

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA
	CORRESPONDENCE SYMBOL OWI DINAP
	DATE May 18, 2020

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 21-19

TO: ALL SECTION 166 INDIAN AND NATIVE AMERICAN (INA) GRANTEEES

FROM: JOHN PALLASCH /s/
Assistant Secretary

SUBJECT: Program Year (PY) 2020 Funding Allotments and Instructions for the INA Section 166 Programs

- Purpose.** To provide INA grantees with Comprehensive Services Program (CSP) and Supplemental Youth Services Program (SYSP) funding allotments for PY 2020 for the Workforce Innovation and Opportunity Act (WIOA), Section 166 programs, and to notify grantees of the required submission of Standard Form (SF) 424 – Application for Federal Assistance, SF 424A – Budget Information (Non-Construction Programs), and Budget Narrative.
- Action Requested.** Grantees must follow the requirements in this guidance to receive PY 2020 funding. **Due to the Covid-19 pandemic, grantees must submit documents through the grants.gov website located at www.grants.gov. We will not accept applications through the mail, email, or fax.** **Note:** Federally recognized tribes that participate in Public Law 102-477 will have their PY 2020 WIOA funds transferred to the Department of the Interior (DOI), Bureau of Indian Affairs, Office of Indian Services, Division of Workforce Development. These tribes are not required to submit the documents requested in this TEGl but should instead follow DOI’s requirements for receiving funds.

3. Summary and Background.

Summary - This document provides grantees with guidance and information including:

- INA grantee funding amounts for PY 2020;
- How to submit an application through grants.gov for PY 2020 funding;
- Funding reductions for grantees with excessive PY 2018 WIOA 166 amounts of unspent funds at the end of PY 2018; and
- Process for requesting an increase in the administrative cost limit.

Background - On December 20, 2019, the President signed the Further Consolidated Appropriations Act of 2020 (P.L. 116-94). This Act provides \$55,000,000 for Native American programs under section 166 of the WIOA. Of this amount, one percent (\$550,000)

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will be set-aside for technical assistance pursuant to 20 CFR 684.270(e) of the WIOA regulations. Therefore, the total amount available for the Native American CSP is \$54,450,000. This amount will be allocated to INA grantees using the formula at 20 CFR 684.270(b).

The Act also provides \$913,130,000 for grants to States for WIOA youth activities and pursuant to Section 127(b)(1)(A) of WIOA, 1½ percent of this amount is to be used to provide youth workforce investment activities for Native American youth in accordance with Section 166(d)(2)(A)(ii) of WIOA. Accordingly, \$13,693,590¹ is available for PY 2020 and will be allotted to INA grantees to provide supplemental services to low-income Native American youth on or near Indian reservations and in Oklahoma, Alaska, and Hawaii. ETA will allocate funds to INA grantees using the formula in the WIOA regulations at 20 CFR 684.440.

4. **Excess Carry-In Applied to PY 2020 Grant Awards.** The grantee allotments provided in Attachment I include adjustments to funding awards based on excess grantee carry-in amounts in PY 2018. Grantees that had unobligated funds in excess of 40 percent at the end of PY 2018 will have their PY 2020 adult funding award reduced. The amount of the reduction will be the amount of excess carry-in as defined in the WIOA regulations at 20 CFR 684.130. The total amount of excess carry-in (\$3,938,829) will be reallocated to those grantees that were at or below the 20 percent carry-in limit in PY 2018, using the funding formula at 20 CFR 684.270(b). Federally recognized tribes that participate in Public Law 102-477 are not included in the funding adjustments since their funds are transferred directly to the Department of Interior (DOI) and are administered by DOI's Bureau of Indian Affairs, Office of Indian Services, Division of Workforce Development.
5. **Submission Requirements.** Grantees will use the funding allotment amounts in Attachments I and II of this TEGL to submit a SF 424, 424A, Budget Narrative, and a negotiated indirect cost rate agreement (NICRA) or cost allocation plan (if applicable). Grantees receiving both CSP and SYSP funds must submit a separate set of documents for each set of funds, with the exception of indirect cost rate agreements/cost allocation plans. In addition, grantees that would like to request an administrative cost limit above 15 percent but not more than 20 percent must submit such request with the application. See item 6 below for additional information on submitting a request for an increase in the administrative cost limit. Grantees that have made significant program design changes or significant changes in WIOA program activities must also submit a revised four-year strategic plan.

Due to the COVID-19 pandemic, all applications for PY 2020 funding must be submitted through the grants.gov website located at www.grants.gov. Grantees must submit the SF 424, 424A, and Budget Narrative (and NICRA/Cost Allocation Plan if applicable) within 30 days from the issue date of this TEGL.

