



U.S. DEPARTMENT OF STATE
Bureau of International Narcotics and Law Enforcement Affairs (INL)
Notice of Funding Opportunity (NOFO)
Revised April 21, 2023

Announcement Type:	Request for Federal Assistance Award Applications
Funding Opportunity Title:	Reducing Unnecessary and Prolonged Pretrial Detention
Funding Opportunity Number:	SFOP0009532
Program:	Reducing the Overuse of Pretrial Detention
Catalog of Federal Domestic Assistance (CFDA) Number:	19.703 - Criminal Justice Systems
Total Funding Available:	\$1,800,000 U.S. Dollars
Funding Source:	Domestic-Funds
Application Ceiling:	Up to \$1,800,000 U.S. Dollars
Application Floor:	At least \$1,500,000 U.S. Dollars
Anticipated Number of Awards:	1 award
Initial Project Implementation Length:	24-30 months
Estimated Project Start Date:	September 2023
NOFO Issuance Date:	Grants Office will fill this in March 15, 2023
Deadline for Submission of Questions:	Grants Office will fill this in April 14, 2023 by 11:59 PM EST via email
Deadline for Discussion Sessions:	Discussion sessions: During the posting period of this program, INL/KM will host two discussion sessions open to any applicants that wish to join. This discussion session will serve as an opportunity for applicants to ask any questions about the project and its components as well as an opportunity for INL/KM to expound upon its vision

	for each of the components and solicit feedback on them from applicants. If you are interested in joining this discussion, please forward your name, organization name, email address, and phone number to the INL point of contacts listed on page one of this funding opportunity by April 7, 2023.
Deadline for Submission of Applications:	Grants Office will fill this in May 26, 2023 by 11:59 PM EST via www.grants.gov
Assistance Type:	Cooperative Agreement
Applicant Types and Eligibility Categories:	Organizations only. Refer to <u>Section C: Eligibility Information</u> for more information.
INL Points of Contact:	Najar Starr (StarrND@state.gov) - GO Stephen Andersson (AnderssonS@state.gov)- PO/GOR

BUREAU MISSION

The mission of the State Department’s Bureau of International Narcotics and Law Enforcement Affairs (INL) is to keep Americans safe by countering crime, illegal drugs, and instability abroad. The Bureau of International Narcotics and Law Enforcement Affairs (INL) is at the forefront of responding to these challenges, uniting these overarching themes through our foreign assistance programs, diplomatic engagement, and policy coordination.

INL’s foreign assistance programs are essential to advancing U.S. policy objectives. INL programs advance the following strategic goals:

- 1. Disrupt and reduce illicit drug markets and transnational crime to protect American lives and U.S. national security.**
- 2. Combat corruption and illicit financing to strengthen democratic institutions, advance rule of law, and reduce transnational crime and its enablers.**
- 3. Strengthen criminal justice systems to support stable, rights respecting partners.**

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A. PROJECT DESCRIPTION

Overview: The Bureau of International Narcotics and Law Enforcement Affairs of the U.S. Department of State announces an open competition for organizations to submit applications to carry out a project to reduce unnecessary and prolonged pretrial detention (the detention of an accused person before the trial has taken place) in partner countries. The envisioned project will create or expand access to one or multiple interventions that will reduce the overuse and misuse of pretrial detention in partner countries.

A second aspect of this project will be to test the effectiveness of the interventions to reduce unnecessary and prolonged pretrial detention, with a goal of improving the publicly available evidence base for such interventions and identifying practices that can be replicated by technical assistance providers in a wider variety of foreign countries with different legal frameworks and social, political, and cultural contexts. INL welcomes proposals to implement and rigorously evaluate the effectiveness of one or multiple interventions in one or two partner countries, with the interventions and countries to be specified by the applicant. If more than one pilot country is proposed, the same intervention(s) must be implemented and evaluated in both. Applicants are strongly encouraged to collaborate with an organization that complements their core skill set, with one organization taking the lead on project implementation and the other taking the lead on project evaluation to ensure objective analysis at a high level of scientific rigor.

INL expects to work closely with the selected applicant on project implementation and evaluation design, implementation monitoring, and reporting of findings, but the selected applicant should be fully self-sufficient in the implementation and evaluation work of the project, including development and maintenance of the required local and justice sector contacts required for work and data collection around pretrial detention. As final deliverables, the selected applicant should work with INL to produce materials that convey study findings and best practices for project implementation for possible use in additional partner countries, with the target audience being the public and how these intervention(s) can be used in other country contexts.

Priority Region/Countries: Global, with one-to-two pilot countries. Possible countries include but are not limited to: Guatemala, Colombia, Brazil, Nigeria, Kenya, Cameroon, Kosovo and Pakistan.

Problem Statement: Excessive pretrial detention is one of the most pervasive criminal justice issues across the world undermining the effectiveness, efficiency, and legitimacy of governments. Approximately one-third of the global prison population is in pretrial detention with a significant number remaining in custody for prolonged periods of time. The pervasive use of unnecessary and prolonged pretrial detention generates a host of problems. For example, it violates the presumption of innocence, exacerbates jail overcrowding, exposes defendants to harsh health conditions, increases recidivism, and encourages criminal governance. Furthermore, pretrial detention and its consequences have been shown to disproportionately impact members of marginalized populations, including low-income individuals and racial and ethnic minorities. Low-income citizens do not have access to private counsel, and many developing countries lack a comprehensive legal assistance system for defendants who cannot afford lawyers. Additionally, existing research suggests that members of marginalized racial and ethnic populations, indigenous populations, and

LGBTQI+ populations (who face a particular risk of torture and are held under considerably worse conditions than others) may be over-represented in many pretrial detention systems. Currently, the international evidence base for proven interventions to reduce pretrial detention is limited, and where it exists, most research is concentrated in North American and Western European countries. As a result, technical assistance providers, donors, civil society organizations, and other actors who wish to support foreign governments and civil society in addressing pretrial detention and its negative impact lack sufficient guidance on effective interventions with a proven rate of success across a wide variety of jurisdictions and political, social, and cultural contexts.

Project Vision: Create or expand access to one or multiple interventions that will reduce the overuse and misuse of pretrial detention, including against members of marginalized communities in one-to-two pilot countries. Conduct an impact evaluation on the effects of the chosen intervention(s) on the rate and duration of pretrial detention, including for members of marginalized communities, along with an assessment about what went right or wrong (and why) in project implementation. Estimate the social and economic impacts of the intervention(s), including its effect on access to justice, due process, and operational performance of the criminal justice system. Create a best practice guide on how the intervention can be scaled to a national level and adapted to different country contexts.

