpose for which it is acquired. Ancillary charges, such as taxes, duty, protective in-transit insurance, freight, and installation, shall be included in, or excluded from, acquisition cost in accordance with the organization's regular written accounting practices.) See 45 CFR §75.439 for more information.

Justification: For each type of equipment requested provide: a description of the equipment; the cost per unit; the number of units; the total cost; and a plan for use on the project; as well as use and/or disposition of the equipment after the project ends.

Supplies

Description: Costs of all tangible personal property, other than included under the Equipment category. This includes office and other consumable supplies with a per-unit cost of less than \$5,000. See 45 CFR § 75.453 for more information.

Justification: Specify general categories of supplies and their costs. Show computations and provide other information that supports the amount requested.

Contractual

Description: Cost of all contracts and subawards except for those that belong under other categories such as equipment, supplies, construction, etc. Include third-party evaluation contracts, if applicable, and contract or subawards with secondary recipient organizations (with budget detail), including delegate agencies and specific project(s) and/or businesses to be financed by the applicant. Costs related to individual consultants should be listed on the Other line. Recipients are required to use 45 CFR §§ 75.326-.340 procurement procedures, and subawards are subject to the requirements at 45 CFR §§ 75.351-.353.

Justification: Demonstrate that all procurement transactions will be conducted in a manner to provide, to the maximum extent practical, open, and free competition. Applicants must justify any anticipated procurement action that is expected to be awarded without competition and exceeds the simplified acquisition threshold stated in 48 CFR § 2.101(b). Recipients may be required to make pre-award review and procurement documents, such as requests for proposals or invitations for bids, independent cost estimates, etc., available to ACF.

Indicate whether the proposed agreement qualifies as a subaward or contract in accordance with 45 CFR § 75.351. Provide the name of the contractor/subrecipient (if known), a description of anticipated services, a justification for why they are necessary, a breakdown of estimated costs, and an explanation of the selection process. In addition, for subawards, the applicant must provide a detailed budget and budget narrative for each subaward, by entity name, along with the same justifications referred to in these budget and budget justification instructions.

Other

Description: Enter the total of all other costs. Such costs, where applicable and appropriate, may include, but are not limited to: consultant costs, local travel, insurance, food (when allowable), medical and dental costs (non-personnel), professional service costs (including audit charges), space and equipment rentals, printing and publications, computer use, training costs (such as tuition and stipends), staff development costs, and administrative costs. Please note costs must be allowable per 45 CFR Part 75 Subpart E.

Justification: Provide a breakdown of costs, computations, a narrative description, and a justification for each cost under this category.

Indirect Charges

Description: Total amount of indirect costs. This category has one of two methods that an applicant can select. An applicant may only select one.

1. The applicant currently has an indirect cost rate approved by HHS or another cognizant federal agency.

Justification: An applicant must enclose a copy of the current approved rate agreement. If the applicant is requesting a rate that is less than what is allowed under the program, the authorized representative of the applicant organization must submit a signed acknowledgement that the applicant is accepting a lower rate than allowed. Choosing to charge a lower rate will not be considered during the objective review or award selection process.

2. Per 45 CFR § 75.414(f) Indirect (F&A) costs, "any non-Federal entity [i.e., applicant] that has never received a negotiated indirect cost rate, ... may elect to charge a *de minimis* rate of 10% of modified total direct costs (MTDC) which may be used indefinitely. As described in Section 75.403, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. 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."

Justification: This method only applies to applicants that have never received an approved negotiated indirect cost rate from HHS or another cognizant federal agency. Applicants awaiting approval of their indirect cost proposal may request the 10 percent *de minimis* rate. When the applicant chooses this method, costs included in the indirect cost pool must not be charged as direct costs to the grant.

Commitment of Non-Federal Resources

Description: Amounts of non-federal resources that will be used to support the project as identified in Block 18 of the SF-424. This line should be used to indicate required and/or voluntary committed cost sharing or matching, if applicable.

For all federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the recipient's cost sharing or matching when such contributions meet all of the criteria listed in 45 CFR § 75.306.

For awards that require matching or cost sharing by statute, recipients will be held accountable for projected commitments of non-federal resources (at or above the statutory requirement) in their application budgets and budget justifications by budget period, or by project period for fully funded awards. **A recipient's failure to provide the statutorily required matching or cost sharing amount (and any voluntary committed amount in excess) may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

For awards that do not require matching or cost sharing by statute, recipients are not expected to provide cost sharing or matching. However, recipients are allowed to voluntarily propose a commitment of non-federal resources. If an applicant decides to voluntarily contribute non-federal resources towards project costs and the costs are accepted by ACF, the non-federal resources will be included in the approved project budget. The applicant will be held accountable

for all proposed non-federal resources as shown in the Notice of Award (NoA). **A recipient's failure to meet the voluntary amount of non-federal resources that was accepted by ACF as part of the approved project costs and that was identified in the approved budget in the NoA, may result in the disallowance of federal funds. Recipients will be required to report these funds in the Federal Financial Reports.**

Justification: If an applicant is relying on cost share or match from a third-party, then a firm commitment of these resources (letter(s) or other documentation) is required to be submitted with the application. Detailed budget information must be provided for every funding source identified in Item 18. "Estimated Funding (\$)" on the SF-424.

Applicants are required to fully identify and document in their applications the specific costs or contributions they propose in order to meet a matching requirement. Applicants are also required to provide documentation in their applications on the sources of funding or contribution(s). In-kind contributions must be accompanied by a justification of how the stated valuation was determined. Matching or cost sharing must be documented by budget period (or by project period for fully funded awards).

Applications that lack the required supporting documentation will not be disqualified from competitive review; however, it may impact an application's scoring under the evaluation criteria in *Section V.1. Criteria* of this funding opportunity.

Program Income

Description: The estimated amount of gross income, if any, expected to be directly generated by or earned from this project. Program income includes but is not limited to, income from fees for services performed, the use or rental of real or personal property acquired under federally-funded projects, the sale of commodities or items fabricated under an award, license fees and royalties on patents and copyrights, and interest on loans made with award funds. See 45 CFR §75.307 for more information.

Justification: Describe the nature, source and anticipated use of program income in the budget or refer to the pages in the application that contain this information.

Paperwork Reduction Act Disclaimer

As required by the Paperwork Reduction Act, 44 U.S.C. 3501-3521, the public reporting burden for the Project Description is estimated to average 60 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. The Project Description information collection is approved under OMB control number 0970-0139, which expires 03/31/2025. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Application Submission Options

Electronic Submission via Grants.gov

This section provides the application submission and receipt instructions for ACF program applications. Please read the following instructions carefully and completely.

Electronic Delivery

ACF is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for funding opportunities. ACF applicants are required to submit their applications online through Grants.gov.

How to Register and Apply through Grants.gov

Read the following instructions about registering to apply for ACF funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information.

Organizations must have an active System for Award (SAM) registration which provides a Unique Entity Identifier (UEI), and Grants.gov account to apply for grants.

Creating a Grants.gov account can be completed online in minutes, but SAM registration may take several weeks. Therefore, an organization's registration should be done in sufficient time to ensure it does not impact the entities ability to meet required application submission deadlines.

Organization applicants can find complete instructions here:

<https://www.grants.gov/web/grants/applicants/organization-registration.html>

Register with SAM: All organizations (entities) applying online through Grants.gov must register with SAM. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For detailed instructions for registering with SAM, refer to:

<https://www.grants.gov/web/grants/applicants/organization-registration.html>

Create a Grants.gov Account: The next step in the registration process is to create an account with Grants.gov. Follow the on-screen instructions provided on the registration page.

Add a Profile to a Grants.gov Account: A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant). If you work for or consult with multiple organizations, you can have a profile for each organization under one Grants.gov account. In such cases, you may log in to one Grants.gov account to access all your grant profiles. To add an organizational profile to your Grants.gov account, enter the UEI for the organization in the UEI field. For detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/registration/add-profile.html>

EBiz POC Authorized Profile Roles: After you register with Grants.gov and create an Organization Applicant Profile, the applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC is then expected to log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role. For detailed instructions about creating a profile on Grants.gov, refer to:

<https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>

Track Role Status: To track your role request, refer to:

<https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>

When applications are submitted through Grants.gov, the name of the organization's AOR that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC must authorize individuals who are able to make legally binding commitments on behalf of the organization as a user with the AOR role; this step is often missed and is crucial for valid and timely submissions.

How to Submit an Application to ACF 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 each NOFO, you can create individual instances of a workspace.

For an overview of applying on Grants.gov using Workspaces, refer to:

<https://www.grants.gov/web/grants/applicants/workspace-overview.html>

Create a Workspace: Creating a workspace allows you to complete an application online and route it through your organization for review before submitting.

Complete a Workspace: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

Adobe Reader: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drive(s), then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at:

<https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

Mandatory Fields in Forms: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

Complete SF-424 Fields First: These forms are designed to fill in common required fields across other forms, such as the applicant name, address, and SAM UEI. Once it is completed, the information will transfer to the other forms.

Submit a Workspace: An application may be submitted through Workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application **at least 24-48 hours prior to the close date** to provide you with time to correct any potential technical issues that may disrupt the application submission.

Track a Workspace: After successfully submitting a Workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the

tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to:

<https://www.grants.gov/web/grants/applicants/applicant-training.html>

Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific funding opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist ACF with tracking and understanding background information on the issue.

Timely Receipt Requirements and Proof of Timely Submission

All applications must be received by 11:59 pm ET on the due date established for each program. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant AOR will receive an acknowledgment of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. Applicant AORs will also receive the official date/stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When ACF successfully retrieves the application from Grants.gov, and acknowledges the download of submission, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application.

Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by ACF.

Applicants with slow internet connections should be aware that transmission can take some time before Grants.gov receives your application. Therefore, applicants should allow enough time to prepare and submit the application before the package closing date.

Grants.gov will provide either an error or a successfully received submission message in the form of an email sent to the applicant with the AOR role.

Issues with Federal Systems

For any systems issues experienced with Grants.gov or SAM.gov, please refer to ACF's "[Policy for Applicants Experiencing Federal Systems Issues](#)" document for complete guidance.

Request an Exemption from Required Electronic Application Submission

To request an exemption from required electronic submission, please refer to ACF's "[Policy for Requesting an Exemption from Required Electronic Application Submission](#)" document for complete guidance.

Paper Format Application Submission

An exemption is required for the submission of paper applications. See the preceding section on "[Request an Exemption from Required Electronic Application Submission](#)."

Applicants with exemptions that submit their applications in paper format, by mail or delivery, must submit one original and two copies of the complete application with all attachments. The original and each of the two copies must include all required forms, certifications, assurances, and appendices, be signed by the AOR, and be unbound. The original copy of the application must have original signature(s). See *Section IV.7. Other Submission Requirements* of this funding opportunity for address information for paper format application submissions. Applications submitted in paper format must be received by 4:30 pm ET on the due date.

