

Department of State
Public Notice

**Bureau of Democracy, Human Rights, and Labor Request for Statements of Interest:
Strengthening Independent Civil Society in Cuba to Advance Labor Rights and Empowering
Cuban Entrepreneurs**

I. Requested Objectives for Statements of Interest

The Bureau of Democracy, Human Rights, and Labor (DRL) announces a Request for Statements of Interest (RSOI) from organizations interested in submitting concept notes aimed at strengthening independent civil society in Cuba to advance labor rights and empower Cuban entrepreneurs.

PLEASE NOTE: DRL strongly encourages applicants to immediately access [SAMS Domestic](#) or www.grants.gov in order to obtain a username and password. For instructions on how to register with SAMS Domestic for the first time, please refer to the Proposal Submission Instructions (PSI) for FY 2022 WHA Statements of Interest at: <https://www.state.gov/bureau-of-democracy-human-rights-and-labor/programs-and-grants/>.

The submission of a SOI is the first step in a two-part process. Applicants must first submit a SOI, which is a concise, 5-page concept note designed to clearly communicate a program idea and its objectives before the development of a full proposal application. The purpose of the SOI process is to allow applicants the opportunity to submit program ideas for DRL to evaluate prior to requiring the development of full proposal applications. Upon merit review of eligible SOIs, DRL will invite selected applicants to expand upon their program idea(s) through the submission of a full proposal application. Full proposals will go through a second merit review before funding recommendations are submitted to the DRL Assistant Secretary for funding approval, pending funding availability.

Context:

In January 2021, the Cuban regime launched a new set of economic reforms (*Tarea de Ordenamiento*) that included currency unification and exchange, salary, and subsidies measures. These economic measures were preceded by the approval of the 2019 Cuban constitution, in which the Cuban economic model was revisited to introduce new measures that impact the labor and workers landscape, and which became the first step in a calendar of legislative reforms for the years to come. Since the launch of the *Tarea de Ordenamiento*, the regime has approved additional laws aimed at increasing the participation of non-state actors in the economy, such as through Micro, Small and Medium Enterprises (*Micro, Pequeñas y Medianas Empresas*, MIPYMES). However, the state of labor and economic rights continues to worsen due to the Cuban regime's non-compliance with International Labour Organization (ILO) core conventions that it has ratified, including Convention 87 on Freedom of Association and Convention 98 on Collective Bargaining.¹ Cuban law severely restricts these labor rights by recognizing only the party controlled Central Union of Cuban Workers (CTC) as the paramount trade union confederation. To operate legally under Cuban law, a trade union must belong to the CTC. This limits workers'

¹ <https://www.hrw.org/world-report/2021/country-chapters/cuba>

ability to freely choose their organization and its leaders, and it also undermines democratic processes of unions, as well as their role in ensuring other labor rights.

The Biden Administration is actively pursuing measures that will both support the Cuban people and hold the Cuban regime accountable. The U.S. seeks to support the growth of Cuba's nascent private sector and independent civil society and engages in areas that advance the interests of the United States and the Cuban people. In furtherance of these objectives, DRL announces this Request for Statements of Interest (RSOI) to support independent civil society groups and individuals to advance labor rights in Cuba.

Statements of Interest:

DRL's programmatic emphasis advances the U.S. government policy to promote human rights in Cuba. Specifically, with this RSOI, DRL seeks to strengthen the capabilities of on-island, independent civil society and individuals to advance core labor rights in Cuba, while aiming to overcome the limitations imposed by the Cuban government on the exercise of these rights. DRL strives to ensure its projects also advance principles of non-discrimination with respect to race, religion, gender, disability, sexual orientation, gender identity, and other individual characteristics.