Possible interventions include but are not limited to: providing legal aid and assistance, diverting cases away from the court system through restorative justice measures or working with the police, and case management. Applicants are encouraged to identify and pilot interventions that are understood within the professional criminal justice community and/or have been demonstrated through academic research, data, and evidence to have promising impact on reducing overuse and misuse of pretrial detention, especially in low-resource operating environments. Applicants' proposals should demonstrate a keen understanding of possible risks to individuals associated with the proposed initiative, including members of marginalized populations, and offer a thoughtful and realistic plan for mitigating such risks in line with Do No Harm principles.

Project Goal(s) and Objectives:

Goal 1: Pretrial detention times, including for members of marginalized populations, are reduced in the areas of project implementation, relative to control groups.

Goal 2: Public audiences, including technical assistance providers and donors working at the international level, have access to stronger evidence and actionable guidelines for implementing successful interventions that are demonstrated to reduce pretrial detention times to further deploy this program in additional country contexts.

Project activities and deliverables:

Activity 1: Building on the project proposal, and in consultation with INL, finalize the intervention(s), monitoring, and evaluation plans. (Timeline: 3-6 months)

The project will require target country cooperation, formal agency support for the proposed study, including data collection, and selected intervention, and political will to improve pretrial detention

rates for affected communities. Target countries should have existing, or easily adaptable, mechanisms for the chosen interventions and permit access to relevant criminal justice records and data systems, including but not limited to prison records, case records, and law enforcement data. Where such data is not available from government sources, or where official government data is of limited quality or consistency, applicants should identify alternative methods of collecting other credible and objective data to evaluate the impact of the proposed intervention. Ideally, the country selection process will also consider institutional and technical factors that existing theory and evidence suggest may be important for generalizability across contexts.

INL expects that project implementation will be designed with an impact evaluation in mind (for example, through a randomized controlled trial), and that the proposed interventions will already have a robust literature to support best practices in implementation. INL is particularly interested in impacts on members of marginalized communities (whoever they may be in the particular context of project implementation). INL is neutral as to whether the proposed interventions have been tested through an impact evaluation in a previous study, though all proposals for previously evaluated interventions should be tested in a new context.

Deliverable 1-1: Project implementation plan; project monitoring plan; project evaluation plan.

Activity 2: Conduct a descriptive analysis of the demographics of pretrial detainees in each area of operation (treatment and control) using prison and court records, as well as other sources of credible data, to assess whether pretrial detention affects members of marginalized communities disproportionately, and if so, to what extent. (Timeline: 2 months)

Deliverable 2-1: Pretrial detention descriptive analysis report

Activity 3: Implement the pretrial detention interventions, according to the project implementation plan. (Timeline: 12-15 months, including startup period for interventions)

Activity 4: During project implementation, collect and report data needed for implementation monitoring and the impact evaluation, according to the monitoring and evaluation plans. (Timeline: 12 months)

Deliverable 4-1: Monitoring and evaluation data, to be reported in INL's Project Monitoring Database

Activity 5: Upon project completion, analyze the monitoring and evaluation data according to the evaluation plan. Conduct qualitative interviews as necessary to determine what went right and wrong with project implementation and why. Estimate effects of the intervention on costs to the host Government and local economy. In collaboration with INL, produce study findings and a guide that outlines best practices and lessons learned in implementing the pretrial detention interventions. (Timeline: 3-6 months)

Illustrative primary outcome measures of interest include pretrial detention rates, pretrial release requests, final case disposition, speed of final case disposition, and procedural advancement with any data disaggregated as necessary to understand the effects of selected interventions on

members of marginalized communities. Secondary outcomes of interest include detainees' trust in judicial legitimacy and economic welfare. After the completion of the impact evaluation, the implementer is to conduct a cost-benefit analysis comparing the costs of the intervention with the benefits of reduced expenditures on detention. The analysis should include an assessment of how the costs of the intervention are anticipated to change at scale.

Deliverable 5-1: Impact evaluation report (including findings about effects, assessment of what went right and wrong with project implementation, and why; and estimates of social and economic impacts of the intervention)

Deliverable 5-2: An evidence-based program design toolkit that highlights lessons learned from the studies and provides a framework for donors, foreign partners, civil society organizations, or INL to develop programs or projects using the insights from the empirically tested interventions.

Participants and Audiences: Individuals in pretrial detention, including members of marginalized populations; government officials working in the criminal justice sector, including prisons, jails, law enforcement, attorneys, and judges; civil society actors; technical assistance providers, such as INL; and academic and research organizations.

Project Expansion: If the project is successful, INL will consider the option of an award modification to expand the project to other areas or countries in the region, subject to availability of future funding. Applicants may include in their proposal a brief section outlining how additional funds could potentially be used to expand work into additional activities, interventions, or countries in future years. Applicants are strongly encouraged to demonstrate how their project might leverage funding through other organizations. Applicants are also encouraged to demonstrate the potential for their organization to work in different countries or regions beyond the specific intervention proposed in the proposal.

Discussion sessions: During the posting period of this program, INL/KM will host two discussion sessions open to any applicants that wish to join. This discussion session will serve as an opportunity for applicants to ask any questions about the project and its components as well as an opportunity for INL/KM to expound upon its vision for each of the components and solicit feedback on them from applicants. If you are interested in joining this discussion, please forward your name, organization name, email address, and phone number to the INL point of contacts listed on page one of this funding opportunity by **April 7, 2023**.

B. FEDERAL AWARD INFORMATION

Applicants are encouraged to reference the table on the first page(s) of this NOFO to determine the basic federal award information (e.g., project length, amount of funding available, anticipated number of awards, assistance type, etc.). Additional award information is included in this section, although specific aspects of the award(s) issued from this NOFO may differ from program to program.

1. Project Implementation Period

The initial project implementation length is the amount of time (e.g., months) applicants should plan to implement the project. If a range of months is listed, applicants should propose a realistic project length within that range.

INL may extend the project implementation period, contingent on INL priorities, good performance of the recipient, Department of State management approvals, and funding availability. INL projects shall not exceed five (5) total years of project implementation.

2. Assistance Type

The type of assistance is determined by scope of INL's involvement in the implementation of the project. Refer to the table on the first page(s) of the NOFO to determine whether this particular project will be a grant or cooperative agreement.

3. Funding Notices

This award will be supported with International Narcotics Control and Law Enforcement (INCLE) funds under the Foreign Assistance Act of 1961. This notice is subject to availability of funding.