Applicants may refer to *Section VIII. Other Information* for a checklist of application requirements that may be used in developing and organizing application materials. Details concerning acknowledgment of received applications are available in *Section IV.4. Submission Dates and Times* in this funding opportunity.

IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)

All applicants must have a UEI and an active registration with SAM (<https://www.sam.gov>) prior to applying to a funding opportunity.

All applicants are required to maintain an active SAM registration until the application process is complete. If a grant is awarded, the SAM registration must be active throughout the life of the award. Your SAM registration must be renewed every 365 days to keep it active.

Plan ahead. Allow at least 10 business days after you submit your registration for it to become active in SAM and at least an additional 24 hours before that registration information is available in other government systems, i.e., Grants.gov.

This action should allow you time to resolve any issues that may arise. Failure to comply with these requirements may result in your inability to submit your application through Grants.gov or prevent the award of a grant. Applicants should maintain documentation (with dates) of their efforts to request a UEI, register for, or renew a registration, at SAM.

Please see the “Help” tab at <https://sam.gov/content/help> for more information and assistance with this process.

HHS requires all entities that plan to apply for, and ultimately receive, federal grant funds from any HHS Agency to:

- Be registered in SAM prior to submitting an application or plan;
- Maintain an active SAM registration with current information at all times during which it has an active award or an application or plan under consideration by an OPDIV;
- Provide its UEI in each application or plan it submits to the OPDIV; and
- Ensure any proposed subrecipient(s) have obtained and provided to the recipient their UEI(s) prior to making any subawards (**Note:** Subrecipients are not required to complete full SAM registration.).

ACF is prohibited from making an award until an applicant has complied with these requirements. At the time an award is ready to be made, if the intended recipient has not complied with these requirements, ACF:

- May determine that the applicant is not qualified to receive an award; and
- May use that determination as a basis for making an award to another applicant.

IV.4. Submission Dates and Times

08/08/2023

Due Dates for Applications

08/08/2023

Due Date for Applications:

FY 2024: August 08, 2023 (Project Period: January 1, 2024 - December 31, 2026)

FY 2024: May 16, 2024 (Project Period: September 29, 2024 - September 28, 2027)

FY 2025: August 31, 2024 (Project Period: January 1, 2025 - December 31, 2027)

FY 2025: May 16, 2025 (Project Period: September 29, 2025 - September 28, 2028)

FY 2026: August 31, 2025 (Project Period: January 1, 2026 - December 31, 2028)

Explanation of Due Dates

The due date for receipt of applications is listed in the *Overview* section and in this section. See *Section III.3. Other, Application Disqualification Factors*.

Electronic Applications

The deadline for submission of electronic applications via Grants.gov is 11:59 pm ET on the due date. Electronic applications submitted at 12:00 am ET on the day after the due date will be considered late and will be disqualified from competitive review and funding under this funding opportunity.

Applicants are required to submit their applications electronically via Grants.gov unless they received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

ACF does not accommodate transmission of applications by email or facsimile.

Instructions for electronic submission via Grants.gov are available at:

www.grants.gov/web/grants/applicants/apply-for-grants.html.

Applications submitted to Grants.gov at any time during the open application period prior to the due date and time that fail the Grants.gov validation check will not be received at ACF. These applications will not be acknowledged.

Mailed Paper Format Applications

The deadline for receipt of mailed, paper applications is 4:30 pm ET on the due date. Mailed paper applications received after the due date and deadline time will be considered late and will be disqualified from competitive review and funding under this funding opportunity.

Paper format application submissions will be disqualified if the applicant organization has not received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

Hand-Delivered Paper Format Applications

Hand-delivered applications must be received on, or before, the due date listed in the *Overview*

and in this section. These applications must be delivered between the hours of 8:00 am ET and 4:30 pm ET Monday through Friday (excluding federal holidays).

Applications should be delivered to the address provided in *Section IV.7. Other Submission Requirements*.

Hand-delivered paper applications received after the due date and deadline time will be considered late and will be disqualified from competitive review and funding under this funding opportunity.

Hand-delivered paper format application submissions will be disqualified if the applicant organization has not received an exemption through the process described in *Section IV.2. Request an Exemption from Required Electronic Application Submission*.

No appeals will be considered for applications classified as late under the following circumstances:

- Applications submitted electronically via Grants.gov are considered late when they are dated and time-stamped after the deadline of 11:59 pm ET on the due date.
- Paper format applications received by mail or hand-delivery after 4:30 pm ET on the due date will be classified as late and will be disqualified.
- Paper format applications received from applicant organizations that were not approved for an exemption from required electronic application submission under the process described in *Section IV.2. Request an Exemption from Required Electronic Submission* will be disqualified.

Emergency Extensions

ACF may extend an application due date when circumstances make it impossible for an applicant to submit their applications on time. Only events such as documented natural disasters (floods, hurricanes, tornados, etc.), or a verifiable widespread disruption of electrical service, or mail service, will be considered. The determination to extend or waive the due date, and/or receipt time, requirements in an emergency situation rests with the Grants Management Officer listed as the Office of Grants Management Contact in *Section VII. HHS Awarding Agency Contact(s)*.

Acknowledgement of Received Application

Acknowledgement from Grants.gov

Applicants will receive an initial email upon submission of their application to Grants.gov. This email will provide a **Grants.gov Tracking Number**. Applicants should refer to this tracking number in all communication with Grants.gov. The email will also provide a **date and time stamp**, which serves as the official record of the application's submission. Receipt of this email does not indicate that the application is accepted or that it has passed the validation check.

Applicants will also receive an email acknowledging that the received application is in the **Grants.gov validation process**, after which a third email is sent with the information that the submitted application package has passed, or failed, the series of checks and validations.

Applications that are submitted on time that fail the validation check will not be transmitted to ACF and will not be acknowledged by ACF.

Acknowledgement from ACF of an electronic application's submission:

Applicants will be sent additional email(s) from ACF acknowledging that the application has been retrieved from Grants.gov by ACF. Receipt of these emails is not an indication that the application is accepted for competition.

Acknowledgement from ACF of receipt of a paper format application:

ACF will not provide acknowledgement of receipt of hard copy application packages submitted via mail or courier services.

IV.5. Intergovernmental Review

This program is not subject to Executive Order (E.O.) 12372, "Intergovernmental Review of Federal Programs," or 45 CFR Part 100, "Intergovernmental Review of Department of Health and Human Services Programs and Activities." No action is required of applicants under this funding opportunity with regard to E.O. 12372.

IV.6. Funding Restrictions

Costs of organized fund raising, including financial campaigns, endowment drives, solicitation of gifts and bequests, and similar expenses incurred to raise capital or obtain contributions are unallowable. Fund raising costs for the purposes of meeting the Federal program objectives are allowable with prior written approval from the Federal awarding agency. (45 CFR § 75.442)

Proposal costs are the costs of preparing bids, proposals, or applications on potential Federal and non-Federal awards or projects, including the development of data necessary to support the non-Federal entity's bids or proposals. Proposal costs of the current accounting period of both successful and unsuccessful bids and proposals normally should be treated as indirect (F&A) costs and allocated currently to all activities of the non-Federal entity. No proposal costs of past accounting periods will be allocable to the current period. (45 CFR § 75.460)

Pre-award costs are not allowable.

Construction is not an allowable activity or expenditure under this award.

Purchase of real property is not an allowable activity or expenditure under this award.

Major renovation is not an allowable activity or expenditure under this award.

Acquisition, construction, and major renovation of real property is unallowable under this grant award. For more information, see [Property Guidance](#) pages including [Property Glossary](#) and [Unallowable Property Costs](#).

Minor A&R is an allowable cost, as long as it does not exceed the major renovation threshold and the non-federal entity obtains the required post-award prior written approval from ORR and OGM, if not included with the application. Any minor A&R considered a capital expenditure may be an allowable cost so long as it 1) complies with federal regulations (e.g., 45 C.F.R. §§75.407, 75.439, 75.462) including the prior written approval requirements, and 2) does not equal to or exceed the major renovation threshold. For more information, refer to *Section I. Property, Minor Alterations and Renovations (A&R) of Real Property*.

ACF reserves the right to request and access any documents, papers, or other records of the recipient that are pertinent to the federal award. See HHS GPS II-86 and 45 C.F.R. § 75.364.

As referenced in 45 C.F.R. § 75.216(b), HHS funds awarded are prohibited from being paid as profit to any recipient, as well as subawards to such entities, even if they are a commercial organization. Profit is defined as any amount in excess of allowable direct and indirect costs.

Each year, HHS appropriations include a prohibition, stating that none of the funds appropriated may be expended for an abortion, except in cases where pregnancy is a result of rape or incest or where the woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, and that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. See, e.g., Consolidated Appropriations Act, 2023, Pub. L. No. 117-328, Div. H, tit. V, §§ 506-507.

IV.7. Other Submission Requirements

Submit paper applications to one of the following addresses. Also see *ACF Policy for Requesting an Exemption from Required Electronic Application Submission* at www.acf.hhs.gov/grants/howto#chapter-6.

Submission by Mail

UC Operations Center
c/o F2 Solutions
Attn: HHS-2023-ACF-ORR-ZU-0153
1401 Mercantile Lane Suite 401
Largo
MD
20774

Hand Delivery

Same as Above

Electronic Submission

See *Section IV.2.* for application requirements and for guidance when submitting applications electronically via Grants.gov.

For all submissions, see *Section IV.4. Submission Dates and Times.*

V. Application Review Information

V.1. Criteria

Please note: With the exception of the notice of funding opportunity and relevant statutes and regulations, reviewers must not access, or review, any materials that are not part of the application documents. This includes information accessible on websites via hyperlinks that are referenced, or embedded, in the application. Though an application may include web links, or embedded hyperlinks, reviewers must not review this information as it is not considered to be

part of the application documents. Nor will the information on websites be taken into consideration in scoring of evaluation criteria presented in this section. Reviewers must evaluate and score an application based on the documents that are presented in the application and must not refer to, or access, external links during the objective review.

Applications competing for financial assistance will be reviewed and evaluated using the criteria described in this section. The corresponding point values indicate the relative importance placed on each review criterion. Points will be allocated based on the extent to which the application proposal addresses each of the criteria listed. Applicants should address these criteria in their application materials, particularly in the project description and budget justification, as they are the basis upon which competing applications will be judged during the objective review. The required elements of the project description and budget justification may be found in *Section IV.2. The Project Description* of this funding opportunity.

Applicants proposing an alternative approach- If the applicant has requested any such religious objection to providing a required service, then the applicant will not be penalized (i.e., will not receive a lower score, priority, or preference) for not providing that service, unless ACF determines that the entity does not meet the standards for a religious accommodation in *Section I. Program Description, Faith-Based Organizations* and any federal conscience or religious freedom laws cited by applicant.