DRL seeks SOIs that aim to strengthen the capacity of independent Cuban civil society groups and individuals working to advance core labor rights or to empower Cuban private entrepreneurs to advocate for their rights. SOIs should offer an approach that ties this objective to the socio-economic and political issues that matter most to Cuban citizens in the current context. SOIs should also outline a specific vision for contributing to change while acknowledging obstacles that would have to be overcome, including rising rates of irregular migration. Projects should demonstrate consultative dialogue with local Cuban partners. Proposals should also include concrete initiatives that reflect recent developments on the island and have the potential to generate short-term impacts leading to long-term sustainable change. Possible focus areas include, but are not limited to: strengthening the organizational capacity of independent Cuban civil society organizations focused on improving respect for the rights of workers or private Cuban entrepreneurs; regional and international advocacy on the state of labor or economic rights in Cuba; documenting labor rights violations; monitoring labor reforms and legislative agendas on these issues; and/or assisting Cuban workers and private entrepreneurs seeking counsel; among others.

The Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 authorizes the United States to furnish foreign assistance, notwithstanding any other provision of law, to support "democracy-building" efforts for Cuba. While the LIBERTAD Act does not define "democracy-building", section 7032(c) of the 2020 Fiscal Transparency Report (FY 2020 SFOAA) provides the following definition of "democracy programs": "the term 'democracy programs' means programs that support good governance, credible and competitive elections, freedom of expression, association, assembly, and religion, human rights, labor rights, independent media, and the rule of law, and that otherwise strengthen the capacity of democratic political parties, governments, nongovernmental organizations and institutions, and citizens to support the development of democratic states and institutions that are responsive and accountable to citizens."

DRL welcomes applications that foster collaborative partnerships. Applicants may submit a combined SOI in which one organization is designated as the lead applicant. Applicants are also welcomed to submit SOIs from their individual organizations. Applicants should demonstrate experience programming effectively within Cuba and/or within other closed environments. Most importantly, applicants should clearly demonstrate that the proposed activities emanate directly from needs expressed by independent Cuban actors.

Successful applications in the past have proposed activities reflective of the skills, knowledge, and linguistic capabilities of target beneficiaries. Successful applications have also considered practical limitations of groups and individuals' ability to participate in project activities and strive to ensure the local partner organizations will continue to function while certain members are participating in off-island activities.

All programs should aim to have impact that leads to reforms and should have the potential for sustainability beyond DRL resources. DRL's preference is to avoid duplicating past efforts by supporting new and creative approaches. This does not exclude from consideration projects that improve upon or expand existing successful projects in a new and complementary way.

DRL is committed to advancing equity and support for underserved and underrepresented communities. Programs should seek strategies for integration and inclusion of individuals/organizations/beneficiaries that can bring perspectives based on their religion, sex, disability, race, ethnicity, sexual orientation, gender identity, gender expression, sex characteristics, national origin, age, genetic information, marital status, parental status, pregnancy, political affiliation, or veteran's status. Programs should be demand-driven and locally led to the extent possible.

To maximize the impact and sustainability of the award(s) that result(s) from this RSOI/NOFO, DRL reserves the right to execute a non-competitive continuation amendment(s). Any non-competitive continuation is contingent on performance and **availability of funds**. A non-competitive continuation is not guaranteed; the Department of State reserves the right to exercise or not exercise the option to issue non-competitive continuation amendment(s).

Activities that are NOT typically considered competitive include, but are not limited, to:

- The provision of large amounts of humanitarian assistance;
- English language instruction;
- Development of high-tech computer or communications software and/or hardware;
- Purely academic research, exchanges, or fellowships;
- External exchanges or fellowships lasting longer than three months;
- Off-shore activities that are not clearly linked to in-country initiatives and impact or are not necessary due to security concerns;
- Theoretical explorations of human rights or democracy issues, including projects aimed primarily at research and evaluation for publication that do not incorporate training or capacity-building for local civil society;

- Activities that go beyond an organization's demonstrated competence, or fail to provide clear evidence that activities will achieve the stated impact;
- Activities that are a duplication of other ongoing USG-funded projects in Cuba.

Programs that are NOT funded:

- DRL does not fund programs for Cuba that support the Cuban government, including Cuban government institutions, individuals employed by those institutions, or organizations controlled by government institutions.