Length of performance period: 24-30 months

Anticipated program start date: September 2023

Number of awards anticipated: 1 award (dependent on amounts)

Award amounts: awards may range from a minimum of \$1,500,000 to a maximum of \$1,800,000

Total available funding: \$1,800,000

Type of Funding: FY22 INCLE KM Program Funds

C. ELIGIBILITY INFORMATION

1. Eligible Applicant Types

The following organizations are eligible to apply:

- U.S.-based non-profit/non-governmental organizations (NGOs);
- U.S.-based educational institutions subject to section 501(c)(3) of the U.S. tax code;
- U.S.-based educational institutions subject to section 501(c)(3) of the U.S. tax code or section 26 US 115 of the US 115 of the U.S. tax code;
- Foreign-based non-profits/non-governmental organizations (NGOs);
- Foreign-based educational institutions

2. Cost Sharing or Matching

Cost share is the portion of project costs not borne by the U.S. government. Cost share is recommended but not required for this project. **Applicants must be able to ensure cost share is accounted for/tracked through accounting systems and/or supporting documentation (such as Personnel Activity Records, proof of voluntary hours, proof of any purchases for materials being included as cost share, etc.)**

Any cost share proposed must be appropriately captured within the SF-424A, budget, and budget narrative.

3. Other Eligibility Requirements

- In order to be eligible to receive an award, all organizations must have a unique entity identifier (also known as UEI), as well as a valid registration on www.SAM.gov. Individuals are not required to have a unique entity identifier or be registered in SAM.gov. Refer to Section D for additional guidance.
- Applicants are only allowed to submit one proposal per organization. Organizations may form a consortium and submit a combined proposal, however one organization should be designated as the lead applicant and other organization(s) listed as sub-recipient partner(s).
- To be eligible to receive a federal assistance award, organizations must have a commitment to non-discrimination with respect to beneficiaries and adherence to equal opportunity employment practices. INL is committed to an anti-discrimination policy in all of its programs and activities. INL welcomes applications irrespective of an applicant's race, ethnicity, color, creed, national origin, gender, sexual orientation, gender identity, disability, or other status.
- Applicants are reminded that U.S. Executive Orders and U.S. law prohibits transactions with, and the provision of resources and support to, individuals and organizations associated with terrorism. It is the legal responsibility of the recipient to ensure compliance with these Executive Orders and laws. This provision must be included in any sub-awards issued under this grant award.

Note: Public International Organizations (PIOs) and For-Profit Organizations are excluded from applying to this grant announcement.

D. APPLICATION AND SUBMISSION INFORMATION

Applicants should carefully follow all instructions in this section to ensure their application is formatted properly and includes all required documents. Proposals that do not meet the requirements of this announcement or fail to comply with the stated requirements will be deemed ineligible for review.

1. How to Apply and Submit Questions

This opportunity is posted on www.grants.gov, along with all required application forms and, where applicable, templates for application documents. Applications and all supporting documents must be submitted via www.grants.gov. INL reserves the right to reject any applications submitted through improper channels.

Applicants are encouraged to closely review the NOFO and email questions to the INL points of contact by the deadline listed on the first page(s) of this document. After the question deadline has passed, INL will respond to all questions publicly through a Questions & Answers document uploaded to the Related Documents tab of this opportunity.

2. Required Application Documents

All documents in the following list must be included in your application, unless explicitly listed as optional. If a document includes a page limit, please adhere to that limit in your application. Applicants that do not submit all required documents will be notified via email of their ineligibility after the application deadline.

Standard Application Forms

- ☐ **SF-424 (Application for Federal Assistance – Organizations)**
 - Must be signed by an authorized signatory of the applicant’s organization.
- ☐ **SF-424A (Budget Information for Non-Construction Programs)**
- ☐ **SF-424B (Assurances for Non-Construction Programs) – Optional**
 - The SF-424B is only required for applicants who are not registered in SAM.gov.

Project Proposal

The proposal should contain sufficient information that anyone not familiar with it would understand exactly what the applicant is proposing to do. The following documents may be submitted separately or combined into one document. If combined, please be sure to adhere to the page limits for each section.

☐ **Proposal Narrative**

Applicants may use their own proposal template, but it must include all the sections below. Refer to Appendix A for additional guidance on drafting a proposal narrative.

- **Cover Page:** include organization name, project title, requested number of months, target country(ies), point(s) of contact, and requested funding amount.
- **Table of Contents:** list all documents and attachments with page numbers.
- **Executive Summary:** Provide a synopsis of the project.
- **Proposed Interventions:** Describe the intervention(s) you propose and provide a literature review about where each proposed intervention has been attempted, findings about success or failure, and unanswered questions. Include a description of the theory of change: what are the expected results, and how do the activities lead to the expected results? (10-page limit)
- **Proposed Locations:** Describe where you propose to implement the interventions and why, including a description of the current pretrial detention situation, key factors contributing to excessive pretrial detention, proposed or current local and government partnerships, and data availability. (5-page limit)
- **General Evaluation Plan:** Describe the evaluation design for the proposed interventions in the proposed locations. All details do not need to be worked out at this stage, but key outcomes of interest, data sources, and methods of randomization for treatment and control groups should be described in enough detail that the review committee can judge the quality and thoughtfulness of the research design. Explain how the data collection and evaluation will be separate from program implementation to protect objectivity. (3-page limit)

- **Risk Analysis:** Describe key sources of risk: what are the unknowns; what could go wrong; what is the likelihood of the problem; and what mitigating measures (if any) could be reasonably taken in the event the problem arises. Develop a risk mitigation strategy on preventing harm or backlash to members of marginalized populations during the proposed intervention and in the course of collecting and publishing information on its impact. (1-page limit)
- **Gender, Equity, and Inclusion Analysis:** Include in your proposal an analysis that addresses the ways in which women, gender diverse persons, and members of other marginalized and underrepresented groups might affect and be affected differently by your work, including a consideration of their safe and meaningful participation. Strengthen your proposal by incorporating the results of this gender, equity and inclusion analysis into your project design. Include a description of how you will minimize any inequities and identified potential risks. (2-page limit)
- **Description of Prior Work:** Provide brief descriptions, including outcomes and deliverables, of any similar projects the organization has implemented. This should include experience both with pretrial detention issues, or issues related to pretrial detention, and experience implementing project evaluation with a high level of scientific rigor. (2-page limit)
- **Future Funding Plan/Sustainability:** Briefly discuss the plan for ensuring the sustainability of the project (i.e., that the project continues to have impact beyond the grant period) or note if sustainability is unlikely without continued support. Applicants may also include a brief section outlining how additional funds could potentially be used to expand work into additional activities or countries beyond the initial project period. (1-page limit)

☐ **Performance Monitoring Plan**

See Appendix A for more details and instructions. Applicants **MUST** submit the following:

- **Change Map (see template) or equivalent**
- **Illustrative Performance Indicator Reference Sheet (see template)**

Note 1: If full performance monitoring information is not available at the time of the proposal, applicant should indicate that the indicators and associated information are notional. If selected, a final version of the documents will be required as an early deliverable.

