U.S. DEPARTMENT OF STATE
Office of the Coordinator for Cyber Issues (S/CCI)
Notice of Funding Opportunity (NOFO)

Announcement Type:	New Announcement
Assistance Type:	Cooperative Agreement
Funding Opportunity Title:	Defending Against Cyber-Enabled Intellectual Property (IP) Theft
Funding Opportunity Number:	SFOP0008025
Catalog of Federal Domestic Assistance (CFDA) Number:	19.035
Total Available Funding:	$1,000,000.00 USD
NOFO Issuance Date:	April 12, 2021
Deadline for Receipt of Questions:	April 26, 2021 at 5:00PM Eastern Standard Time
Application Deadline:	June 14, 2021 at 11:59PM Eastern Standard Time

A. PROJECT DESCRIPTION

The U.S. Department of State's Office of the Coordinator for Cyber Issues (S/CCI) announces an open competition for organizations to submit applications for a program to raise awareness and share best practices to defend against state-sponsored cyber-enabled theft of intellectual property (IP).

Pending the availability of funds, S/CCI anticipates awarding one cooperative agreement of up to $1,000,000.00 USD.

S/CCI invites organizations interested in potential funding to submit proposals outlining program concepts that reflect the following objectives:

Priority Regions/Countries: Global

Target Audience: Activities should target foreign assistance eligible civilian government officials. Beneficiaries of the grant award may also be provided by the State Department, and will be drawn from countries where private sector entities are considered particularly vulnerable to cyber-enabled IP theft. It is expected that the prospective grantee coordinate closely with S/CCI to appropriately target the support. Prospective applicants may consider targeting their program activities for foreign assistance eligible Indo-Pacific countries or may consider broadening the target audience to include up to 20 foreign assistance eligible countries across multiple regions of the world.

Project Objectives:
As the world is increasingly connected, governments, companies, and individuals have become more vulnerable to cyber threats. In particular, certain state-sponsored threat actors are increasing their efforts to use cyber tools to steal intellectual property (IP) and trade secrets to advance their country's own technological superiority and commercial success.

In November 2015, the G20 leaders explicitly affirmed that "no country should conduct or support the cyber enabled theft of intellectual property, including trade secrets or other confidential business information, with the intent of providing competitive advantages to its companies or commercial sector." This statement highlights that concerns about this issue have reached the highest political levels.

Despite this political commitment made by all G20 leaders, state-sponsored cyber-enabled IP theft targeting the private sector continues to be a key concern for the United States and many other countries. Certain malicious state actors in cyberspace continue the policy and practice of conducting and supporting cyber-enabled theft and intrusions into the commercial networks of private sector entities within the United States and around the world. The 2018 National Cyber Strategy concluded that threat actors, particularly from the People's Republic of China, have "engaged in cyber-enabled economic espionage and trillions of dollars of intellectual property theft.[1]" Additionally, publicly available reports showcase state-sponsored IP theft for commercial gain remains a persistent yet evolving challenge for many countries around the world.[2]

It is expected that the state actors engaging in this activity will continue to do so, with increasing sophistication, and will not limit their targets to just the United States and similarly advanced countries. Countries at various stages of development have companies with intellectual property that may be of great interest to these cyber actors. There is a critical need to raise global awareness of this problem, the political commitments that have been made, and the practical measures foreign partners can implement to help their businesses recognize the threat and protect their sensitive information from cyber-enabled theft.

S/CCI's **goal** with this program is to 1) raise international awareness that all nations are at risk of state sponsored cyber-enabled IP theft and 2) share practical measures foreign partners can implement to help their businesses protect themselves from state sponsored cyber-enabled IP theft.

This program should aim to focus on the following areas:

a) What fuels the behavior: the broader strategic, political, and economic ambitions and intent of key threat actors engaging in cyber-enabled IP theft

b) The technical and tactical techniques used by key threat actors in cyberspace, particularly as it relates to unauthorized network intrusions for the purposes of stealing intellectual property from private sector entities.