II. Eligibility Information

Organizations submitting SOIs must meet the following criteria:

- Be a U.S.- or foreign-based non-profit/non-governmental organization (NGO), or a public international organization; or
- Be a private, public, or state institution of higher education; or
- Be a for-profit organization or business (noting there are restrictions on payment of fees and/or profits under grants and cooperative agreements, including those outlined in 48 CFR 30, "Cost Accounting Standards Administration", and 48 CFR 31, "Contract Cost Principles and Procedures");
- Have existing, or the capacity to develop, active partnerships with thematic or in-country partners, entities, and relevant stakeholders including private sector partner and NGOs; and,
- Have demonstrable experience administering successful and preferably similar programs. DRL reserves the right to request additional background information on organizations that do not have previous experience administering federal awards. These applicants may be subject to limited funding on a pilot basis.

Applicants may **form consortia** and submit a combined SOI. In that case, one organization should be designated as the lead applicant with the other members as sub-award partners.

DRL's preference is to work with **non-profit** entities; however, there may be some occasions when a for-profit entity is best suited. Applications submitted by for-profit entities may be subject to additional review following the panel selection process. Additionally, the Department of State prohibits profit to for-profit or commercial organizations under its assistance awards. Profit is defined as any amount in excess of allowable direct and indirect costs. The allowability of costs incurred by commercial organizations is determined in accordance with the provisions of the Federal Acquisition Regulation (FAR) at 48 CFR 30, Cost Accounting Standards Administration, and 48 CFR 31 Contract Cost Principles and Procedures. Please see 2 CFR 200.307 for regulations regarding program income.

DRL is committed to an **anti-discrimination policy** in all of its programs and activities. DRL welcomes SOI submissions irrespective of race, color, religion, sex, gender identity, gender expression, sex characteristics, sexual orientation, pregnancy, national origin, disability, age, genetic information, marital status, parental status, political affiliation, veteran's status, or other

status. DRL requires all programs to be non-discriminatory and expects implementers to include strategies for nondiscrimination of individuals/organizations/beneficiaries.

Any applicant listed on the Excluded Parties List System in the [System for Award Management \(SAM.gov\)](https://www.sam.gov) (www.sam.gov) and/or has a current debt to the U.S. government is not eligible to apply for an assistance award in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR,1986 Comp., p. 189) and 12689 (3 CFR,1989 Comp., p. 235), “Debarment and Suspension.” Additionally, no entity or person listed on the Excluded Parties List System in SAM.gov can participate in any activities under an award. All applicants are strongly encouraged to review the Excluded Parties List System in SAM.gov to ensure that no ineligible entity or person is included in their application.

Organizations are not required to have a valid Unique Entity Identifier (UEI) number—formerly referred to as a DUNS (Data Universal Numbering System) number—and an active SAM.gov registration to apply for this solicitation through SAMS Domestic. **However, if a SOI is approved, these will need to be obtained before an organization is able to submit a full application. Therefore, we recommend starting the process of obtaining a UEI and SAM.gov registration as soon as possible.** Please note that there is no cost associated with UEI or SAM.gov registration.

III. Application Requirements, Deadlines, and Technical Eligibility

All SOIs must conform to DRL’s posted Proposal Submission Instructions (PSI) for FY 2022 WHA Statements of Interest, as updated in November 2022, available at <https://www.state.gov/bureau-of-democracy-human-rights-and-labor/programs-and-grants/>.

Complete SOI submissions **must** include the following:

1. Completed and signed SF-424 and SF424B, as directed on SAMS Domestic or Grants.gov (please refer to DRL’s PSI for SOIs for guidance on completing the SF-424); and,
2. Program Statement (not to exceed five (5) pages in Microsoft Word) that includes:
 - a) Summary Table:
 - i. Organization name
 - ii. The target country/countries;
 - iii. The total amount of funding requested from DRL, total amount of cost-share (if any), and total program amount (DRL funds + cost-share); and,
 - iv. Program length;
 - b) Problem Statement: What need identified by independent Cuban civil society does the proposed project respond to? Please be specific and avoid broad references to improving human rights. (*not to exceed two paragraphs*);
 - c) **Theory of Change:** Describe how the proposed project will address the problem statement. DRL encourages applicants to cite available research, impact evaluations or lessons learned from organizational experience to substantiate the proposed project approach. (*not to exceed two paragraphs*);