Note 2: Reporting of performance narratives and indicator data in INL's DevResults database is required once project implementation is underway.

☐ **Project Risk Analysis**

A template is included under the Related Documents section of this NOFO announcement on www.grants.gov. Refer to Appendix B for additional guidance on drafting a Project Risk Analysis.

☐ **Timeline**

Outline key milestones in the project, project start-up, and closeout, programmatic activities, and monitoring and evaluation activities (e.g., monitoring trips or semi-annual reviews). May be a written schedule and/or a GANTT chart.

Organization, Staff, and Partners

The following documents may be submitted separately or combined into one document. If combined, please be sure to adhere to the page limits for each section.

☐ **Biographical Information of Applicant Organization – Maximum 4 pages**

- Introduce the applicant organization, including biographical information such as mission statement, organization size, relevant office location(s), etc.
- Provide a summary description of past and present operations, demonstrating the applicant's ability to carry out the project
- Describe any experience the organization has in the target country or region
- Confirm whether the organization is a registered business entity within the target country or region

☐ **List of Key Personnel – Maximum 3 pages**

- Names, titles, responsibilities, and relevant experience or qualifications of key personnel involved in the management of the project

☐ **Partner Information – Maximum 3 pages**

- Introduce and provide relevant information about key partner organizations and sub-awardees
- Briefly describe the division of labor and/or distinct roles and responsibilities among the applicant organization and its partners
- If proposing a sub-grantee, which is encouraged, please briefly describe the applicant organization's experience related to managing sub-recipients

☐ **Letters of Support – Optional**

- If desired, applicants may submit letters of support from project partners, host government entities, or other relevant stakeholders

Project Budget and Cost Documents

☐ **Summary and Detailed Budgets**

A proposal budget must be submitted in spreadsheet format (e.g., Microsoft Excel). A template is located under the Related Documents section of this NOFO announcement on www.grants.gov for applicants as a reference. Refer to Appendix C for additional guidance on drafting a proposal budget.

- One tab of the spreadsheet shall contain the Summary Budget, which lists the OMB-approved budget categories and total estimated cost per category
- One tab of the spreadsheet shall contain the Detailed Budget, which breaks down the OMB-approved budget categories into individual line items and provides detailed cost estimates per line item

- If applicable, federal costs and recipient cost share must be reported in separate columns

☐ **Budget Narrative**

The Budget Narrative is a companion document to the summary and detailed budgets, and must be submitted in word document format. A template is included under the Related Documents section of this NOFO announcement on www.grants.gov. Refer to Appendix_C for additional guidance on drafting a Budget Narrative.

- The Budget Narrative should communicate to INL any budgetary information that is not readily apparent in the detailed budget. Rather than simply repeating with words what is stated numerically in the budget, the Budget Narrative should explain the logic behind the amount budgeted for each line item
- If applicable, proposed recipient cost share must be included in the Budget Narrative, including reference to the source of the cost share

☐ **Indirect Costs**

Negotiated Indirect Cost Rate Agreement (NICRA):

- If the applicant has an approved Negotiated Indirect Cost Rate Agreement (NICRA) and includes NICRA charges in the budget, a copy of the organization's most-recent NICRA ***must*** be included in the application
- If the applicant is proposing a sub-grantee that has an approved NICRA, and includes NICRA charges in the sub-award budget, a copy of the sub-grantee organization's most-recent NICRA ***must*** be included in the application

10% de minimis Rate:

- The applicant can elect to charge a de minimis rate of 10% of modified total direct costs (MTDC), which is allowable if the organization does not have a current agreement. *(Please see Appendix C: Budget and budget narrative for more information regarding the 10% de minimis rate.)*

Applicant Management Capabilities

INL must assess each potential applicant for organizational risks related to the financial and programmatic management of a federal assistance project.

☐ **History of U.S. Government Federal Assistance Awards**

This document outlines the applicant organization's experience with implementing U.S. government-funded federal assistance awards, including current and completed projects.

- The list should include the awarding agency, point of contact, name of the project, start and end dates, and amount of the award.
- If the applicant has never received a U.S. federal assistance award, please list other projects the organization has implemented, including the information requested in the bullet above.

☐ **Organizational Audit**

- If the applicant organization is required to undergo an audit (per regulations outlined in 2 CFR 200.500 – Subpart F), a complete copy of the organization's

most-recent audit must be submitted. (The financial statement is not a substitute for a single audit report. The Single audit report is an additional requirement for domestic and foreign organizations that spend \$750,000 or more in federal funds in the fiscal year.)

- If the applicant organization is not required to undergo an audit (per the regulation cited above), a brief explanation must be submitted with the application. This explanation shall include confirmation that the organization is under the threshold for which an audit is required and/or plans for the organization to undergo an audit in the future.
- Responses to the Pre-Award Risk Survey in reference to the Organizational Audit does not satisfy this requirement. Please provide the required explanation in addition to the Pre-Award Risk Survey.

☐ **INL Applicant Pre-Award Risk Survey**

This risk survey reviews the applicant organization's financial capacity, policies, and infrastructure. A template is included under the Related Documents section of this NOFO announcement on www.grants.gov.

- Please take note of the questions within the survey that request additional documentation. These documents must be included in the application.

3. Document Formatting

Applicants must ensure that their application documents conform to the following requirements:

- ☐ The proposal clearly addresses the goals and objectives of this funding opportunity
- ☐ All documents are in English
- ☐ All budgets are in U.S. dollars
- ☐ All pages are numbered
- ☐ All documents are formatted to 8 ½ x 11 inch paper, and
- ☐ All Word documents are, at minimum, single-spaced with 12 point Calibri font and 1-inch margins

4. Required Entity and Account Registrations for Applicants

All prospective applicant organizations must register and/or maintain active registration in the systems outlined below in order to submit an application to this NOFO.

Organizations that are first-time applicants may need to register and/or create accounts in these systems. INL encourages prospective applicants to initiate these registrations as soon as possible. Applicants that have previously applied to other opportunities may already have registrations and/or accounts in the necessary systems, though applicants should ensure their registrations are active.

Registration in these systems is free of charge; Applicants will never be asked to pay a fee to register or submit an application in these systems.

Note: As of April 2022, a DUNS number is no longer required for federal assistance applications.

Unique Entity Identifier

Organizations must have a UEI which will be automatically assigned by SAM.gov.

- If your organization does not have a UEI already, you may obtain one by calling 1-866-705-5711 or submitting a request at <http://fedgov.dnb.com/webform>.

NCAGE Code

Organizations physically located outside the United States and its territories must also register for an NCAGE code. This request can be completed simultaneously with a UEI request. (Note: CAGE codes for US-based entities will be automatically assigned in SAM.gov).