[1] https://trumpwhitehouse.archives.gov/wp-content/uploads/2018/09/National-Cyber-Strategy.pdf
[2] https://www.aspi.org.au/report/hacking-cash

c) Best practices that foreign governments should implement when working with the private sector to mitigate risks associated with state-sponsored cyber intrusions and data exfiltration, and best practices to protect sensitive business information.

S/CCI's anticipates the following **long-term impacts** from this program:

- Civilian government officials will understand how their private sector commercial networks could be targeted by state-sponsored actors for cyber-enabled IP theft
- Civilian government officials will understand best practices on engaging with private sector companies and businesses on the risks associated with state-sponsored cyber-enabled IP theft and how to work with relevant government agencies to mitigate those risks.
- Increased awareness on the G20 voluntary norm on cyber-enabled IP theft for commercial gain.

Program **activities** may include, but are not limited to:

- A combination of delivery mechanisms to directly engage civilian government officials, including but not only, face-to-face workshops, scenario-based exercises, virtual education, facilitated peer-to-peer learning, etc.
- Equipping civilian government officials with the knowledge and resources on defending against cyber-enabled IP theft.
- Equipping civilian government officials to develop effective collaboration between governments and the private sector to mitigate the risks associated with unauthorized intrusions into commercial networks.
- Fostering connections and exchanges between foreign government counterparts on what constitutes responsible state behavior as it relates to cyber-enabled IP theft and broader unauthorized intrusions into commercial networks.
- Raising awareness and sharing information on the broader political, economic, and strategic interests of certain threat actors actively conducting cyber enabled IP theft for commercial gain.

Key Program Considerations:

The following list of program considerations is provided to help applicant(s) develop a responsive, robust program proposals. Strong preference will be given to applicant(s) that:

- Demonstrate a track record in delivering effective education and trainings, especially to civilian government audiences from foreign assistance eligible countries. Applicants are strongly encouraged to think imaginatively about the combination of delivery mechanisms that will deliver the best learning outcomes.
- Demonstrate strong strategic, operational, and/or tactical understanding of the cyber threat landscape. Technical knowledge specific to cyber-enabled intellectual property theft would be a plus.
- Exhibit demonstrated subject matter expertise on U.S.-China relations, China's domestic, and foreign policy, and/or China's broader strategic and economic ambitions
- Possess a strong understanding of the private sector, including the characteristics of effective public-private collaboration.

- Foster collaborative and substantive partnerships, including where applicable with local organization in other countries. As appropriate, **applicants are also strongly encouraged to form consortia that leverages each organization's respective resources and expertise** when submitting a combined proposal.

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

- Projects that focus on traditional IP protection enforcement matters involving non-state actors (for example: piracy, copyright infringements, and/or one company stealing trade secrets from another company).
- Purchases of hardware or software (including licenses) for commercial technology products
- Projects that focus on one country rather than a regional or global approach

The proposal may span multiple years as appropriate, but applicants should anticipate a start date no later than September 2021.

S/CCI'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.

To maximize the impact and sustainability of the award(s) that result(s) from this NOFO, S/CCI 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).
The authority for this funding opportunity in the Foreign Assistance Act of 1961, as amended (FAA).

B. FEDERAL AWARD INFORMATION

S/CCI anticipates having approximately $1,000,000.00 of FY 2020 Economic Support Funds (ESF) available to support one successful application submitted in response to this NOFO, subject to the availability of funding.

Applicants should include an anticipated start date no later than September 2021 and the period of performance should be between two to three years.

S/CCI anticipates awarding one cooperative agreement. Cooperative agreements require substantial involvement from the Federal government during the implementation of the award agreement. Examples of substantial involvement can include, but are not limited to:

- Approval of the Recipient's annual work plans, including: planned activities, travel plans, planned expenditures, event planning, participant selection, and changes to any activity to be carried out under the Cooperative Agreement;
- Approval of sub-award Recipients, and concurrence on the substantive provisions of the sub-awards; and coordination with other cooperating agencies (if applicable);
- Approval of Monitoring and Evaluation Plan;

- Country specific approvals (if applicable)
- Review and approve the Recipient's implementation plan to achieve the expected results described in the Program Description.
- Review and approve travel, expenses, budget, impact evaluation, etc.
- Provide ongoing guidance and communication related to program activities
- Provide guidance on any legal and funding restrictions.
- Approving Project Key Personnel.