PROGRAM DESIGN AND SERVICE PROVISION

Maximum Points: 27

The application will be reviewed for the overall program design and the applicant's ability to explain the required services to be provided by the applicant and if applicable, its subrecipients. This will be evidenced by the following:

1. A detailed description was provided of how the applicant, and any proposed subrecipient(s), will construct and implement a service delivery coverage model, as described in *Section I. HS/PRS Overview, HS/PRS Service Delivery Area*. Explanation included detail on location(s) of office(s)/regional hub(s) and/or of remote staff, if any, as well as clearly-defined geographic coverage area(s) for each office or remote staff member for both the applicant/prime recipient and any proposed subrecipient(s). (0-5 points)
2. The application included a detailed plan for providing services or referrals for services that are culturally- and linguistically-appropriate and targeted for the particular needs of unaccompanied children, as described in *Section I. HS/PRS Overview*, with the exception of any required service(s) to which the applicant has expressed a religious objection to providing. (0-2 points)
3. The application included a clear and feasible plan for providing PRS at all three levels and within the specified timeframes, and for providing connections with, at minimum, the enumerated community-based services, as described in *Section I. PRS Overview*. Applicants who did not describe or cannot meet these requirements will receive 0 points. (0-5 points)
4. The applicant presented strong evidence of sufficient experience and proficiency in implementing child-centered, trauma-informed assessments and with providing case management services to unaccompanied children, other foreign-born immigrant children

and families, and/or other individuals who may not have legal status in the U.S., as described in *Section I. PRS Overview*. (0-3 points)

5. The application included a detailed and realistic plan for conducting HS within 10 calendar days, as specified in *Section I. HS Overview*. (0-3 points)
6. The applicant described sufficient experience identifying risk factors for victims of potential sexual victimization and sex or labor trafficking, as stated in *Section I. PRS Overview*. This must include experience with referring victims of each for support services. (0-2 points)
7. The application explained previously established working relationships with community-based organizations responsible for social services in their proposed area of operations as covered in *Section I. HS/PRS Overview*. (0-3 points)
8. The applicant clearly identified how its staff will be trained to comply with the pertinent laws, regulations, and settlement agreements, and with ORR policies, procedures, and instructions, and presented a clear plan and timeline for monitoring subrecipient(s) compliance, if applicable, as referenced in *Section I. Statutory Authority, Section. I. HS/PRS Overview*, and *Section I. Subawards*. (0-4 points)

PROGRAM MANAGEMENT

Maximum Points: 30

The application will be reviewed to ascertain whether the applicant and, if applicable, the subrecipient(s), have the ability to manage the HS/PRS program. This can be demonstrated by the following:

1. The applicant provided strong evidence of sufficient capacity, experience, and expertise in the program areas of this SNOFO, and if applicable, in collaboration with subrecipient(s), in the administration, development, implementation, management, and evaluation of similar grant awards or contracted projects at the federal, state, or local level(s). (0-5 points)
2. Applicant clearly detailed its agency's history, mission, goals, and experience in the provision of child welfare services, child protective services, services to children with special needs and/or victims of trafficking, youth outreach, and/or other services, as well as that of any subrecipient(s), if applicable. (0-4 points)
3. The applicant provided an organizational chart, including subrecipient(s), if any, outlining lines of authority and supervision. (0-4 points)
4. Application included a detailed plan to screen, hire, and train staff within clear timeframes to meet ORR requirements, as referenced in *Section I. Staffing Requirements*. (0-4 points)
5. The applicant clearly described each key staff position and provided a resume and job description for each person responsible for carrying out the project activities that reflect the requisite skills needed to carry out the duties assigned. Where certain key staff have not yet been identified, the qualifications of the individuals to be employed are specific and relevant. Job descriptions clearly define the responsibilities, qualifications, salary range, anticipated time commitments, and the location of each position. The application included an organizational chart with staffing plans and those of subrecipients, if applicable, that will meet case-to-staff ratio requirements and that demonstrated a sound relationship between the proposed responsibilities of program staff and the educational

and professional experience required for the position, as referenced in *Section I. Staffing Requirements*. (0-9 points)

6. The application clearly explained staff and reporting requirements to meet ORR's sexual abuse and harassment policies, including, but not limited to, the appropriate screening of new hires and compliance with the required trainings, as referenced in *Section I. Program Description, Staffing Requirements and Section I. Program Description, HS/PRS Staff Training*. (0-4 points)

PROGRAM PERFORMANCE EVALUATION PLAN

Maximum Points: 20

The application will be reviewed for evidence of the applicant's, and if applicable subrecipients', capacity to manage proper documentation and reporting with regard to the proposed program, including internal accountability and plan for monitoring performance through evaluation and other measures. Evidence of the following must be provided:

1. The applicant provided a clear description of an effective management plan for programmatic control, predictability, and accountability. The management plan is reasonable and includes a written proposal for modifying ineffective plans, activities, and expenditures, as noted in *Section I. Post-Award Requirements, Program Performance Evaluation and Section IV.2. The Project Description, Program Management*. (0-6 points)
2. The application proposed a well-defined evaluation plan that effectively monitors internal progress, and that of any subrecipients, in meeting project requirements as described in *Section I. Subawards, HS/PRS Monitoring and Quality Assurance of Subrecipient Agencies and Section IV.2. The Project Description, Plan for Oversight of Federal Award Funds and Activities*. (0-6 points)
3. The applicant described an effective and efficient process for maintaining adequate electronic and/or hard copy records, including client files, personnel files, and financial files. The applicant sufficiently detailed its ability to produce reports that track program performance and effective monitoring and enforcement of the *Flores Settlement Agreement*, federal requirements, ORR policies and procedures, and other requirements and standards as covered in *Section I. Post-Award Requirements*. (0-5 points)
4. The application described how they will work within ORR's case management system to upload forms and reports within the timeframes indicated in *Section I. Post-Award Requirements and Section VI.3. Reporting*. (0-3 points)

ADMINISTRATIVE AND SERVICE ENVIRONMENT

Maximum Points: 8

The application will be reviewed for the applicant's, and if applicable subrecipients', information regarding the geographic location(s), community services, and service provision to adequately support program services by assessing the following:

1. The application included a comprehensive description of the administrative, support services, and oversight the primary recipient will be able to implement to ensure its ability to provide the required program services indicated in *Section I. Subawards*. (0-3 points)
2. The applicant provided an explanation and adequate documentation of real property(ies) (e.g., ownership type, leasing agreement(s), and/or draft lease/intent to lease letter(s)) to include evidence of complete lease or letter of intent documentation provided in

accordance with *Section IV.2. The Project Description, Organizational Capacity, Administrative Services*. (0-5 points)

BUDGET AND BUDGET JUSTIFICATION

Maximum Points: 15

The application will be reviewed for fiscal soundness and accountability of the applicant and, if applicable, subrecipient(s) and/or contractor(s), by assessing the following:

1. The application included an accurate and detailed budget and budget justification noting line-item expenses with specific detail for understanding per-item costs for the applicant to include the following: a budget for each office space or proposed real property delineated location; inclusion of the names of staff for positions already filled, salary information, and level of effort (percentage dedicated to the project); and if applicant is proposing to conduct travel to remote locations where sponsors reside, a line-item justification of travel expenses. (0-5 points)
2. The proposed costs of the project are reasonable, allocable, and program-related, and are commensurate with the types and range of activities and services to be conducted, the number of unaccompanied children to be served, and the expected goals and objectives. (0-2 points)
3. The applicant demonstrated its commitment to use funds only for activities as described in *Section I. Program Description* and demonstrated compliance with the funding restrictions as noted in *Section IV.6. Funding Restrictions* of this SNOFO. (0-2 points)
4. Application described a comprehensive plan for overall fiscal management, including internal and third-party financial monitoring systems that demonstrate structure and accountability for the applicant and, if applicable, any subrecipient(s) and/or contractor(s). (0-4 points)
5. The application included documentation of audit reports or statements from Certified Public Accountants/Licensed Public Accountants and, if available, statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations). (0-2 points)

BONUS POINTS

Maximum Points: 10

Applicants will receive a maximum of 10 bonus points if they clearly demonstrate how they will establish and provide a national service delivery model. To be considered a national service delivery model, applicants must demonstrate that the proposed program structure provides coverage to every area of the United States. In addition, a national service delivery model must either include a minimum of four regional offices (with each office located in a different state) or remote staff located in at least 8 of the 10 regions, as defined by ACF, listed below:

Region 1

Serves Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

Region 2

Serves New Jersey, New York, Puerto Rico and the U.S. Virgin Islands.

Region 3

Serves Delaware, the District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia.

Region 4

Serves Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

Region 5

Serves Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.

Region 6

Serves Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Region 7

Serves Iowa, Kansas, Missouri, and Nebraska.

Region 8

Serves Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming.

Region 9

Serves Arizona, California, Hawaii, Nevada, American Samoa, Federated States of Micronesia, Guam, Marshall Islands, Republic of Palau, and Commonwealth of the Northern Mariana Islands.

Region 10

Serves Alaska, Idaho, Oregon, and Washington.

Program staff (and/or subrecipient staff, if applicable) must be available to travel to remote locations throughout the region, as needed, as described in *Section I. HS/PRS Overview, HS/PRS Service Delivery Area*.

V.2. Review and Selection Process

No grant award will be made under this funding opportunity on the basis of an incomplete application. No grant award will be made to an applicant that does not have a UEI and an active SAM registration. See *Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)*.

Initial ACF Screening

Each application will be screened to determine whether it meets any of the disqualification factors described in *Section III.3. Other, Application Disqualification Factors*.

Disqualified applications are considered to be “non-responsive” and are excluded from the competitive review process. Applicants will be notified of a disqualification determination by email or by USPS postal mail within 30 federal business days from the closing date of this NOFO.

Objective Review and Results

Applications competing for financial assistance will be reviewed and evaluated by objective review panels using only the criteria described in *Section V.1. Criteria* of this funding opportunity. Each panel is composed of experts with knowledge and experience in the area under review. Generally, review panels include three reviewers and one chairperson.

Results of the competitive objective review are taken into consideration by ACF in the selection of projects for funding; however, objective review scores and rankings are not binding. Scores and rankings are only one element used in the award decision-making process. If identified in *Section I. Program Description*, ACF reserves the right to consider preferences to fund organizations serving emerging, unserved, or under-served populations, including those populations located in pockets of poverty. In addition, ACF reserves the right to evaluate applications in the larger context of the overall portfolio by considering geographic distribution of federal funds (e.g., ensuring coverage of states, counties, or service areas) in its pre-award decisions.

ACF may elect not to fund applicants with management or financial problems that would indicate an inability to successfully complete the proposed project. In addition, ACF may elect to not allow a prime recipient to subaward if there is any indication that they are unable to properly monitor and manage subrecipients.

Applications may be funded in whole or in part. Successful applicants may be funded at an amount lower than that requested.

ACF may refuse funding for projects with what it regards as unreasonably high start-up costs for facilities or equipment, or for projects with unreasonably high operating costs.

ACF does not fund concurrent projects, i.e., funding a non-federal entity to provide the same types of services in the same service location.