- NCAGE application: <https://eportal.nspa.nato.int/AC135Public/scage/CageList.aspx>
- NCAGE application instructions: <https://eportal.nspa.nato.int/AC135Public/Docs/US%20Instructions%20for%20NSPA%20NCAGE.pdf>

Help with NCAGE Code registration issues:

- Call 1-888-227-2423 (callers within the U.S.)
- Call 1-269-961-7766 (callers outside the U.S.)
- Email NCAGE@dlis.dla.mil

System for Award Management (SAM.gov)

Prior to submitting an application in grants.gov, organizations must register in SAM.gov and/or ensure that their SAM.gov registration is active. Organizations are required to renew their SAM.gov registration annually.

- Initiate the registration or renewal process at <https://www.SAM.gov>. Select “Entity Registration” to begin the registration or renewal request.
- First-time applicants should initiate the SAM.gov registration after receiving their UEI and, if applicable, NCAGE Code (for foreign organizations). CAGE codes will be automatically assigned to US-based organizations.

Note: The process of obtaining or renewing a SAM.gov registration may take anywhere from 4-8 weeks. Please begin your registration as early as possible.

- Organizations **based in the United States** or that pay employees within the United States will need an Employer Identification Number (EIN) from the Internal Revenue Service (IRS) and a UEI number prior to registering in SAM.gov.
- Organizations **based outside of the United States** and that do not pay employees within the United States do not need an EIN from the IRS but do need a UEI number prior to registering in SAM.gov.
- **Please note that as of November 2022 and February 2022 respectively, organizations based outside of the United States that do not intend to apply for U.S. Department of**

Defense (DoD) awards are no longer required to have a NATO Commercial and Government Entity (NCAGE) code or CAGE code to apply for non-DoD foreign assistance funding opportunities. If an applicant organization is mid-registration and wishes to remove a CAGE or NCAGE code from their SAM.gov registration, the applicant should submit a help desk ticket (“incident”) with the Federal Service Desk (FSD) online at www.fsd.gov using the following language: “I do not intend to seek financial assistance from the Department of Defense. I do not wish to obtain a CAGE or NCAGE code. I understand that I will need to submit my registration after this incident is resolved in order to have my registration activated.”

Any applicant listed on the Excluded Parties List System (EPLS) in SAM.gov is not eligible to apply for an assistance award. Additionally, no entity listed on the EPLS can participate in any activities under an award. All applicants are strongly encouraged to review the EPLS in SAM.gov to ensure that no ineligible entity is included in their proposal.

Organizations based outside of the United States and that DO NOT plan to do business with the DoD should follow the below instructions:

Step 1: Proceed to SAM.gov to obtain a UEI and complete the SAM.gov registration process. SAM.gov registration must be renewed annually.

Organizations based outside of the United States and that DO plan to do business with the DoD in addition to Department of State should follow the below instructions:

Step 1: Apply for an NCAGE code by following the instructions on the NSPA NATO website linked below:

NCAGE Homepage:

<https://eportal.nspa.nato.int/AC135Public/sc/CageList.aspx>

NCAGE Code Request Tool (NCRT):

Exemptions

An exemption from the UEI and sam.gov registration requirements may be permitted on a case-by-case basis if:

- An applicant’s identity must be protected due to potential endangerment of their mission, their organization’s status, their employees, or individuals being served by the applicant.
- For an applicant, if the Federal awarding agency makes a determination that there are exigent circumstances that prohibit the applicant from receiving a unique entity identifier and completing SAM registration prior to receiving a Federal award. In these instances, Federal awarding agencies must require the recipient to obtain a unique entity identifier and complete SAM registration within 30 days of the Federal award date.

Organizations requesting exemption from UEI or SAM.gov requirements must email the point of contact listed in the NOFO at least two weeks prior to the deadline in the NOFO providing a justification of their request. Approval for a SAM.gov exemption must come from the warranted Grants Officer before the application can be deemed eligible for review.

Grants.gov

To submit an application to this NOFO, applicants must register in grants.gov.

- Go to www.grants.gov and select “Register” from the banner at the top of the page.
- This should be the last step of the entity registration processes, completed after obtaining a UEI number, NCAGE/CAGE Code (if applicable), and SAM.gov registration.

Help with grants.gov registrations and application submission:

- Go to the grant.gov support page at <https://www.grants.gov/web/grants/support.html>
- Call +1 800-518-4726
- Email support@grants.gov

It is the responsibility of each applicant to ensure that its application was submitted in www.grants.gov correctly. INL bears no responsibility for errors resulting from transmission or conversion processes associated with application submissions. If applicants are unable to resolve technical issues in the system, they should email the INL points of contact listed on the first page(s) of this NOFO with an explanation of the issue and proof of attempts to resolve it (e.g., emails with grants.gov support). INL Grants Office will then determine whether the applicant is allowed to submit application materials via email.

E. APPLICATION REVIEW INFORMATION

1. Technical Evaluation Criteria

A technical evaluation committee, using the criteria shown in this Section, will evaluate the applications. The various functional elements of the technical criteria are assigned weighted scores, so that the applicants will know which areas require emphasis in the preparation of applications.

Where technical applications are considered essentially equal, cost may be the determining factor. Applicants should note that these criteria serve as the standard against which all applications will be evaluated and serve to identify the significant matters which applicants should address in their applications.

The relative importance of each criterion is indicated by the number of points assigned. A total of 100 points is possible.

Project Analysis & Design – Total Possible Points: 45

- The proposal narrative demonstrates strong knowledge and previous experience working to address pretrial detention issues and the political and institutional context in

- the proposed project location(s). The narrative identifies the scope and main causes of the problem and discusses which actors and/or institutions have sufficient power to effect change. (10)
- Quality of proposed interventions and theory of change: (15)
 - There is a logical and evidence-based connection between the proposed project activities and improvement in pretrial detention outcomes in the project narrative and change map.
 - Proposed solutions are relevant and feasible in proposed country context(s).
 - Project design and implementation plan: (10)
 - The project idea is feasible given the timeline, resources, and context.
 - The proposal clearly articulates how the project activities will result in the achievement of project goals and objectives.
 - The proposal describes existing or proposed local and government partnerships in the proposed project location and has a clear plan for obtaining relevant data.
 - The proposal explains how the applicant plans to manage sub-awards effectively, if applicable.
 - To the extent possible, the application's activities promote sustainable intervention practices and build capacity of local institutions/systems.
 - Proposal includes a gender, equity, and inclusion analysis addressing the ways in which women, gender diverse persons, racial and ethnic minorities, and members of other marginalized and underrepresented groups, including those with intersecting aspects of identity, might affect and be affected by this project. Proposal articulates the unique challenges related to pretrial detention that are faced by members of marginalized communities in the specific countries proposed for intervention. (10)