C. ELIGIBILITY INFORMATION

C.1 Eligible Applicants

S/CCI welcomes applications from U.S.-based and foreign-based non-profit organizations/nongovernment organizations (NGO); Public International Organizations and Governmental institutions; and private, public, or state institutions of higher education.

For-profit and commercial firms are not eligible to apply in response to this NOFO.

Please see 2 CFR 200.307 for regulations regarding program income.

C.2 Cost Sharing or Matching

Providing cost sharing, matching, or cost participation is not an eligibility requirement for this NOFO. When cost sharing is offered, it is understood and agreed that the applicant must provide the amount of cost sharing as stipulated in its proposal and later included in an approved agreement. Cost sharing may be in the form of allowable direct or indirect costs. For accountability purposes, you must maintain written records to support all costs that are claimed as your contribution, as well as costs to be paid by the Federal government. Such records are subject to audit. The basis for determining the value of cash and in-kind contributions must be in accordance with the Office of Management and Budget's Circular 2 CFR Parts 200 and 600, entitled the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. In the event you do not provide the minimum amount of cost sharing as stipulated in the approved budget, S/CCI's contribution will be reduced in like proportion.

C.3 Other Eligibility Requirements-

In order to be eligible to receive an award, all organizations must have a unique entity identifier (Data Universal Numbering System/DUNS number from Dun & Bradstreet), as well as a valid registration on www.SAM.gov. Please see Section D.3 for information on how to obtain these registrations. Individuals are not required to have a unique entity identifier or be registered in SAM.gov.

Organizations may only submit one application per organization. If more than one application is submitted by an organization, only the first application received from that institution will be reviewed for eligibility and funding.

D. APPLICATION AND SUBMISSION INFORMATION

D.1 Address to Request Application Package

Applicants can find application forms and other materials need to apply on SAMS Domestic (https://mygrants.service-now.com) under the announcement title "Defending against cyber-enabled IP theft," funding opportunity number SFOP0008025. Please contact the S/CCI point of contact listed in section G if requesting reasonable accommodations for persons with disabilities or for security reasons. Please note: reasonable accommodations do not include deadline extensions.

We recommend that applicants begin the application process early, as this will allow time to address any technical difficulties that may arise in advance of the deadline. Faxed proposals will not be accepted at any time. Late applications will not be considered. It is the applicant's responsibility to ensure that proposals are submitted on time.

D.2 Content and Form of Application Submission

Please follow all instructions below carefully. Applications that do not meet the requirements of this announcement or fail to comply with the stated requirements will be ineligible.

For all submitted application documents, please ensure:

- The proposal clearly addresses the goals and objectives of this funding opportunity
- All documents are in English. If an original document within the application is in another language, an English translation must be provided (please note: the Department of State, as indicated in 2 CFR 200.111, requires that English is the official language of all award documents. If any documents are provided in both English and a foreign language, the English language version is the controlling version);
- All budget costs are in U.S. dollars;
- All pages are numbered, including budgets and attachments;
- All documents are formatted to 8 ½ x 11 paper; and,
- 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, including the budget, can be reformatted to fit within 1 page width.

Complete applications must include the following required documents:

1. Completed and signed **SF-424**, **SF-424A**, and **SF-424B** and **SF-LLL** forms. These forms are available electronically via SAMS Domestic https://mygrants.service-now.com. *The SF-424 B is required only for those applicants who have not registered in SAM.gov or recertified their registration in SAM.gov since February 2, 2019 and completed the online representations and certifications. The SF-LLL is required for applicants that may engage in lobbying activities.*

2. **Table of Contents** (not to exceed one [1] page in Microsoft Word) that includes a page numbered contents page, including any attachments.

3. **Executive Summary** (not to exceed two [2] pages in Microsoft Word) that includes:

    a) Name and contact information for the project's main point of contact;
    b) The total amount of funding requested and project length;
    c) A statement of work or synopsis of the project, including a concise breakdown of the project's objectives, activities, and expected results; and,
    d) A brief statement on how the project is innovative, sustainable, and will have a demonstrated impact.