Federal Financial Review of Proposed UC Projects

ORR and OGM staff will perform an internal review and analysis of the applications ranked highest as a result of the panel's review and scoring. This internal review is used to determine the application's consistency with the requirements of the stipulated settlement in *Flores v. Reno*, Case No. CV 85- 4544RJK (C.D. Cal. 1996) (the *Flores* Settlement Agreement); pertinent HHS regulations and laws; SCA; and ORR policies, instructions, and procedures. In addition, a review will be conducted to review all leases and assess all costs to ensure that they comply with federal regulations and SNOFO requirements. ACF reserves the right to reduce the budget due to unallowable costs (e.g., rental costs, indirect costs, etc.).

For those applicants that have proposed an alternative approach, ORR will review the applicant's proposal and reserves the right to negotiate with applicants on their alternative approach and revise budgets and activities accordingly.

Post-Award Requests Involving Real Property

All real property costs, including supporting documentation, are subject to ACF administrative review. Recipients, and if applicable, subrecipient(s), will be required to provide detailed listings of all real property addresses and their associated costs (45 C.F.R §75.436, §75.439,

§75.462, and §75.465) used and claimed under this federal award. This includes all real property owned or leased by the recipient, and if applicable, subrecipients. Information on facilities, administrative buildings and offices must be provided. **Information for any and all** real property costs claimed under the award must be provided. For more information, see [ACF Property Guidance](#) pages, including, [Rent/Lease Arrangement Guidance](#), [Real Property Documentation](#), and [Unallowable Property Costs](#).

After the initial award, if there are any modifications, budget revisions, and/or additional requests for funding, and they impact any of the original approved real property or real property-related costs, the real property listing and related costs documentation requested in *Section IV.2. The Project Budget and Budget Justification* must be included and updated, accordingly.

Federal Awarding Agency Review of Risk Posed by Applicants

ACF is required to review and consider any information about the applicant that is in the Federal Awardee Performance and Integrity Information System (FAPIIS), www.fapiis.gov/, before making any award in excess of the simplified acquisition threshold over the period of performance. An applicant may review and comment on any information about itself that a federal awarding agency has previously entered into FAPIIS. ACF will consider any comments by the applicant, in addition to other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in [45 CFR § 75.205\(a\)\(2\) Federal Awarding Agency Review of Risk Posed by Applicants](#).

Non-Federal Reviewers Reference

Please refer to *Section IV.2. Required Forms, Assurances, and Certifications* of this funding opportunity for information on non-federal reviewers in the review process.

Approved but Unfunded Applications

Applications recommended for approval in the objectives review process, but not selected for award may receive funding if additional funds become available in the current Fiscal Year. For those applications determined as “approved but unfunded,” notice will be given of the determination by email.

V.3. Anticipated Announcement and Federal Award Dates

Announcement of awards and the disposition of applications will be provided to applicants at a later date. ACF staff cannot respond to requests for information regarding funding decisions prior to the official applicant notification.

VI. Federal Award Administration Information

VI.1. Federal Award Notices

Successful applicants will be notified through the issuance of a NoA that sets forth the amount of funds granted, the terms and conditions of the grant, the effective date of the grant, the budget period for which initial support will be given, the non-federal share to be provided (if applicable), and the total project period for which support is contemplated. The NoA will be signed by the Grants Officer and transmitted via email or by GrantSolutions, or the Head Start Enterprise System (HSES), whichever is relevant.

Following the finalization of funding decisions, organizations whose applications will not be funded will be notified by letter signed by the cognizant Program Office head. Any other correspondence that announces to a Principal Investigator, or a Project Director, that an application was selected is not an authorization to begin performance.

Information on allowable pre-award costs and the time period under which they may be incurred is available in *Section IV.6. Funding Restrictions*, if applicable. Project costs that are incurred prior to the receipt of the NoA are at the recipient's risk.

Recipients may translate the Federal award and other documents into another language. In the event of inconsistency between any terms and conditions of the Federal award and any translation into another language, the English language meaning will control. Where a significant portion of the recipient's employees who are working on the Federal award are not fluent in English, the recipient must provide the Federal award in English and in the language(s) with which employees are more familiar.

VI.2. Administrative and National Policy Requirements

Administrative and National Policy Requirements

Awards issued under this funding opportunity are subject to 45 CFR Part 75 - Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards currently in effect or implemented during the period of award, other Department regulations and policies in effect at the time of award, and applicable statutory provisions. The Code of Federal Regulations (CFR) is available at www.ecfr.gov. Unless otherwise noted in this section, administrative and national policy requirements that are applicable to discretionary grants are available at: www.acf.hhs.gov/administrative-and-national-policy-requirements.

An application funded with the release of federal funds through a grant award does not constitute or imply compliance with federal regulations. Funded organizations are responsible for ensuring that their activities comply with all applicable federal regulations.

Please review all HHS regulatory provisions for Termination at 2 CFR § 200.340.

HHS Grants Policy Statement

The HHS Grants Policy Statement (HHS GPS) is the Department of Health and Human Services' single policy guide for discretionary grants and cooperative agreements. ACF grant awards are subject to the requirements of the HHS GPS, which covers basic grants processes, standard terms and conditions, and points of contact, as well as important agency-specific requirements. The general terms and conditions in the HHS GPS will apply as indicated unless there are statutory, regulatory, or award-specific requirements to the contrary that are specified in the NoA. The HHS GPS is available at https://www.acf.hhs.gov/grants/discretionary-post-award-requirements#book_content_0.

Equal Treatment of Faith-Based Organizations

A faith-based organization that participates in this program will retain its independence from the federal government and may continue to carry out its mission consistent with religious freedom, nondiscrimination, and conscience protections in federal law, including the Free Speech and Free

Exercise Clauses of the First Amendment of the U.S. Constitution, the Religious Freedom Restoration Act (42 U.S.C. 2000bb *et seq.*), the Coats-Snowe Amendment (42 U.S.C. 238n), Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1(a) and 2000e–2(e)), Americans with Disabilities Act, 42 U.S.C. 12113(d)(2), section 1553 of the Patient Protection and Affordable Care Act (42 U.S.C. 18113), the Weldon Amendment (e.g., Further Consolidated Appropriations Act, 2020, Public Law 116–94, 133 Stat. 2534, 2607, div. A, sec. 507(d) (Dec. 20, 2019)), or any related or similar federal laws or regulations. Religious accommodations may also be sought under many of these religious freedom and conscience protection laws.

Consistent with 45 CFR § 87.3(b), a faith-based organization that receives direct financial assistance from HHS may not engage in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization) as part of the programs or services funded with direct financial assistance from the HHS awarding agency. Such an organization, whether faith-based or not, also shall not, in providing services funded by HHS, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice, as provided in 45 CFR § 87.3(d).

The recipient acknowledges its obligation to comply with 45 C.F.R. Part 87 “Equal Treatment For Faith-Based Organizations,” including the requirement that all faith-based or religious organizations are eligible, on the same basis as any other organization, to participate in this and any program for which they are otherwise eligible. Thus, the recipient agrees that when selecting service providers or subrecipients, it will not discriminate for or against any organization on the basis of the organization's religious character or affiliation as indicated in 45 C.F.R. § 87.3(a). For further information, visit <https://www.acf.hhs.gov/administrative-and-national-policy-requirements#chapter-4>.

Service Contract Act (SCA)

This award is also subject to the provisions of the SCA and its implementing regulations at 29 C.F.R. Part 4, including the SCA labor standards clauses found at *Appendix A*, which set forth obligations under the SCA wage determinations for the localities in which HS/PRS for Unaccompanied Children may be performed and may be found at <https://alpha.sam.gov/content/wage-determinations>. The applicable wage determinations are set forth for the various classes of service employees to be employed in furnishing services and the minimum monetary wage rates to be paid and minimum fringe benefits to be furnished to them during the periods when they are engaged in the performance of SCA-covered services. For additional information on the provisions of the SCA, please visit: <https://www.dol.gov/agencies/whd/government-contracts/service-contracts>.

This award also is subject to Executive Order 14026, Increasing the Minimum Wage for Federal Contractors, and its implementing regulations at 29 CFR Part 23 (Appendix B within this SNOFO); and Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, and its implementing regulations at 29 C.F.R. Part 13 (Appendix C within this SNOFO). For additional information on the Minimum Wage and Paid Sick Leave requirements, please visit: <https://www.dol.gov/agencies/whd/government-contracts/eo14026> and <https://www.dol.gov/agencies/whd/government-contracts/sick-leave>.

Pursuant to authority provided to federal agencies under 45 C.F.R. § 75.101(c), ACF is exercising its discretion to make awards issued through this SNOFO to for-profit entities, as well as subawards to such entities, subject to subparts A-E of 45 C.F.R. Part 75, notwithstanding provisions of Part 75 that may otherwise exclude for-profit recipients and subrecipients from certain subparts of Part 75.

Pertinent Authorities for the UC Program

Consolidated Appropriations Act, 2021, [Public Law 116-260](#) (Dec. 27, 2020)

Extending Government Funding and Delivering Emergency Assistance Act, 2021, [Public Law 117-43](#) (Sep. 30, 2021)

Further Extending Government Funding Act, 2021, [Public Law 117-70](#) (Dec. 3, 2021)

Continuing Appropriations Act, 2023, [Public Law No. 117-180](#) (Sep. 30, 2022), as amended

HSA of 2002, [Public Law No. 107-296](#), H.R. 5005, 107th Cong.

HHS IFR: Standards To Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving UC, [45 C.F.R. § 411](#)

J.D. v. Azar, No. 18-5093 (D.C. Cir. 2019)

Preventing Sex Trafficking and Strengthening Families Act. [Public Law 113-183](#), H.R. 4980, 113th Cong.

Flores v. Reno, No. 85-4544-RJK (Px) (C.D. Cal. Jan. 17, 1997)

TVPPRA, [Public Law No. 110-457](#) (December 23, 2008)

VAWA 2013, title XI, § 1101(c), [Public Law 113-4](#) (Mar. 7, 2013)

VI.3. Reporting

Performance Progress Reports:

Quarterly

Reporting Requirements

Recipients under this funding opportunity will be required to submit performance progress and financial reports periodically throughout the project period. Information on reporting requirements is available on the ACF website at www.acf.hhs.gov/discretionary-post-award-requirements#chapter-2.

For planning purposes, the frequency of required reporting for awards made under this funding opportunity are as follows:

Financial Reports:

Quarterly

Primary award recipients and subrecipients (if any) will be held accountable for completing reports described below to document their activities. HS/PRS report templates include but are not limited to:

- ACF Performance Progress Report (PPR) (OMB #0970-0406), Expiration date January 31, 2026. This information collection is currently under review with OMB for an extension with revisions. The expiration date will be updated on all forms once final approval is received.

This template has OMB approval. Please refer to *Section I. Post-Award Requirements, Required UC Reporting* for more information.