6. **Request for an Administrative Cost Rate Above 15 Percent.** The grant Terms and Conditions limit administrative costs for INA grants to 15 percent. However, ETA will approve administrative cost rates in excess of 15 percent, but no more than 20 percent, when the grantee submits acceptable justification. Grantee must describe the conditions that exist

¹ \$224,000 of the WIOA Youth appropriation is reserved for set-asides authorized by the Act, therefore, the INA Youth program will receive 1.5 percent of \$912,906,000.

within its organizations that require an administrative cost rate above 15 percent. Examples of the conditions that ETA will consider are:

- The amount and nature of on-going direct and indirect administrative costs.
- Local economic conditions such as the cost to rent space, paying salaries that are competitive with other employers in the local area in order to attract qualified and experienced employees, providing salary increases and other pay incentives to retain good employees.
- The amount and nature of any uncontrollable increases in its existing essential administrative costs that are unusual one-time expenses, including significant increases to basic administrative cost components such as rent or staff salaries. (Supporting documentation is required.)
- How the grantee already supplements the funds it receives from ETA for administrative expenditures with funds from other sources in order to meet its necessary administrative costs.

Administrative costs are defined in the WIOA regulations at 20 CFR 683.215.

7. **Grants.gov Submission Process.** Grantees must submit the documents described in item 5 above through Grants.gov. A request for an administrative cost rate increase described in item 6 above must also be submitted through grants.gov, if applicable. In order to submit documents through grants.gov, you, or someone in your organization, must be registered as an Authorized Organization Representative (AOR) with grants.gov. You can request that the AOR for your organization submit the required documents on your behalf or you may register as an AOR and submit the documents. To learn how to register with grants.gov and become an AOR for your organization go to: <https://www.grants.gov/web/grants/applicants/registration.html> or call the grants.gov help line at: 1-800-518-4726

Follow the steps below to submit the required documents for PY 2020 funding through grants.gov.

Step 1: Go to www.grants.gov

Step 2: Click on *LOGIN* in the upper right hand corner of the screen and log into grants.gov with your user name and password. **Note:** you must register with grants.gov in order to get a user name and password and you must be assigned the Authorized Organization Representative (AOR) by your organization's BIZ Point of Contact (POC). See <https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html> for additional information on how to become an AOR.

Step 3: Once you are logged into grants.gov, select the *APPLICANTS* tab on the Grants.gov homepage and then select *Apply Now* from the pull down menu.

Step 4: In the *Funding Opportunity Number* field, enter ***PY20-NA-Sec166-Funding*** in the Funding Opportunity Number field. Skip the *Opportunity Package ID* and go down to the *Application Filing Name* field and enter an application filing name and then click on *Create Workspace*. **Note:** the Applicant Filing Name can be any name you wish to use and it will become the name for your Workspace. If you receive both CSP and SYSP funds, create a separate workspace in order to submit two separate

applications. For example, you may want to name the Workspace for your CSP application “PY 2020 WIOA Adult Application” and the Workspace for your SYSP application “PY 2020 WIOA Youth Application”.

Step 5: Click on the links in the *Application Package Forms* and complete all the required forms.

Submitting the SF-424 through Grants.gov constitutes an electronically signed SF-424, Application for Federal Assistance. Item #18 on the SF-424 and the amounts in the SF-424A and Budget Narrative must reflect the exact amount of the allotment in Attachments I and II. Additionally, Item #11 of the SF-424 must include Catalog of Federal Domestic Assistance Number (CFDA) # 17.265.

This submission process can be time-consuming and therefore ETA strongly encourages grantees to initiate the process as soon as possible, in order to allow time to resolve unanticipated technical problems.

Submission requirements stipulate that all applicants for Federal grant and funding opportunities must have a Data Universal Numbering System (D-U-N-S®) number, and must supply their D-U-N-S® number on the SF-424. We strongly encourage grantees to be consistent in using the same D-U-N-S and Employer Identification Number (EIN) that it used in the previous year’s grant application. If you do not know the D-U-N-S and EIN you used for PY 2019, please contact your Federal Project Officer to get the D-U-N-S and EIN.

Please be aware that you cannot submit an application to grants.gov if your organization does not have an active registration in the System for Award Management (SAM). Grantees can find out if they have an active SAM registration by going to: <https://www.sam.gov/SAM/> and clicking on the Search Records tab. Then enter your organizations D-U-N-S and click on the *SEARCH* button. For assistance with SAM registration, please call the SAM federal help desk at: (866) 606-8220.

8. Inquiries. Please direct questions to the designated Federal Project Officer below.

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9. References.

- Further Consolidated Appropriations Act of 2020 (P.L. 116-94);
- Section 166 of the WIOA (Pub.L. 113-128, located at: <https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>)
- WIOA regulations; Department of Labor Only, Final Rule, located at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15975.pdf>

10. Attachment. Attachment I: PY 2020 INA Adult Allocations
Attachment II: PY 2020 INA Youth Allocations