4. **Proposal Narrative** (not to exceed ten [10] pages, single-spaced, 12 point Times New Roman font in Microsoft Word, at least one-inch margins). Please note the 10 page limit does not include the Table of Contents, Executive Summary, Attachments, Audit, Detailed Budget, Budget Narrative, or Negotiated Indirect Cost Rate Agreement (NICRA). Applicants are encouraged to submit multiple documents in a single Microsoft Word or Adobe file, (i.e., Table of Contents, Executive Summary, and Proposal Narrative in one file).

5. **Summary and Detailed Line-Item Budget** (in Microsoft Excel) that includes three [3] columns including the request to S/CCI, any cost sharing contribution, and total budget (see below for more information on budget format). **The federal share requested should not exceed the amount of funds available under section B.** A summary budget should also be included using the OMB approved budget categories (see SF-424A for budget categories). Costs must be in U.S. dollars. Detailed line-item budgets for sub-awardees should be included in additional tabs within the excel workbook. A template budget is provided, but is not required, as long as the submitted budget follows OMB budget categories.

6. **Budget Narrative** (in Microsoft Word) that includes substantive explanations and justifications for each line item in the detailed budget spreadsheet, as well as the source and a description of all cost-share offered. For ease of review, S/CCI recommends applicants order the budget narrative as presented in the detailed budget. Personnel costs must include a clarification of the roles and responsibilities of all staff, base salary, and percentage of time devoted to the project. The budget narrative should support the activities described in the proposal and provide additional information that might not be readily apparent in the detailed-line item budget, not simply repeat what is represented numerically in the budget, i.e. salaries are for salaries or travel is for travel. The budget narrative should also explain any cost share provided. See Section H.1 *Other Information: Guidelines for Budget Submissions for further information*.

7. Attachments (not to exceed thirteen [13] pages total, preferably in Microsoft Word) that include the following in order:

    a) Logic model – Page 1-2

b) Narrative of Monitoring and Evaluation Plan – Pages 3-4.
c) Monitoring and Evaluation Performance Indicator Table – Pages 5-9. This section can be up to four pages long if necessary.
d) Timeline of the overall proposal – Page 10: Components should include activities, evaluation efforts, and project closeout.
e) Additional optional attachments – Page 11-13: Attachments may include further timeline information, letters of support, memorandums of understanding/agreement, etc. Letters of support and MOUs must be specific to the projects implementation (e.g. from proposed partners or sub-award recipients) and will not count towards the page limit.

8. **C.V.s for all key program personnel**
Senior/**key personnel** are defined as individuals who contribute to the development or execution of a project in a substantive measurable way. The program director/principal investigator (PD/PI) is always considered senior/**key personnel**.

9. **Contingency Plan** for proposed activities should the originally planned activities not be able to be implemented, including if originally planned activities will not be able to be implemented or needs to be shifted from in person to virtual settings due to COVID-19. The mechanism should work in as flexible and responsive a manner as possible while still maintaining responsibility to the US taxpayer and compliance with US government regulations. The contingency plan should be submitted as an additional annex. Applicants should demonstrate consideration of the risks identified in the submitted risk assessment and include specific alternative activities or locations as part of the contingency plan. Any proposed “plan” must comply with 2CFR200.433 – Contingency provisions. Plans must not include unallocable or unallowable expenses, and must not result in a larger Total Award Value than the identified as the “competition ceiling.” S/CCI requires prior approval by the Grants Officer of the “plan” before any activities can take place, or costs can be incurred against the “plan.”