- d) **d) Project Objectives and Activities:** Clearly outline the proposed objectives and supporting activities. Objectives should be specific, measurable, achievable, relevant and time bound. Activities should include detail on the number of anticipated participants, thematic focus of workshops/events/meetings, target audiences, etc. If working with a subaward partner(s), clearly delineate the role and responsibility of the primary implementer and that of the subaward partner(s) for each activity. The SOI should identify local partners as appropriate. *(between 2-3 pages)*;
- e) **e) Expected Outcomes:** List the anticipated outcomes and provide illustrative indicators that would be used to measure impact. Avoid output-level measures as outcomes (e.g., number of people trained or percent knowledge gains). Instead, describe the impact you expect to see by the end of the project. *(not to exceed two paragraphs)*;
- f) **f) Organizational Capacity:** Include a brief description of the applicant and partner(s) that demonstrates the applicant's and partners' expertise and capacity to implement the program and manage a U.S. government award. *(not to exceed one paragraph)*.

Primary organizations can submit one (1) SOI in response to the RSOI. DRL has a total of \$1,500,000 available and intends to fund two new awards. Any SOI submissions requesting less than \$500,000 or more than \$750,000 may be deemed technically ineligible.

Technically eligible SOIs are those which:

- 1) Arrive electronically via SAMS Domestic or Grants.gov by 11:59 PM EST on **Tuesday, March 21, 2023, under the announcement titled “Strengthening Independent Civil Society in Cuba to Advance Labor Rights and Empowering Cuban Entrepreneurs” funding opportunity number SFOP0009358;**
- 2) Are in English;
- 3) Heed all instructions and do not violate any of the guidelines stated in this solicitation and the Proposal Submission Instructions (PSI) for FY 2022 WHA Statements of Interest.

For all SOI documents please ensure:

- 1) All pages are numbered;
- 2) All documents are formatted to 8 ½ x 11 paper; and,
- 3) All documents are single-spaced, 12-point Times New Roman font, with 1-inch margins. Captions and footnotes may be 10-point Times New Roman font. Font sizes in charts and tables can be reformatted to fit within one page width.

Grants.gov and SAMS Domestic automatically log the date and time an application submission is made, and the Department of State will use this information to determine whether an application has been submitted on time. Late applications are neither reviewed nor considered. Known system errors caused by Grants.gov or SAMS Domestic (<https://mygrants.service-now.com>) that are outside of the applicant's control will be reviewed on a case by case basis. Applicants should not expect a notification upon DRL receiving their application. DRL will **not** accept SOIs submitted via email, fax, the postal system, delivery companies, or couriers. DRL strongly encourages all

applicants to submit SOIs before Tuesday, March 21, 2023, to ensure that the SOI has been received and is complete.

IV. Review and Selection Process

DRL strives to ensure that each application receives a balanced evaluation by a DRL review panel. The Department's Office of Acquisitions Management (AQM) will determine technical eligibility for all SOI submissions. All technically eligible SOIs will then be reviewed against the same four criteria by a DRL Review Panel: quality of program idea, addressing barriers to equal participation, program planning, and ability to achieve objectives/institutional capacity.

Additionally, the Panel will evaluate how the SOI meets the solicitation request, U.S. foreign policy goals, and DRL's overall priority needs. Panelists review each SOI individually against the evaluation criteria, not against competing SOIs. To ensure all SOIs receive a balanced evaluation, the DRL Review Panel will review the first page of the SOI up to the page limit and no further. All Panelists must sign non-disclosure agreements and conflict of interest agreements.

In most cases, the DRL Review Panel includes representatives from DRL policy and program offices. Once a SOI is approved, selected applicants will be invited to submit full proposal applications based on their SOIs. Unless directed otherwise by the organization, DRL may also refer SOIs for possible consideration in other U.S. government related funding opportunities.