The Federal Funding Accountability and Transparency Act (FFATA) requires data entry at the FFATA Subaward Reporting System (<http://www.FSRS.gov>) for all subawards and subcontracts issued for \$30,000 or more as well as addressing executive compensation for both recipient and subaward organizations. 2 C.F.R. § 170.220(a)

VII. HHS Award Agency Contact(s)

Program Office Contact

Tiffany
Pham
U.S. Department of Health and Human Services
Attn: FON# HHS-2023-ACF-ORR-ZU-0153
Office of Refugee Resettlement
Mary E. Switzer Building
330 C Street, SW
Washington
DC
20201
(202) 923-5998
HSPRS_ProjectOfficers@acf.hhs.gov

Office of Grants Management Contact

Karen
Code
U.S. Department of Health and Human Services
Attn: FON# HHS-2023-ACF-ORR-ZU-0153
Office of Grants Management
Mary E. Switzer Building
330 C Street, SW
Washington
DC
20201
(202) 401-6888
Karen.Code@acf.hhs.gov

Federal Relay Service:

Hearing-impaired and speech-impaired callers may contact the Federal Relay Service (FedRelay) at www.gsa.gov/fedrelay.

VIII. Other Information

Reference Websites

U.S. Department of Health and Human Services (HHS) www.hhs.gov/.

Administration for Children and Families (ACF) www.acf.hhs.gov/.

ACF Funding Opportunities Forecasts and NOFOs www.grants.gov/.

ACF "How To Apply For A Grant" <https://www.acf.hhs.gov/grants/how-apply-grant>.

ACF Property Guidance <https://www.acf.hhs.gov/grants/real-property-and-tangible-personal-property>

Grants.gov Accessibility Information [www.grants.gov/ web/grants/accessibility-compliance.html](http://www.grants.gov/web/grants/accessibility-compliance.html).

Code of Federal Regulations (CFR) <http://www.ecfr.gov/>.

United States Code (U.S.C.) <http://uscode.house.gov/>.

Children Entering the United States Unaccompanied (ORR Policy Guide) <https://www.acf.hhs.gov/orr/resource/children-entering-the-united-states-unaccompanied>

UC Program Field Guidance, <https://www.acf.hhs.gov/orr/policy-guidance/uc-program-field-guidance>

SCA wage determination website: <https://www.acf.hhs.gov/orr/service-contract-act-wage-classifications>

SCA additional information on provisions: <https://www.dol.gov/agencies/whd/government-contracts/service-contracts>

SCA additional information about minimum wage and paid sick leave requirements: <https://www.dol.gov/agencies/whd/government-contracts/eo14026> and <https://www.dol.gov/agencies/whd/government-contracts/sick-leave>

Application Checklist

Applicants may use this checklist as a guide when preparing an application package.

What to Submit	Where Found	When to Submit
SF-424 - Application for Federal Assistance	Referenced in <i>Section IV.2.Required Forms, Assurances, and Certifications.</i>	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4.</i>

What to Submit	Where Found	When to Submit
	This form is available in the NOFO's forms package at www.Grants.gov in the Mandatory section.	<i>Submission Dates and Times.</i>
Unique Entity Identifier (UEI) and System for Award Management (SAM) registration.	Referenced in <i>Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)</i> in the funding opportunity. To obtain a UEI and SAM registration, go to http://www.sam.gov .	A UEI and registration at SAM.gov are required for all applicants. Active registration at SAM must be maintained throughout the application and project award period.
SF-424 Key Contact Form	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due with the application by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due with the application package or prior to the award of a grant.
SF-424A - Budget Information - Non-Construction Programs and SF-424B - Assurances - Non-Construction Programs	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> These forms are available in the NOFO's forms package at www.Grants.gov in the Mandatory section. They are required for applications that include only non-construction activities.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
SF-Project/Performance Site Location(s) (SF-P/PSL)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications.</i> This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>

What to Submit	Where Found	When to Submit
SF-LLL - Disclosure of Lobbying Activities	"Disclosure Form to Report Lobbying" is referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i>. This form is available in the NOFO's forms package at www.Grants.gov.	If submission of this form is applicable, it is due at the time of application. If not available at the time of application, it may also be submitted prior to the award of a grant.
Table of Contents	Referenced in <i>Section IV.2. The Project Description</i> .	Submit with the application by the due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Project Summary	Referenced in <i>Section IV.2. The Project Description</i>. The Project Summary is limited to one single-spaced page.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Proof of Non-Profit Status	Referenced in <i>Section IV.2. The Project Description, Legal Status of Applicant Entity</i> .	Proof of non-profit status should be submitted with the application package by the application due date and time listed in the <i>Overview</i> and <i>Section IV.4.</i> of the NOFO. If it is not available at the time of application submission, it must be submitted prior to the award of a grant.
Mandatory Grant Disclosure	Requirement, submission instructions, and mailing addresses are found in the "Mandatory Grant Disclosure" in <i>Section IV.2. Required Forms, Assurances and Certifications</i> .	If applicable, concurrent submission to the Administration for Children and Families and to the Office of the Inspector General is required.

What to Submit	Where Found	When to Submit
The Project Budget and Budget Justification	Referenced in <i>Section IV.2. The Project Budget and Budget Justification.</i>	Submission is required in addition to submission of SF-424A and / or SF-424C. Submission is required with the application package by the due date in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>
Indirect Cost Rate Agreement (IDR)	Referenced in <i>Section IV.2. The Project Budget and Budget Justification.</i> The IDR must be submitted with the application package.	If the IDR is available by the application due date, it must be submitted with the application package. If it is not available by the application due date, listed in the <i>Overview</i> and <i>Section IV.4. Submission Dates and Times</i> , it may be submitted prior to the award of a grant.
The Project Description	Referenced in <i>Section IV.2. The Project Description.</i>	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times.</i>

Appendix

Appendix A: Service Contract Act (SCA) Labor Standards Clauses for Federal Service Contracts Exceeding \$2,500 (29 C.F.R. § 4.6)

(a) This contract is subject to the Service Contract Act of 1965, as amended (41 U.S.C. 351 *et seq.*) and is subject to the following provisions and to all other applicable provisions of the Act and regulations of the Secretary of Labor issued thereunder (29 CFR Part 4).

(b)

(1) Each service employee employed in the performance of this contract by the contractor, or any subcontractor shall be paid not less than the minimum monetary wages and shall be furnished fringe benefits in accordance with the wages and fringe benefits determined by the Secretary of Labor or authorized representative, as specified in any wage determination attached to this contract.

(2)

(i) If there is such a wage determination attached to this contract, the contracting officer shall require that any class of service employee which is not listed therein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed class of employees shall be paid the monetary wages and furnished the fringe benefits as are determined pursuant to the procedures in this section.

(ii) Such conforming procedure shall be initiated by the contractor prior to the performance of contract work by such unlisted class of employee. A written report of the proposed conforming action, including information regarding the agreement or disagreement of the authorized representative of the employees involved or, where there is no authorized representative, the employees themselves, shall be submitted by the contractor to the contracting officer no later than 30 days after such unlisted class of employees performs any contract work. The contracting officer shall review the proposed action and promptly submit a report of the action, together with the agency's recommendation and all pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, U.S. Department of Labor, for review. The Wage and Hour Division will approve, modify, or disapprove the action or render a final determination in the event of disagreement within 30 days of receipt or will notify the contracting officer within 30 days of receipt that additional time is necessary.

(iii) The final determination of the conformance action by the Wage and Hour Division shall be transmitted to the contracting officer who shall promptly notify the contractor of the action taken. Each affected employee shall be furnished by the contractor with a written copy of such determination or it shall be posted as a part of the wage determination.

(iv)

1. The process of establishing wage and fringe benefit rates that bear a reasonable relationship to those listed in a wage determination cannot be reduced to any single formula. The approach used may vary from wage determination to wage determination depending on the circumstances. Standard wage and salary administration practices which rank various job classifications by pay grade pursuant to point schemes or other job factors may, for example, be relied upon. Guidance may also be obtained from the way different jobs are rated under Federal pay systems (Federal Wage Board Pay System and the General Schedule) or from other wage determinations issued in the same locality.

Basic to the establishment of any conformable wage rate(s) is the concept that a pay relationship should be maintained between job classifications based on the skill required and the duties performed.

2. In the case of a contract modification, an exercise of an option or extension of an existing contract, or in any other case where a contractor succeeds a contract under which the classification in question was previously conformed pursuant to this section, a new conformed wage rate and fringe benefits may be assigned to such conformed classification by indexing (i.e., adjusting) the previous conformed rate and fringe benefits by an amount equal to the average (mean) percentage increase (or decrease, where appropriate) between the wages and fringe benefits specified for all classifications to be used on the contract which are listed in the current wage determination, and those specified for the corresponding classifications in the previously applicable wage determination. Where conforming actions are accomplished in accordance with this paragraph prior to the performance of contract work by the unlisted class of employees, the contractor shall advise the contracting officer of the action taken but the other procedures in paragraph (b)(2)(ii) of this section need not be followed.
3. No employee engaged in performing work on this contract shall in any event be paid less than the currently applicable minimum wage specified under section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended.

(v) The wage rate and fringe benefits finally determined pursuant to paragraphs (b)(2)(i) and (ii) of this section shall be paid to all employees performing in the classification from the first day on which contract work is performed by them in the classification. Failure to pay such unlisted employees the compensation agreed upon by the interested parties and/or finally determined by the Wage and Hour Division retroactive to the date such class of employees commenced contract work shall be a violation of the Act and this contract.

(vi) Upon discovery of failure to comply with paragraphs (b)(2)(i) through (v) of this section, the Wage and Hour Division shall make a final determination of conformed classification, wage rate, and/or fringe benefits which shall be retroactive to the date such class of employees commenced contract work.

(3) If, as authorized pursuant to section 4(d) of the Service Contract Act of 1965 as amended, the term of this contract is more than 1 year, the minimum monetary wages and fringe benefits required to be paid or furnished thereunder to service employees shall be subject to adjustment after 1 year and not less often than once every 2 years, pursuant to wage determinations to be issued by the Wage and Hour Division of the Department of Labor as provided in such Act.

(c) The contractor or subcontractor may discharge the obligation to furnish fringe benefits specified in the attachment or determined conformably thereto by furnishing any equivalent combinations of bona fide fringe benefits, or by making equivalent or differential payments in cash in accordance with the applicable rules set forth in subpart D of 29 CFR part 4, and not otherwise.