Program Monitoring, Evaluation, and Risk – Total Possible Points: 25

- The evaluation plan offers a scientifically rigorous research methodology to establish evidence on the effects of the project activities on pretrial detention. The evaluation plan specifies an estimation strategy, sampling strategy, and data collection and analysis processes. The plan also describes how the monitoring and evaluation activities will be carried out and who will be responsible for carrying them out. (10)
- The Change Map and Illustrative Indicator Reference Sheet includes indicators for each goal and objective; and proposed indicators are useful for decision making, accurate in measuring the intended result, reliable, and timely. Demonstrate a thorough plan for data collection. (5)
- The risk assessment is thorough and realistic, addresses challenges in the operating environment, and proposes adequate strategies to mitigate risks to the project and individuals associated with it. In particular, the risk assessment considers findings from the gender, equity, and inclusion analysis and identifies possible risks to participants as a result of their participation, and offers a plan for mitigating those risks in line with Do No Harm principles. (10)

Institution's Record and Capacity Rating – Total Possible Points: 15

- The applicant demonstrates an institutional record of successful programs in the proposed program area (2)
- The applicant demonstrates an institutional relationship with the proposed countries and their governments (5)
- Professional experience of staff and institutional resources are adequate and appropriate to achieve the project's objectives (2)
- The roles and responsibilities are clearly delineated among staff and partners (2)
- Applicant is a current/former INL grantee and they successfully manage/managed the project OR the applicant has not worked with INL previously and demonstrates experience in managing similar-sized projects (2)
- Applicant submits copies of organization-wide policies and procedures on Preventing Sexual Exploitation and Abuse or explains how the applicant plans to develop such policies, which should also apply to sub-grantees. (2)

Cost Effectiveness – Total Possible Points: 15

- Activity-related costs are realistic, appropriate, and clearly linked to project objectives (5)
- Personnel costs (e.g., staff salaries, contractor rates, and honoraria) are reasonable given the amount of work and oversight needed to manage the project (5)
- Administrative costs (e.g., staff travel, supplies, office costs) are necessary, justified, and in good proportion to direct activity costs (5)

2. Review and Selection Process

INL first reviews all submitted applications for technical eligibility, based on the list of required documents in Section D: Application and Submission Information. All technically eligible applications are then passed to a review committee, which will evaluate the applications against the Technical Evaluation Criteria listed in the previous sub-section. The application(s) selected by the review committee are then presented to INL management and the Grants Officer for approval.

INL will notify successful applicant(s) via email and pass along any conditions, recommendations, or questions from the review committee. INL will notify unsuccessful applicants via email after an award has been issued to the successful applicant(s); therefore this notification process may take several months.

INL reserves the right to fund any number of applications or none of the applications submitted and will determine the resulting level of funding for each award(s).

3. Federal Awardee Performance & Integrity Information System (FAPIS)

For all awards with a federal total exceeding \$250,000, INL is required to review and consider any information about the applicant in FAPIS.

Organizations are able to review and comment on any information about itself that a federal awarding agency previously entered and is currently in the designated integrity and performance system, accessible through SAM.gov. INL will consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when conducting pre-award due diligence.

F. AWARD ADMINISTRATION INFORMATION

1. Federal Award Notices

The grant award or cooperative agreement will be written, signed, awarded, and administered by the Grants Officer. The DS-1909 award agreement is the authorizing document and will be provided to the recipient for review and signature via email or SAMS Domestic. The recipient may only start incurring program expenses beginning on the official project start date, unless pre-award costs are authorized in the award agreement.

If a proposal is selected for funding, the Department of State has no obligation to provide any additional future funding. Renewal of an award to increase funding or extend the period of performance is at the discretion of the Department of State.

Issuance of this NOFO neither constitutes an award commitment on the part of the U.S. government, nor does it commit the U.S. government to pay for costs incurred in the preparation and submission of proposals. Further, the U.S. government reserves the right to reject any or all proposals received.

2. Administrative and National Policy Requirements

Before submitting an application, applicants should review all the terms and conditions and that will apply to this award to ensure that they will be able to comply. These include, but may not be limited to:

- [2 CFR 25 - UNIVERSAL IDENTIFIER AND SYSTEM FOR AWARD MANAGEMENT](#)
- [2 CFR 170 - REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION](#)
- [2 CFR 175 - AWARD TERM FOR TRAFFICKING IN PERSONS](#)
- [2 CFR 182 - GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE \(FINANCIAL ASSISTANCE\)](#)
- [2 CFR 183 - NEVER CONTRACT WITH THE ENEMY](#)
- [2 CFR 200 – UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES, AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS](#)
- [2 CFR 600 – DEPARTMENT OF STATE REQUIREMENTS](#)
- [U.S. DEPARTMENT OF STATE STANDARD TERMS AND CONDITIONS](#)

INL will review and consider applications in accordance with the Office of Management and Budget's guidance located at 2 CFR part 200, all applicable Federal laws, and relevant Executive guidance. This may include, but is not limited to:

- Guidance for Grants and Agreements in Title 2 of the Code of Federal Regulations (2 CFR), as updated in the Federal Register’s 85 FR 49506 on August 13, 2020, particularly on:
 - Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR part 200.205)
 - Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019 (2 CFR part 200.216)
 - Promoting the freedom of speech and religious liberty in alignment with *Promoting Free Speech and Religious Liberty* (E.O. 13798) and *Improving Free Inquiry, Transparency, and Accountability at Colleges and Universities* (E.O. 13864) (2 CFR parts 200.300, 200.303, 200.339, and 200.341)
 - Providing a preference, to the extent permitted by law, to maximize use of goods, products, and materials produced in the United States (2 CFR part 200.322)
 - Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR part 200.340)

3. Program-Specific Requirements

RAM Vetting

Applicants are advised that a condition of this award is passing vetting that evaluates the risk that funds may benefit terrorists or their supporters. Applicants may be asked to submit information required by DS Form 4184, *Risk Analysis Information* about their company and its principal personnel. Vetting information is also required for all sub-award performance on assistance awards identified by DOS as presenting a risk of terrorist financing. Failure to submit information when requested, or failure to pass vetting, may be grounds for rejecting your proposal.

State Department Leahy Amendment Vetting Requirements

Funds provided under this award will be subject to Section 620M of the Foreign Assistance Act of 1961, as amended, a provision titled “Limitation on Assistance to Security Forces” (the “Leahy Amendment”). Subsection (a) of that provision states: “(a) In General.—No assistance shall be furnished under this Act [the Foreign Assistance Act] or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a gross violations of human rights.” Accordingly, none of the funds under this award may be used to provide training or other assistance to any unit or member of the security forces of a foreign country if the Department of State has credible information that such unit or individual has committed a gross violation of human rights.