The Panel may provide conditions and/or recommendations on SOIs to enhance the proposed program, which must be addressed by the organization in the full proposal application. To ensure effective use of limited DRL funds, conditions and recommendations may include requests to increase, decrease, clarify, and/or justify costs and program activities.

DRL's Front Office reserves the right to make a final determination regarding all funding matters, pending funding availability.

Review Criteria

Quality of Program Idea

SOIs should be responsive to the program framework and policy objectives identified in the RSOI, appropriate in the country/regional context, and should exhibit originality, substance, precision, and relevance to DRL's mission of promoting human rights and democracy. Projects should have the potential to have an immediate impact leading to long-term, sustainable reforms. DRL prefers new approaches that do not duplicate efforts by other entities. This does not exclude from consideration projects that improve upon or expand existing successful projects in a new and complementary way. In countries where similar activities are already taking place, an explanation should be provided as to how new activities will not duplicate or merely add to existing activities and how these efforts will be coordinated. SOIs that promote creative approaches to recognized ongoing challenges are highly encouraged. DRL prioritizes project proposals with inclusive approaches for advancing these rights.

Addressing Barriers to Equal Participation

DRL strives to ensure its projects advance the rights and uphold the dignity of all persons. As the U.S. government's lead bureau dedicated to promoting democratic governance, DRL requests a programming approach dedicated to strengthening inclusive societies as a necessary pillar of strong democracies. Violence targeting any members of society undermines collective security and threatens democracy. DRL prioritizes inclusive and integrated program models that assess and address the barriers to access for individuals and groups based on their religion, gender, disabilities, ethnicity, or sexual orientation and gender identity. Applicants should describe how programming will impact all of its beneficiaries, including support that specifically targets communities facing discrimination, and which may be under threat of violence.

Program Planning

A strong SOI will include a clear articulation of how the proposed program activities and expected results (both outputs and outcomes) contribute to specific program objectives and the overall program goal. Objectives should be ambitious, yet measurable, results-focused, and achievable in a reasonable time frame.

Ability to Achieve Objectives/Institutional Capacity

SOIs should address how the program will engage relevant stakeholders and should identify local partners as appropriate. If local partners are identified, applicants should describe the division of labor among the applicant and any local partners. SOIs should demonstrate the organization's expertise and previous experience in administering programs, preferably similar programs targeting the requested program area or similarly challenging environments.

For additional guidance, please see DRL's posted Proposal Submission Instructions (PSI) for FY 2022 WHA Statements of Interest, as updated in November 2022, available at <https://www.state.gov/proposal-submission-instructions/>.

V. Additional Information

DRL will not consider applications that reflect any type of support for any member, affiliate, or representative of a designated terrorist organization. Please refer the link for Foreign Terrorist Organizations: <https://www.state.gov/foreign-terrorist-organizations/>. Project activities whose direct beneficiaries are foreign militaries or paramilitary groups or individuals will not be considered for DRL funding given purpose limitations on funding.

In accordance with Department of State policy for terrorism, applicants are advised that successful passing of vetting to evaluate the risk that funds may benefit terrorists or their supporters is a condition of award. If chosen for an award, applicants will be asked to submit information required by DS Form 4184, Risk Analysis Information (attached to this solicitation) about their company and its principal personnel. Vetting information is also required for all sub-award performance on assistance awards identified by the Department of State as presenting a risk of terrorist financing. Vetting information may also be requested for project beneficiaries and participants. Failure to submit information when requested, or failure to pass vetting, may be grounds for rejecting your proposal prior to award.

The Leahy Law prohibits Department foreign assistance funds from supporting foreign security force units if the Secretary of State has credible information that the unit has committed a gross violation of human rights. Per [22 USC §2378d\(a\) \(2017\)](#), “No assistance shall be furnished under this chapter [FOREIGN ASSISTANCE] or the Arms Export Control Act [22 USC 2751 et seq.] 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 violation of human rights.” Restrictions may apply to any proposed assistance to police or other law enforcement. Among these, pursuant to section 620M of the Foreign Assistance Act of 1961, as amended (FAA), no assistance provided through this funding opportunity may be furnished to any unit of the security forces of a foreign country when there is credible information that such unit has committed a gross violation of human rights. In accordance with the requirements of section 620M of the FAA, also known as the Leahy law, project beneficiaries or participants from a foreign government’s security forces may need to be vetted by the Department before the provision of any assistance. If a proposed grant or cooperative agreement will provide assistance to foreign security forces or personnel, compliance with the Leahy Law is required.