(d)

1. In the absence of a minimum wage attachment for this contract, neither the contractor nor any subcontractor under this contract shall pay any person performing work under the contract (regardless of whether they are service employees) less than the minimum wage specified by section 6(a)(1) of the Fair Labor Standards Act of 1938. Nothing in this provision shall relieve the contractor or any subcontractor of any other obligation under law or contract for the payment of a higher wage to any employee.
2. If this contract succeeds a contract, subject to the Service Contract Act of 1965 as amended, under which substantially the same services were furnished in the same locality and service employees were paid wages and fringe benefits provided for in a collective bargaining agreement, in the absence of the minimum wage attachment for this contract setting forth such collectively bargained wage rates and fringe benefits, neither the contractor nor any subcontractor under this contract shall pay any service employee performing any of the contract work (regardless of whether or not such employee was employed under the predecessor contract), less than the wages and fringe benefits provided for in such collective bargaining agreements, to which such employee would have been entitled if employed under the predecessor contract, including accrued wages and fringe benefits and any prospective increases in wages and fringe benefits provided for under such agreement. No contractor or subcontractor under this contract may be relieved of the foregoing obligation unless the limitations of § 4.1b(b) of 29 CFR Part 4 apply or unless the Secretary of Labor or his authorized representative finds, after a hearing as provided in § 4.10 of 29 CFR Part 4 that the wages and/or fringe benefits provided for in such agreement are substantially at variance with those which prevail for services of a character similar in the locality, or determines, as provided in § 4.11 of 29 CFR Part 4, that the collective bargaining agreement applicable to service employees employed under the predecessor contract was not entered into as a result of arm's-length negotiations. Where it is found in accordance with the review procedures provided in 29 CFR 4.10 and/or 4.11 and Parts 6 and 8 that some or all of the wages and/or fringe benefits contained in a predecessor contractor's collective bargaining agreement are substantially at variance with those which prevail for services of a character similar in the locality, and/or that the collective bargaining agreement applicable to service employees employed under the predecessor contract was not entered into as a result of arm's-length negotiations, the Department will issue a new or revised wage determination setting forth the applicable wage rates and fringe benefits. Such determination shall be made part of the contract or subcontract, in accordance with the decision of the Administrator, the Administrative Law Judge, or the Administrative Review Board, as the case may be, irrespective of whether such issuance occurs prior to or after the award of a contract or subcontract. 53 Comp. Gen. 401 (1973). In the case of a wage determination issued solely as a result of a finding of substantial variance, such determination shall be effective as of the date of the final administrative decision.

(e) The contractor and any subcontractor under this contract shall notify each service employee commencing work on this contract of the minimum monetary wage and any fringe benefits required to be paid pursuant to this contract or shall post the wage determination attached to this contract. The poster provided by the Department of Labor (Publication WH 1313) shall be posted in a prominent and accessible place at the worksite. Failure to comply with this requirement is a violation of section 2(a)(4) of the Act and of this contract.

(f) The contractor or subcontractor shall not permit any part of the services called for by this contract to be performed in buildings or surroundings or under working conditions provided by or under the control or supervision of the contractor or subcontractor which are unsanitary or hazardous or dangerous to the health or safety of service employees engaged to furnish these services, and the contractor or subcontractor shall comply with the safety and health standards applied under 29 CFR Part 1925.

(g)

1. The contractor and each subcontractor performing work subject to the Act shall make and maintain for 3 years from the completion of the work records containing the information specified in paragraphs (g)(1)(i) through (vi) of this section for each employee subject to the Act and shall make them available for inspection and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

(i) Name and address and social security number of each employee.

(ii) The correct work classification or classifications, rate or rates of monetary wages paid and fringe benefits provided, rate or rates of fringe benefit payments in lieu thereof, and total daily and weekly compensation of each employee.

(iii) The number of daily and weekly hours so worked by each employee.

(iv) Any deductions, rebates, or refunds from the total daily or weekly compensation of each employee.

(v) A list of monetary wages and fringe benefits for those classes of service employees not included in the wage determination attached to this contract but for which such wage rates or fringe benefits have been determined by the interested parties or by the Administrator or authorized representative pursuant to the labor standards clause in paragraph (b) of this section. A copy of the report required by the clause in paragraph (b)(2)(ii) of this section shall be deemed to be such a list.

(vi) Any list of the predecessor contractor's employees which had been furnished to the contractor pursuant to § 4.6(l)(2).

1. The contractor shall also make available a copy of this contract for inspection or transcription by authorized representatives of the Wage and Hour Division.

3. Failure to make and maintain or to make available such records for inspection and transcription shall be a violation of the regulations and this contract, and in the case of failure to produce such records, the contracting officer, upon direction of the Department of Labor and notification of the contractor, shall take action to cause suspension of any further payment or advance of funds until such violation ceases.

4. The contractor shall permit authorized representatives of the Wage and Hour Division to conduct interviews with employees at the worksite during normal working hours.

(h) The contractor shall unconditionally pay to each employee subject to the Act all wages due free and clear and without subsequent deduction (except as otherwise provided by law or Regulations, 29 CFR Part 4), rebate, or kickback on any account. Such payments shall be made no later than one pay period following the end of the regular pay period in which such wages were earned or accrued. A pay period under this Act may not be of any duration longer than

semi-monthly.

(i) The contracting officer shall withhold or cause to be withheld from the Government prime contractor under this or any other Government contract with the prime contractor such sums as an appropriate official of the Department of Labor requests or such sums as the contracting officer decides may be necessary to pay underpaid employees employed by the contractor or subcontractor. In the event of failure to pay any employees subject to the Act all or part of the wages or fringe benefits due under the Act, the agency may, after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment or advance of funds until such violations have ceased. Additionally, any failure to comply with the requirements of these clauses relating to the Service Contract Act of 1965, may be grounds for termination of the right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost.

(j) The contractor agrees to insert these clauses in this section relating to the Service Contract Act of 1965 in all subcontracts subject to the Act. The term *contractor* as used in these clauses in any subcontract, shall be deemed to refer to the subcontractor, except in the term *Government prime contractor*

(k)

1. As used in these clauses, the term **service employee** means any person engaged in the performance of this contract other than any person employed in a bona fide executive, administrative, or professional capacity, as those terms are defined in part 541 of title 29, Code of Federal Regulations, as of July 30, 1976, and any subsequent revision of those regulations. The term *service employee* includes all such persons regardless of any contractual relationship that may be alleged to exist between a contractor or subcontractor and such persons.
2. The following statement is included in contracts pursuant to section 2(a)(5) of the Act and is for *informational purposes only*:

The following classes of service employees expected to be employed under the contract with the Government would be subject, if employed by the contracting agency, to the provisions of 5 U.S.C. 5341 or 5 U.S.C. 5332 and would, if so employed, be paid not less than the following rates of wages and fringe benefits:

Employee class (OPM Classification for Occupational Groups and Families)	Role	Monetary wage-fringe benefits (General Schedule Grade Range)
340	Program Managers	14 - 15
1001	Communication Team	5-13
1101/1910	Quality Assurance Team	5-13
1035	Public Information Officer	13-14

Employee class (OPM Classification for Occupational Groups and Families)	Role	Monetary wage-fringe benefits (General Schedule Grade Range)
1103	Property Management Team	5-13
1107	Waste Management Team	6-7
1160	Finance Team	9-15
1530	Warehouse Data	11
1601	Maintenance Team	9
1670	Equipment Team	11
1701	Training Team	7-13
1720	Education Team	7-13
1801	Compliance Team	7
2003	Supply Program Management	13
2005	Supply Clerical and Technician Team	4-12
2101/21012	Transportation Team	7-13
2151	Emergency Response Services	5-13
2210	Information Technology	9-14
3566	Custodial Team	WG 1, WG2
3704	Laundry Support Team	WG 2
4749	General Maintenance Team	NA05, WL5
5413	Fuel Distribution Team	WG8
5703	Bus Drivers	4-8
5704	Fork Lift Operator	5
6901	Warehouse Manager	WL 7
6907	Warehouse Support	NA04, WG5
6912	Vendor Specialist	WL7
7408	Food Services Team	6, WG 4
7603	Barber Team	7-8
0018	Safety Officer	9
0080	Security Team	9-13
0081	Firefighter	6-9
0089	Fire Officer	11-14

Employee class (OPM Classification for Occupational Groups and Families)	Role	Monetary wage-fringe benefits (General Schedule Grade Range)
0101	Case Management Team	7-14
0110	Cost Specialist	13
0185	Clinical Team	11-14
0186	Clinical Support Services	4-7
0187	Shelter Operations Team	9-13
0189	Recreational Services Team and Youth Care Specialists	NF1
0201	Staffing Team	7-13
0301	Administrative Team	7-14
0303	Supportive Services Team	5-14
0346	Logistics Team	7-14
0540	Voucher Services Team	5
0592	CTM Agent	9
0601	Epidemiologist	12-14
0602	Physician Team	13-15
0610	Nursing Team	7-13
0622	Medical Aide Team	3-7
0630	Paramedic	3
0640	Finance Team	5-14
0660	Pharmacist Team	7
0661	Pharmacy Tech Team	3
0670	Health System Administrative Team	14-15
0679	Medical Support Assistant Services Team	3-6
0685	Public Health Specialists	12-14
0962	Call Center Staff	5
0986	Legal Specialists	6-9

(I)

1. If wages to be paid or fringe benefits to be furnished any service employees employed by the Government prime contractor or any subcontractor under the contract are provided for

in a collective bargaining agreement which is or will be effective during any period in which the contract is being performed, the Government prime contractor shall report such fact to the contracting officer, together with full information as to the application and accrual of such wages and fringe benefits, including any prospective increases, to service employees engaged in work on the contract, and a copy of the collective bargaining agreement. Such report shall be made upon commencing performance of the contract, in the case of collective bargaining agreements effective at such time, and in the case of such agreements or provisions or amendments thereof effective at a later time during the period of contract performance, such agreements shall be reported promptly after negotiation thereof.

2. Not less than 10 days prior to completion of any contract being performed at a Federal facility where service employees may be retained in the performance of the succeeding contract and subject to a wage determination which contains vacation or other benefit provisions based upon length of service with a contractor (predecessor) or successor (§ 4.173 of Regulations, 29 CFR Part 4), the incumbent prime contractor shall furnish to the contracting officer a certified list of the names of all service employees on the contractor's or subcontractor's payroll during the last month of contract performance. Such list shall also contain anniversary dates of employment on the contract either with the current or predecessor contractors of each such service employee. The contracting officer shall turn over such list to the successor contractor at the commencement of the succeeding contract.

(m) Rulings and interpretations of the Service Contract Act of 1965, as amended, are contained in Regulations, 29 CFR Part 4.

(n)

1. By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has a substantial interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Act.
2. No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract pursuant to section 5 of the Act.
3. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

(o) Notwithstanding any of the clauses in paragraphs (b) through (m) of this section relating to the Service Contract Act of 1965, the following employees may be employed in accordance with the following variations, tolerances, and exemptions, which the Secretary of Labor, pursuant to section 4(b) of the Act prior to its amendment by Public Law 92-473, found to be necessary and proper in the public interest or to avoid serious impairment of the conduct of Government business:

1. Apprentices, student-learners, and workers whose earning capacity is impaired by age, physical, or mental deficiency or injury may be employed at wages lower than the minimum wages otherwise required by section 2(a)(1) or 2(b)(1) of the Service Contract Act without diminishing any fringe benefits or cash payments in lieu thereof required under section 2(a)(2) of that Act, in accordance with the conditions and procedures

prescribed for the employment of apprentices, student-learners, handicapped persons, and handicapped clients of sheltered workshops under section 14 of the Fair Labor Standards Act of 1938, in the regulations issued by the Administrator (29 CFR Parts 520, 521, 524, and 525).