The recipient will be required to exercise due diligence to ensure compliance with the Leahy provision and State Department policy, and to cooperate with the State Department in implementation of the Leahy requirement for funds under this award. The Department implements the Leahy requirement by vetting units or individuals proposed for training or other assistance to check for credible information of a gross violation of human rights by such units or individuals. To facilitate State Department vetting, the Recipient must provide the required

information for proposed participants at least sixty (60) calendar days prior to commencing award activities. This information should be submitted to the U.S. Embassy in the country where the award will be implemented in order to initiate Leahy vetting procedures.

4. Reporting Requirements

Recipient Reports

Recipients will be required to submit financial reports and program narrative reports. The award document will specify how often these reports must be submitted.

Applicants should be aware of the post-award reporting requirements reflected in [2 CFR 200 Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#).

Foreign Assistance Data Review

As required by Congress, the Department of State must make progress in its efforts to improve tracking and reporting of foreign assistance data through the Foreign Assistance Data Review (FADR). The FADR requires tracking of foreign assistance activity data from budgeting, planning, and allocation through obligation and disbursement. Recipient(s) will be required to report and draw down federal funding based on the appropriate FADR Data Elements, indicated within their award documentation. In cases of more than one FADR Data Element, the successful applicant will be required to maintain separate accounting records.

APPENDIX A: PERFORMANCE MONITORING PLAN

Monitoring is the ongoing collection and analysis of information to inform project management and decision making. A monitoring plan is an agreement between stakeholders about how, when, and by whom the intervention's results will be measured, and how measurement will inform decisions.

Requirements for INL Performance Monitoring are met through three documents:

1. Change Map;
2. Performance Indicator Reference Sheet; and
3. Performance Monitoring Reports.

The Change Map shows the links between project goals, objectives, and activities, as well as which goal, objective, or activity each indicator is intended to monitor. A complete Change Map is a required component of a project proposal, though all elements can be modified over the life of the project.

The Performance Indicator Reference Sheet (PIRS) provides detailed information for each indicator, including baseline and target values. An illustrative PIRS, defining three indicators and using notional data as needed, is a required component of a project proposal. A complete PIRS, with full information for every indicator, is required as an early project deliverable. The PIRS may be modified as needed over the life of the project.

The Performance Monitoring Reports provide information throughout the life of the project about the progress of project implementation and performance against indicator targets. INL and the Grantee will agree upon the quarterly reporting procedures and templates when the Statement of Work is finalized. No documents related to the Performance Monitoring Reports are needed at the time of the proposal.

APPENDIX B: PROJECT RISK ANALYSIS

Risks are unavoidable – all programs inherently contain both internal and external risks. However, with proper identification and management, risks can be prepared for, minimized or mitigated. The purpose of a risk analysis is to identify the internal and external risks associated with the proposed project in the application, rate the likelihood of the risks, rate the potential impact of the risks on the project, and identify actions that could help mitigate the risks. A risk analysis should not be considered a one-time exercise or a static document.

INL defers to organizations to conduct adequate risk analysis and remediation for all of its operations and advises that risk analysis and remediation occur throughout the life of a program and should result in revisions to risk analysis documents and processes as necessary. Applicants should incorporate all assumptions and external factors identified in the Monitoring Plan and Proposal Narrative into the risk analysis. Applicants should rate the likelihood of a risk and potential impact of the risk as “high”, “medium”, or “low.”

The safety and security of recipients and beneficiaries are of utmost importance. INL requires all recipients to conduct thorough risk assessments and take all actions necessary in accordance with those assessments to mitigate those risks. INL does not take responsibility for the risks incurred by any recipient.

INL has included a template for the Project Risk Analysis in the Related Documents tab of the NOFO announcement on grants.gov. For more information about the Risk Analysis, please see 2 CFR 200.519.

APPENDIX C: BUDGET AND BUDGET NARRATIVE

Before grants are awarded, INL reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the INL program and availability of funds.

A. Budget Proposal

Complete budget proposals should include a Summary Budget; Detailed Budget; and Sub-grantee Detailed Budget(s), if applicable. The Summary Budget and Detailed Line-Item Budget should be combined in one spreadsheet document. They should be organized according to the OMB-approved budget categories:

- Personnel
- Fringe Benefits
- Travel
- Equipment
- Supplies
- Contractual
- Construction
- Other Direct Costs
- Indirect Costs

If proposing sub-grantee(s), applicants should include detailed sub-grantee budget(s) as additional tabs within the budget spreadsheet. These budgets should follow the same formatting as the primary budget proposal, including all OMB-approved budget categories.

B. Budget Narrative

The Budget proposal provides a numeric-based description of costs under the project. The Budget Narrative is a critical companion document to the Budget that provides numeric and narrative descriptions of each cost item included in the Budget.

All costs included in the project, whether federal or recipient cost share, must be allowable, allocable, reasonable, necessary, and consistent with OMB guidelines. The applicant should keep this in mind when drafting the Budget Narrative, as INL will reference both the Budget and Budget Narrative to determine whether proposed costs fit these requirements.

Category A. Personnel

This section should include all staff from the applicant organization that will work on this project.

- Identify staff by name, where possible, and position title and include a brief description of duties.
- List the annual or monthly salary of each position, their level of effort (i.e., percentage of time working on project), and number of months or years they will work on the project.
- If applicable, separate personnel by location (e.g., headquarters staff and field office X staff)

Category B. Fringe Benefits

Fringe Benefits are the non-wage compensation provided to employees in addition to their normal

wages or salaries. Common examples include health insurance, vacation and sick leave, and employer-paid taxes. Fringe benefit application must be consistent with organization's written policy.

- Explain how benefits are computed for each category of employee
- Specify the type of benefit and rate. If applicable, reference rates found in NICRA.

Category C. Travel

This category outlines travel planned for staff and participants.

- **Domestic and International Airfare**
 - Indicate origin and destination (city and country), number of travelers, number of trips each, unit cost per round trip, and purpose.
 - All travel must be booked with economy class fares only.
 - Where applicable, travel should comply with the Fly America Act. More information located here: <http://www.gsa.gov/portal/content/103191>.
- **In-Country Travel**
 - Indicate origin and destination cities, mode of transportation, number of travelers, and unit cost per traveler per trip.
- **Per Diem**

This includes lodging, meals and incidentals (M&IE) for staff and participant travel.

 - Rates of maximum allowances for U.S. and foreign travel are located here: <http://www.policyworks.gov/>.
 - Per diem rates must follow the organization's own policy; however, institutions may use official government per diem rates as reference.
 - Per diem rates may be prorated and/or removed if the project is paying for refreshments and/or meals for participants (e.g., while attending a workshop or conference).