Organizations should be aware that DRL understands that some information contained in SOIs may be considered sensitive or proprietary and will make appropriate efforts to protect such information. However, organizations are advised that DRL cannot guarantee that such information will not be disclosed, including pursuant to the Freedom of Information Act (FOIA) or other similar statutes.

Organizations should also be aware that if ultimately selected for an award, DRL requires all recipients of foreign assistance funding to comply with all applicable Department and Federal laws and regulations, including but not limited to the following: The Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards set forth in 2 CFR Chapter 200 (Sub-Chapters A through F) shall apply to all non-Federal entities, except for assistance awards to Individuals and Foreign Public Entities. Sub-Chapters A through E shall apply to all foreign organizations, and Sub-Chapters A through D shall apply to all U.S. and foreign for-profit entities. The applicant/recipient of the award and any sub-recipient under the award must comply with all applicable terms and conditions, in addition to the assurance and certifications made part of the Notice of Award. The Department’s Standard Terms and Conditions can be viewed at <https://www.state.gov/about-us-office-of-the-procurement-executive/>.

The information in this solicitation and DRL’s Proposal Submission Instructions (PSI) for FY 2022 WHA Statements of Interest, as updated in November 2022, is binding and may not be modified by any DRL representative. **Explanatory information provided by DRL that contradicts this language will not be binding.** Issuance of the solicitation and negotiation of SOIs or applications does not constitute an award commitment on the part of the U.S. government. DRL reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the program evaluation requirements.

This solicitation will appear on www.grants.gov, [SAMS Domestic \(https://mygrants.servicenowservices.com\)](https://mygrants.servicenowservices.com), and DRL's website <https://www.state.gov/statements-of-interest-requests-for-proposals-and-notices-of-funding-opportunity/>.

Background Information on DRL and DRL Funding

DRL has the mission of promoting democracy and protecting human rights globally. DRL supports programs that uphold democratic principles, support and strengthen democratic institutions, promote human rights, prevent atrocities, combat and prevent violent extremism, and build civil society around the world. DRL typically focuses its work in countries with egregious human rights violations, where democracy and human rights advocates are under pressure, and where governments are undemocratic or in transition.

Additional background information on DRL and the human rights report can be found on <https://www.state.gov/bureaus-offices/under-secretary-for-civilian-security-democracy-and-human-rights/bureau-of-democracy-human-rights-and-labor/>.

VI. Contact Information

SAMS Domestic Help Desk:

For assistance with SAMS Domestic accounts and technical issues related to the system, please contact the ILMS help desk by phone at +1 (888) 313-4567 (toll charges apply for international callers) or through the Self Service online portal that can be accessed from <https://afsitsm.service-now.com/ilms/home>. Customer support is available 24/7.

Please note that establishing an account in SAMS Domestic may require the use of smartphone for multi-factor authentication (MFA). If an applicant does not have accessibility to a smartphone during the time of creating an account, please contact the helpdesk and request instructions on MFA for Windows PC.

Grants.gov Helpdesk:

For assistance with Grants.gov accounts and technical issues related to using the system, please call the Contact Center at +1 (800) 518-4726 or email support@grants.gov. The Contact Center is available 24 hours a day, seven days a week, except federal holidays.

See <https://www.opm.gov/policy-data-oversight/pay-leave/federal-holidays/> for a list of federal holidays.

For technical questions related to this solicitation, please contact DRLWHAGrants@state.gov.

Except for technical submission questions, during the RSOI period U.S. Department of State staff in Washington and overseas shall not discuss this competition with applicants until the entire proposal review process has been completed and rejection and approval letters have been transmitted.