10. **Risk Analysis** (preferably as a Word Document). Risks are unavoidable – all projects 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.** S/CCI expects 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 project and should result in revisions to risk analysis documents and processes as necessary. Applicants should include all assumptions and external factors identified in the logic model in the Risk Analysis. Applicants should rate the likelihood and potential

impact of each risk as “High,” “Medium,” or “Low.” Additional lines can be included in the risk analysis table as necessary. S/CCI requires all recipients to conduct thorough risk assessments and take all actions necessary in accordance with those assessments to mitigate those risks. S/CCI does not take responsibility for the risks incurred by any recipient. *For more information about Risk Analysis, please see 2 CFR 519.*

11. **NICRA**: If your organization has a Negotiated Indirect Cost Rate Agreement (NICRA) and includes NICRA charges in the budget, your most recent NICRA should be included as a PDF file. This document will not be reviewed by the panelists, but rather used by project and grant staff if the submission is recommended for funding and therefore does not count against the submission page limitations. If your proposal involves subawards to organizations charging indirect costs, please submit the applicable NICRA).
    Per 2 CFR200.414(f), organizations that have never had a NICRA may request a de minimis indirect rate of up to 10% of the Modified Total Direct Costs (MTDC) as defined in 2 CFR 200.68. *MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of $25,000.* The budget narrative must indicate what costs will be covered using the 10% de minimis rate.

12. A copy of your organization’s most **recent audit** (single audit, if applicable, is required, otherwise standard audit)

Note: Applications that do not include all required documents will be marked as incomplete, and will therefore be deemed technically ineligible.

S/CCI retains the right to ask for additional documents not included in this NOFO. Additionally, to ensure all applications receive a balanced evaluation, the S/CCI Review Panel will review the first page of the requested section up to the page limit and no further. S/CCI encourages organizations to use the given space effectively.

Additional information that successful applicants may be requested to submit after notification of intent to make a Federal award, but prior to issuance of a Federal award, may include:

- Written responses and any revised application documents addressing any conditions or recommendations from the Review Panel;
- Completion of the Department’s Financial Management Survey, if receiving S/CCI funding for the first time or requested by the Grants Officer;
- Submission of required documents to register in the Payment Management System managed by the Department of Health and Human Services if receiving S/CCI funding for the first time, unless an exemption is provided;
- Other requested information or documents included in the notification of intent to make a Federalsk award or subsequent communications prior to issuance of a Federal award.

D.3 Unique Entity Identifier and System for Award Management (SAM.gov)

Any applicant listed on the Excluded Parties List System (EPLS) in the System for Award Management (SAM) 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 listed on the EPLS can participate in any activities under an award. All applicants are strongly encouraged to review the EPLS in SAM to ensure that no ineligible entity is included.
All organizations applying for grants must obtain these registrations. *All are free of charge*:

- Unique Entity Identifier from Dun & Bradstreet (DUNS number)
- NCAGE/CAGE code
- www.SAM.gov registration

Step 1: Apply for a DUNS number and an NCAGE number (these can be completed simultaneously)

DUNS application: Organizations must have a Data Universal Numbering System (DUNS) number from Dun & Bradstreet. If your organization does not have one already, you may obtain one by calling 1-866-705-5711 or visiting http://fedgov.dnb.com/webform

NCAGE application: Application page here:
https://eportal.nspa.nato.int/AC135Public/scage/CageList.aspx
Instructions for the NCAGE application process:
https://eportal.nspa.nato.int/AC135Public/Docs/US%20Instructions%20for%20NSPA%20NCAGE.pdf

For NCAGE help from within the U.S., call 1-888-227-2423
For NCAGE help from outside the U.S., call 1-269-961-7766
Email NCAGE@dlis.dla.mil for any problems in getting an NCAGE code.

Step 2: After receiving the NCAGE Code, proceed to register in SAM.gov by logging onto: https://www.sam.gov. SAM registration must be renewed annually.

Applicants must have an active registration in SAM (www.sam.gov) prior to submitting an application, must prove a valid Unique Entity Identifier (UEI) number, formerly referred to as a DUNS number, and must continue to maintain an active SAM.gov registration with current information at all times during which it has an active Federal award or an application or plan under consideration by the U.S. government. **If an organization does not have an active registration in SAM.gov prior to submitting an application, the application will be deemed ineligible.** Note: The process of obtaining a SAM.gov registration may take anywhere from 4-8 weeks. Please begin your registration as early as possible.

The Unique Entity Identifier (UEI) is one of the data elements mandated by Public Law 109-282, the Federal Funding Accountability and Transparency Act (FFATA), for all Federal awards. SAM is the Federal government's primary database for complying with FFATA reporting requirements. OMB designated SAM as the central repository to facilitate applicant and recipient use of a single public website that consolidates data on all federal financial assistance. Under the law, it is mandatory to obtain a UEI number and register in SAM.