2. The Administrator will issue certificates under the Service Contract Act for the employment of apprentices, student-learners, handicapped persons, or handicapped clients of sheltered workshops not subject to the Fair Labor Standards Act of 1938, or subject to different minimum rates of pay under the two acts, authorizing appropriate rates of minimum wages (but without changing requirements concerning fringe benefits or supplementary cash payments in lieu thereof), applying procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act of 1938 (29 C.F.R. Parts 520, 521, 524, and 525).
3. The Administrator will also withdraw, annul, or cancel such certificates in accordance with the regulations in parts 525 and 528 of title 29 of the Code of Federal Regulations.

(p) Apprentices will be permitted to work at less than the predetermined rate for the work they perform when they are employed and individually registered in a bona fide apprenticeship program registered with a State Apprenticeship Agency which is recognized by the U.S. Department of Labor, or if no such recognized agency exists in a State, under a program registered with the Bureau of Apprenticeship and Training, Employment and Training Administration, U.S. Department of Labor. Any employee who is not registered as an apprentice in an approved program shall be paid the wage rate and fringe benefits contained in the applicable wage determination for the journeyman classification of work actually performed. The wage rates paid apprentices shall not be less than the wage rate for their level of progress set forth in the registered program, expressed as the appropriate percentage of the journeyman's rate contained in the applicable wage determination. The allowable ratio of apprentices to journeymen employed on the contract work in any craft classification shall not be greater than the ratio permitted to the contractor as to his entire work force under the registered program.

(q) Where an employee engaged in an occupation in which he or she customarily and regularly receives more than \$30 a month in tips, the amount of tips received by the employee may be credited by the employer against the minimum wage required by Section 2(a)(1) or 2(b)(1) of the Act to the extent permitted by section 3(m) of the Fair Labor Standards Act and Regulations, 29 C.F.R. Part 531. To utilize this provision:

1. The employer must inform tipped employees about this tip credit allowance before the credit is utilized;
2. The employees must be allowed to retain all tips (individually or through a pooling arrangement and regardless of whether the employer elects to take a credit for tips received);
3. The employer must be able to show by records that the employee receives at least the applicable Service Contract Act minimum wage through the combination of direct wages and tip credit;
4. The use of such tip credit must have been permitted under any predecessor collective bargaining agreement applicable by virtue of section 4(c) of the Act.

(r) *Disputes concerning labor standards.* Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes

shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 C.F.R. Parts 4, 6, and 8. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

(The information collection, recordkeeping, and reporting requirements contained in this section have been approved by the Office of Management and Budget under the following numbers:

Paragraph	OMB Control No.
(b)(2)(i)-(iv)	1235-0007
(e)	1235-0007
(g)(1)(i)-(iv)	1235-0007
	1235-0018
(g)(1)(v)-(vi)	1235-0007
(l)(1), (2)	1235-0007
(q)(3)	1235-0007

[48 FR 49762, Oct. 27, 1983; 48 FR 50529, Nov. 2, 1983, as amended at 61 FR 68663, Dec. 30, 1996; 82 FR 2224, Jan. 9, 2017]

Appendix B: Executive Order 14026, Increasing the Minimum Wage for Federal Contractors- 29 C.F.R. Appendix A to Part 23

(a) Executive Order 14026. This contract is subject to Executive Order 14026, regulations issued by the Secretary of Labor in 29 C.F.R. part 23 pursuant to the Executive Order, and the following provisions.

(b) Minimum wages.

(1) Each worker (as defined in 29 C.F.R. 23.20) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship which may be alleged to exist between the contractor and worker, shall be paid not less than the applicable minimum wage under Executive Order 14026.

(2) The minimum wage required to be paid to each worker performing work on or in connection with this contract between January 30, 2022 and December 31, 2022, shall be \$15.00 per hour. The minimum wage shall be adjusted each time the Secretary of Labor's annual determination of the applicable minimum wage under section 2(a)(ii) of Executive Order 14026 results in a higher minimum wage. Adjustments to the Executive Order minimum wage under section 2(a)(ii) of Executive Order 14026 will be effective for all workers subject to the Executive Order beginning January 1 of the following year. If appropriate, the contracting officer, or other agency official overseeing this contract shall ensure the contractor is compensated only for the increase in labor costs resulting from the

annual inflation increases in the Executive Order 14026 minimum wage beginning on January 1, 2023. The Secretary of Labor will publish annual determinations in the Federal Register no later than 90 days before such new wage is to take effect. The Secretary will also publish the applicable minimum wage on <https://alpha.sam.gov/content/wagedeterminations> (or any successor website). The applicable published minimum wage is incorporated by reference into this contract.

(3) The contractor shall pay unconditionally to each worker all wages due free and clear and without subsequent deduction (except as otherwise provided by 29 C.F.R. 23.230), rebate, or kickback on any account. Such payments shall be made no later than one pay period following the end of the regular pay period in which such wages were earned or accrued. A pay period under this Executive Order may not be of any duration longer than semi-monthly.

(4) The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the Executive Order minimum wage requirements. In the event of any violation of the minimum wage obligation of this clause, the contractor and any subcontractor(s) responsible therefore shall be liable for the unpaid wages.

(5) If the commensurate wage rate paid to a worker performing work on or in connection with a covered contract whose wages are calculated pursuant to a special certificate issued under 29 U.S.C. 214(c), whether hourly or piece rate, is less than the Executive Order minimum wage, the contractor must pay the Executive Order minimum wage rate to achieve compliance with the Order. If the commensurate wage due under the certificate is greater than the Executive Order minimum wage, the contractor must pay the worker the greater commensurate wage.

(c) Withholding. The agency head shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay workers the full amount of wages required by Executive Order 14026.

(d) Contract suspension/Contract termination/Contractor debarment. In the event of a failure to pay any worker all or part of the wages due under Executive Order 14026 or 29 C.F.R. part 23, or a failure to comply with any other term or condition of Executive Order 14026 or 29 C.F.R. part 23, the contracting agency may on its own action or after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment, advance or guarantee of funds until such violations have ceased. Additionally, any failure to comply with the requirements of this clause may be grounds for termination of the right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 C.F.R. 23.520.

(e) Workers who receive fringe benefits. The contractor may not discharge any part of its minimum wage obligation under Executive Order 14026 by furnishing fringe benefits or, with

respect to workers whose wages are governed by the Service Contract Act, the cash equivalent thereof.

(f) Relation to other laws. Nothing herein shall relieve the contractor of any other obligation under Federal, state or local law, or under contract, for the payment of a higher wage to any worker, nor shall a lower prevailing wage under any such Federal, State, or local law, or under contract, entitle a contractor to pay less than \$15.00 (or the minimum wage as established each January thereafter) to any worker.

(g) Payroll records.

(1) The contractor shall make and maintain for three years records containing the information specified in paragraphs (g)(1)(i) through (vi) of this section for each worker and shall make the records available for inspection and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

- (i) Name, address, and social security number;
- (ii) The worker's occupation(s) or classification(s);
- (iii) The rate or rates of wages paid;
- (iv) The number of daily and weekly hours worked by each worker;
- (v) Any deductions made; and
- (vi) Total wages paid.

(2) The contractor shall also make available a copy of the contract, as applicable, for inspection or transcription by authorized representatives of the Wage and Hour Division.

(3) Failure to make and maintain or to make available such records for inspection and transcription shall be a violation of 29 C.F.R. part 23 and this contract, and in the case of failure to produce such records, the contracting officer, upon direction of an authorized representative of the Department of Labor, or under its own action, shall take such action as may be necessary to cause suspension of any further payment or advance of funds until such time as the violations are discontinued.

(4) The contractor shall permit authorized representatives of the Wage and Hour Division to conduct investigations, including interviewing workers at the worksite during normal working hours.

(5) Nothing in this clause limits or otherwise modifies the contractor's payroll and recordkeeping obligations, if any, under the Davis-Bacon Act, as amended, and its implementing regulations; the Service Contract Act, as amended, and its implementing regulations; the Fair Labor Standards Act, as amended, and its implementing regulations; or any other applicable law.

(h) Flow-down requirement. The contractor (as defined in 29 C.F.R. 23.20) shall insert this clause in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts. Executive Order 14026 does not apply to subcontracts for the manufacturing or furnishing of materials, supplies, articles, or equipment, and this clause is not required to be inserted in such subcontracts. The prime contractor and any upper-tier

subcontractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with this contract clause.

(i) Certification of eligibility.

(1) By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Service Contract Act, section 3(a) of the Davis-Bacon Act, or 29 C.F.R. 5.12(a)(1).

(2) No part of this contract shall be subcontracted to any person or firm whose name appears on the list of persons or firms ineligible to receive Federal contracts.

(3) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

(j) Tipped employees. In paying wages to a tipped employee as defined in section 3(t) of the Fair Labor Standards Act, 29 U.S.C. 203(t), the contractor may take a partial credit against the wage payment obligation (tip credit) to the extent permitted under section 3(a) of Executive Order 14026. In order to take such a tip credit, the employee must receive an amount of tips at least equal to the amount of the credit taken; where the tipped employee does not receive sufficient tips to equal the amount of the tip credit the contractor must increase the cash wage paid for the workweek so that the amount of cash wage paid and the tips received by the employee equal the applicable minimum wage under Executive Order 14026. To utilize this proviso:

(1) The employer must inform the tipped employee in advance of the use of the tip credit;

(2) The employer must inform the tipped employee of the amount of cash wage that will be paid and the additional amount by which the employee's wages will be considered increased on account of the tip credit;

(3) The employees must be allowed to retain all tips (individually or through a pooling arrangement and regardless of whether the employer elects to take a credit for tips received); and

(4) The employer must be able to show by records that the tipped employee receives at least the applicable Executive Order minimum wage through the combination of direct wages and tip credit.

(k) Antiretaliation. It shall be unlawful for any person to discharge or in any other manner discriminate against any worker because such worker has filed any complaint or instituted or caused to be instituted any proceeding under or related to Executive Order 14026 or 29 C.F.R. part 23, or has testified or is about to testify in any such proceeding.

(l) Disputes concerning labor standards. Disputes related to the application of Executive Order 14026 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 C.F.R. part 23. Disputes within the meaning of this contract clause include disputes

between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the workers or their representatives.