Category D. Equipment

Equipment is defined as an item with a per-unit cost of \$5,000 or more and a service life of more than one year. If the item meets these criteria, all federal procurement policies and procedures must be followed. If an item does not meet these criteria, it should be listed as a supply item under Category E.

- Provide a description and justification for all equipment, breaking down the total cost into its components where possible.
- Specify whether the equipment will be purchased or rented.

Category E. Supplies

Supplies include tangible items (e.g., toner, laptops, paper) and intangible items (e.g., computer software and licenses) used to manage the project and activities.

- List items separately, including a brief description and justification for the item, number of units, and unit cost.
- For electronic supplies (e.g., mobile phones and laptops), specify which staff will receive the items and the programmatic need.

Category F. Contractual

- **Sub-grants**

A common distinction between sub-grantees and contractors is the role being played; is the entity simply providing a service or are they an implementing partner:

- Each sub-grant should be listed as a line within the main budget and be supported by a separate line-item sub-grant budget.
- For simple sub-grants, the applicant may elect to include the sub-grant's line items within the contractual section of the Budget Narrative; for more complex sub-grants, the applicant should include the sub-grant's line items at the end of the Budget Narrative.
- All proposed sub-grantees are required to have a Unique Entity Number (UEI), regardless of the proposed budget amount, prior to receiving funding. An active SAM.gov registration is not required for sub-grantees.

- **Consultant Fees and Contracts**

Common examples include lecture fees, honoraria, travel and per diem for outside speakers or independent evaluators, and subject-matter expert consultants.

- Describe the nature of the contract/consultancy and list number of people and rates
- Fees and rates should be consistent with the level of experience and based on a fair market value.
- Fees and honorarium should not exceed \$720/day per person, effective January 1, 2023. The 2022 rates will apply to all NOFOs issued before January 1, 2023, until amended. (Note: The designated INL GO can negotiate final fees and rates during the review process of an award and prior to issuance of an award.)

Category G. Construction

Due to the nature of INL programs, construction costs are not allowable or applicable.

Category H. Other Direct Costs

Other direct costs are any costs not included in the other categories. This category may include the entity's operating expenses that are directly linked to the award but not included as an indirect cost.

- For shared costs (e.g., office rent, utilities, wifi, etc.), justify the percentage of the total cost that is being charged to this project.
- Audit costs can be included if they are not covered by indirect costs. Only the portion of an organizational audit cost associated with this project should be charged to this project.
- Avoid using vague wording such as "miscellaneous", "other", "etc.", and "contingency fund".

Category I. Total Direct Costs

This category simply adds together the totals of all previous categories (A through H) to provide a summary of all direct costs. No additional narrative information is necessary for this category.

Category J. Indirect Costs

Indirect costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The organization's elected methodology must be used consistently for all federal awards.

Indirect costs can be included in the budget under one of the following methods:

- **Negotiated Indirect Cost Rate Agreement (NICRA)**

Applicants with an established NICRA may charge their approved indirect rate(s).

- Indicate the rate(s) and the base(s) to which they are applied (e.g., all direct costs, to wages and salaries only, etc.)
- If an applicant is electing to charge a rate lower than their approved NICRA, an explanation should be provided within the Budget Narrative.

- **De Minimis Rate**

Applicants that have never received a NICRA can charge a de minimis rate of 10% of modified total direct costs (MTDC) to cover indirect expenses.

- MTDC includes "all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subaward)"
- MTDC excludes "equipment, capital expenditures, charges for patient care, rental costs, tuition reimbursement, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of \$25,000". Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.
- Justify the MTDC calculation and outline which costs the applicant is proposing to be included within the MTDC base.

Cost Share

Cost Share is the portion of program costs not borne by the Federal Government. Cost sharing may take the form of allowable direct or indirect costs offered by the applicant and/or in-country partners. Applicants should consider all types of cost sharing, including in-kind and public-private partnerships. Additional information on cost share can be found in 2 CFR 200.306. Common examples include the use of office space owned by other entities; donated supplies and equipment; and activities and services conducted by qualified volunteers.

- Line items that include cost share should be identified as such within the Budget Narrative and include the same level of detail requested within this Appendix for federal expenses.
- Monetary values should be assigned to each cost-share line item, in accordance with 2 CFR 200.306.
- Funding from other U.S. government entities or programs does not constitute cost sharing.

C. Budget Allowances and Restrictions:

Program Income

Recipients must report any income generated by the project, also known as "program income." Program income earned during the project period shall be retained by the recipient and, in

accordance with the terms and conditions of the award, shall be addressed in one or more of the following ways:

- added to the award total and used to further program objectives
- used toward the recipient's cost sharing requirement
- deducted from the total allowable costs in order to determine the net allowable costs for the award

Cost Share

If a resulting federal award includes recipient cost share, the recipient must maintain written records to support all allowable costs that are claimed as its contribution to cost share. Such records are subject to audit. In the event the recipient does not meet the minimum amount of cost sharing as stipulated in the recipient's budget, INL may reduce the federal share of the award in proportion to the recipient's actual cost share contribution.

Considered Costs

INL will consider approval of the following (non-exhaustive) list of expenses:

- External evaluation to assess the project's impact
- Internal evaluation conducted by the grantee
- Audit for the recipient organization or specific project
- Visa fees, immunizations, and medical insurance necessary for travel under the project
- English translations for reporting, relevant documents, or events
- Training for project staff related to monitoring and evaluation, financial management, and other skills necessary to effectively manage the project

Unallowable Costs

The following (non-exhaustive) list of expenses are not allowed in INL grants and cooperative agreements and should not be included within the proposed budget:

- Projects designed to advocate policy views or positions of foreign governments or views of a particular political faction
- Alcoholic beverages
- Buying or leasing land
- Direct support or the appearance of direct support for individual or single-party electoral campaigns
- Duplication of services immediately available through municipal, provincial, or national government

INL Grants Officer Specific Approvals

The following list of expenses will require the pre-approval of an INL Grant Officer:

- Program income for the grantees and/or sub-grantees (Note: Program income is defined as "gross income earned by a recipient that is directly generated by a sponsored activity or earned as a result of the award". Program income must be identified, appropriately documented, and the resulting revenue and expenses properly recorded and accounted for. Program Income must be pre-approved by the Grants Officer).

- Expenses incurred before or after the award period of performance, unless prior written approval is given by INL Grants Officer
- Costs of entertainment, including amusement, diversion, and social activities, except where these costs have a demonstrable programmatic purpose and are authorized by INL
- Construction

Additional Notices

The applicant is reminded that funds provided under this agreement must be used in a manner fully consistent with U.S. law.

The applicant will be responsible for complying with all applicable tax treaties and federal, state, and local laws on tax withholding and reporting for program participants.