(m) Notice. The contractor must notify all workers performing work on or in connection with a covered contract of the applicable minimum wage rate under the Executive Order. With respect to service employees on contracts covered by the Service Contract Act and laborers and mechanics on contracts covered by the Davis-Bacon Act, the contractor may meet this requirement by posting, in a prominent and accessible place at the worksite, the applicable wage determination under those statutes. With respect to workers performing work on or in connection with a covered contract whose wages are governed by the FLSA, the contractor must post a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by workers. Contractors that customarily post notices to workers electronically may post the notice electronically provided such electronic posting is displayed prominently on any website that is maintained by the contractor, whether external or internal, and customarily used for notices to workers about terms and conditions of employment.

Appendix C: Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors

This award is also subject to Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, and its implementing regulations at 29 C.F.R. Part 13.

(a) Executive Order 13706. This contract is subject to Executive Order 13706, the regulations issued by the Secretary of Labor in 29 C.F.R. Part 13 pursuant to the Executive Order, and the following provisions.

(b) Paid Sick Leave.

1. The contractor shall permit each employee (as defined in 29 C.F.R. 13.2) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship that may be alleged to exist between the contractor and employee, to earn not less than 1 hour of paid sick leave for every 30 hours worked. The contractor shall additionally allow accrual and use of paid sick leave as required by Executive Order 13706 and 29 C.F.R. Part 13. The contractor shall in particular comply with the accrual, use, and other requirements set forth in 29 C.F.R. 13.5 and 13.6, which are incorporated by reference in this contract.
2. The contractor shall provide paid sick leave to all employees when due free and clear and without subsequent deduction (except as otherwise provided by 29 C.F.R. 13.24), rebate, or kickback on any account. The contractor shall provide pay and benefits for paid sick leave used no later than one pay period following the end of the regular pay period in which the paid sick leave was taken.
3. The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the requirements of Executive Order 13706, 29 C.F.R. Part 13, and this clause.

(c) Withholding. The contracting officer shall, upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so

much of the accrued payments or advances as may be considered necessary to pay employees the full amount owed to compensate for any violation of the requirements of Executive Order 13706, 29 C.F.R. Part 13, or this clause, including any pay and/or benefits denied or lost by reason of the violation; other actual monetary losses sustained as a direct result of the violation, and liquidated damages.

(d) *Contract Suspension/Contract Termination/Contractor Debarment.* In the event of a failure to comply with Executive Order 13706, 29 C.F.R. Part 13, or this clause, the contracting agency may on its own action or after authorization or by direction of the Department of Labor and written notification to the contractor, take action to cause suspension of any further payment, advance, or guarantee of funds until such violations have ceased. Additionally, any failure to comply with the requirements of this clause may be grounds for termination of the right to proceed with the contract work. In such event, the Government may enter into other contracts or arrangements for completion of the work, charging the contractor in default with any additional cost. A breach of the contract clause may be grounds for debarment as a contractor and subcontractor as provided in 29 C.F.R. 13.52.

(e) The paid sick leave required by Executive Order 13706, 29 C.F.R. Part 13, and this clause is in addition to a contractor's obligations under the Service Contract Act and Davis-Bacon Act, and a contractor may not receive credit toward its prevailing wage or fringe benefit obligations under those Acts for any paid sick leave provided in satisfaction of the requirements of Executive Order 13706 and 29 C.F.R. Part 13.

(f) Nothing in Executive Order 13706 or 29 C.F.R. Part 13 shall excuse noncompliance with or supersede any applicable Federal or State law, any applicable law or municipal ordinance, or a collective bargaining agreement requiring greater paid sick leave or leave rights than those established under Executive Order 13706 and 29 C.F.R. Part 13.

(g) *Recordkeeping.*

1. Any contractor performing work subject to Executive Order 13706 and 29 C.F.R. Part 13 must make and maintain, for no less than three (3) years from the completion of the work on the contract, records containing the information specified in paragraphs (i) through (xv) of this section for each employee and shall make them available for inspection, copying, and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:
2. Name, address, and Social Security number of each employee;
3. The employee's occupation(s) or classification(s);
4. The rate or rates of wages paid (including all pay and benefits provided);
5. The number of daily and weekly hours worked;
6. Any deductions made;
7. The total wages paid (including all pay and benefits provided) each pay period;
8. A copy of notifications to employees of the amount of paid sick leave the employee has accrued, as required under 29 C.F.R. 13.5(a)(2);
9. A copy of employees' requests to use paid sick leave, if in writing, or, if not in writing, any other records reflecting such employee requests;

10. Dates and amounts of paid sick leave taken by employees (unless a contractor's paid time off policy satisfies the requirements of Executive Order 13706 and 29 C.F.R. Part 13 as described in § 13.5(f)(5), leave must be designated in records as paid sick leave pursuant to Executive Order 13706);
11. A copy of any written responses to employees' requests to use paid sick leave, including explanations for any denials of such requests, as required under 29 C.F.R. 13.5(d)(3);
12. Any records reflecting the certification and documentation a contractor may require an employee to provide under 29 C.F.R. 13.5(e), including copies of any certification or documentation provided by an employee;
13. Any other records showing any tracking of or calculations related to an employee's accrual or use of paid sick leave;
14. The relevant covered contract;
15. The regular pay and benefits provided to an employee for each use of paid sick leave; and
16. Any financial payment made for unused paid sick leave upon a separation from employment intended, pursuant to 29 C.F.R. 13.5(b)(5), to relieve a contractor from the obligation to reinstate such paid sick leave as otherwise required by 29 C.F.R. 13.5(b)(4).
- 17.
18. If a contractor wishes to distinguish between an employee's covered and non-covered work, the contractor must keep records or other proof reflecting such distinctions. Only if the contractor adequately segregates the employee's time will time spent on non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. Similarly, only if that contractor adequately segregates the employee's time may a contractor properly refuse an employee's request to use paid sick leave on the ground that the employee was scheduled to perform non-covered work during the time she asked to use paid sick leave.
19. If a contractor estimates covered hours worked by an employee who performs work in connection with covered contracts pursuant to 29 C.F.R. 13.5(a)(i) or (iii), the contractor must keep records or other proof of the verifiable information on which such estimates are reasonably based. Only if the contractor relies on an estimate that is reasonable and based on verifiable information will an employee's time spent in connection with non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. If a contractor estimates the amount of time an employee spends performing in connection with covered contracts, the contractor must permit the employee to use her paid sick leave during any work time for the contractor.
20. In the event a contractor is not obligated by the Service Contract Act, the Davis-Bacon Act, or the Fair Labor Standards Act to keep records of an employee's hours worked, such as because the employee is exempt from the FLSA's minimum wage and overtime requirements, and the contractor chooses to use the assumption permitted by 29 C.F.R. 13.5(a)(1)(iii), the contractor is excused from the requirement in paragraph (1)(d) of this section to keep records of the employee's number of daily and weekly hours worked.
- 21.
22. Records relating to medical histories or domestic violence, sexual assault, or stalking, created for purposes of Executive Order 13706, whether of an employee or an employee's child, parent, spouse, domestic partner, or other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, shall

be maintained as confidential records in separate files/records from the usual personnel files.

23. If the confidentiality requirements of the Genetic Information Nondiscrimination Act of 2008 (GINA), section 503 of the Rehabilitation Act of 1973, and/or the Americans with Disabilities Act (ADA) apply to records or documents created to comply with the recordkeeping requirements in this contract clause, the records and documents must also be maintained in compliance with the confidentiality requirements of the GINA, section 503 of the Rehabilitation Act of 1973, and/or ADA as described in 29 C.F.R. 1635.9, 41 C.F.R. 60-741.23(d), and 29 C.F.R. 1630.14(c)(1), respectively.
24. The contractor shall not disclose any documentation used to verify the need to use 3 or more consecutive days of paid sick leave for the purposes listed in 29 C.F.R. 13.5(c)(1)(iv) (as described in 29 C.F.R. 13.5(e)(1)(ii)) and shall maintain confidentiality about any domestic abuse, sexual assault, or stalking, unless the employee consents or when disclosure is required by law.
25. The contractor shall permit authorized representatives of the Wage and Hour Division to conduct interviews with employees at the worksite during normal working hours.
26. Nothing in this contract clause limits or otherwise modifies the contractor's recordkeeping obligations, if any, under the Davis-Bacon Act, the Service Contract Act, the Fair Labor Standards Act, the Family and Medical Leave Act, Executive Order 13658, their respective implementing regulations, or any other applicable law.

(h) The contractor (as defined in 29 C.F.R. 13.2) shall insert this clause in all of its covered subcontracts and shall require its subcontractors to include this clause in any covered lower-tier subcontracts.

(i) Certification of Eligibility.

1. By entering into this contract, the contractor (and officials thereof) certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of the sanctions imposed pursuant to section 5 of the Service Contract Act, section 3(a) of the Davis-Bacon Act, or 29 C.F.R. 5.12(a)(1).
2. No part of this contract shall be subcontracted to any person or firm whose name appears on the list of persons or firms ineligible to receive Federal contracts currently maintained on the System for Award Management Web site, <http://www.SAM.gov>.
3. The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001.

(j) Interference/Discrimination.

1. A contractor may not in any manner interfere with an employee's accrual or use of paid sick leave as required by Executive Order 13706 or 29 C.F.R. part 13. Interference includes, but is not limited to, miscalculating the amount of paid sick leave an employee has accrued, denying or unreasonably delaying a response to a proper request to use paid sick leave, discouraging an employee from using paid sick leave, reducing an employee's accrued paid sick leave by more than the amount of such leave used, transferring an employee to work on non-covered contracts to prevent the accrual or use of paid sick leave, disclosing confidential information contained in certification or other

documentation provided to verify the need to use paid sick leave, or making the use of paid sick leave contingent on the employee's finding a replacement worker or the fulfillment of the contractor's operational needs.

2. A contractor may not discharge or in any other manner discriminate against any employee for:
3. Using, or attempting to use, paid sick leave as provided for under Executive Order 13706 and 29 C.F.R. Part 13;
4. Filing any complaint, initiating any proceeding, or otherwise asserting any right or claim under Executive Order 13706 and 29 C.F.R. Part 13;
5. Cooperating in any investigation or testifying in any proceeding under Executive Order 13706 and 29 C.F.R. Part 13; or
6. Informing any other person about his or her rights under Executive Order 13706 and 29 C.F.R. Part 13.

(k) Waiver. Employees cannot waive, nor may contractors induce employees to waive, their rights under Executive Order 13706, 29 C.F.R. Part 13, or this clause.

(l) Notice. The contractor must notify all employees performing work on or in connection with a covered contract of the paid sick leave requirements of Executive Order 13706, 29 C.F.R. Part 13, and this clause by posting a notice provided by the Department of Labor in a prominent and accessible place at the worksite so it may be readily seen by employees. Contractors that customarily post notices to employees electronically may post the notice electronically, provided such electronic posting is displayed prominently on any Web site that is maintained by the contractor, whether external or internal, and customarily used for notices to employees about terms and conditions of employment.

(m) Disputes concerning labor standards. Disputes related to the application of Executive Order 13706 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 C.F.R. Part 13. Disputes within the meaning of this contract clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.