SAM requires all entities to renew their registration once a year in order to maintain an active registration status in SAM. It is the responsibility of the applicant to ensure it has an active registration in SAM and to also maintain its active registration in SAM.

An exemption from this requirement may be permitted on a case-by-case basis if the applicant's identity must be protected due to possible endangerment of their mission, their organization's status, their employees, or individuals being served by the applicant. Organizations requesting an exemption should email the point of contact listed in Section G of this NOFO.

Please note: foreign organizations will be required to register with the NATO Support Agency (NSPA) to receive a NATO Commercial and Government Entity (NCAGE) code in order to register in SAM. NSPA will forward your registration request to the applicable National Codification Bureau (NCB) if your organization is located in a NATO or Tier 2 Sponsored Non-NATO Nation. (As of January 2015, NATO nations included Albania, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Turkey, United Kingdom, and the United States of America; and Tier 2 nations included Australia, Austria, Brazil, Finland, Israel, Republic of Korea, Malaysia, Morocco, New Zealand, Serbia, and Singapore.)

NSPA and/or the appropriate NCB forwards all NCAGE code information to all Allied Committee 135 (AC/135) nations, which as of January 2015 also included Afghanistan, Argentina, Bosnia & Herzegovina, Brunei Darussalam, Chile, Colombia, Egypt, Georgia, India, Indonesia, Japan, Jordan, Montenegro, Oman, Papua New Guinea, Peru, Saudi Arabia, South Africa, Sweden, Thailand, Republic of Macedonia, Ukraine, and the United Arab Emirates.

D.4 Submission Dates and Times

Applications are due no later than 11:59 p.m. Eastern Standard Time (EST), on June 14, 2021 in SAMS Domestic (https://mygrants.service-now.com) under the announcement title "Defending against cyber-enabled IP theft" funding opportunity number SFOP0008025.

Applications will not be accepted via www.grants.gov.

SAMS Domestic automatically logs 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 unless the S/CCI point of contact listed in section G is contacted prior to the deadline and is provided with evidence of system errors caused by SAMS Domestic that is outside of the applicants' control and is the sole reason for a late submission. Applicants should not expect a notification upon S/CCI receiving their application.

If ultimately provided with a notification of intent to make a Federal award, applicants typically have two to three weeks to provide additional information and documents requested in the notification of intent. The deadlines may vary in each notification of intent and applicants must adhere to the stated deadline in the notification of intent.

D.5 Funding Restrictions

S/CCI will not consider applications that reflect any type of support for any member, affiliate, or representative of a designated terrorist organization. No entity listed on the Excluded Parties List System in SAM is eligible for any assistance.

Project activities that provide training or other assistance to foreign militaries or paramilitary groups or individuals will not be considered for S/CCI funding given purpose limitations on funding.

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) (2015), "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. Federal awards generally will not allow reimbursement of pre-award costs; however, the Grants Officer may approve pre-award costs on a case-by-case basis. Generally, construction costs are not allowed under S/CCI awards.

D.6 Other Submission Requirements

All application submissions must be made electronically via SAMS Domestic (https://mygrants.service-now.com). This system requires registration by the applying organization.

It is the responsibility of the applicant to ensure that it has an active registration in SAMS Domestic and that an application has been received by SAMS Domestic in its entirety. S/CCI bears no responsibility for disqualification that result from applicants not being registered before the due date or for data errors resulting from transmission or conversion processes. Additionally, you must save a screen shot of the checklist showing all documents submitted in case any document fails to upload successfully.

Faxed, couriered, or emailed documents **will not** be accepted. Reasonable accommodations may, in appropriate circumstances, be provided to applicants with disabilities or for security reasons.

Applicants must follow all formatting instructions in the applicable solicitation and these instructions.

SAMS Domestic Applications:

Applicants using SAMS Domestic for the first time should complete their "New Organization Registration." To register with SAMS Domestic, click "Login to https://mygrants.service-now.com" and follow the "create an account" link. Users will then complete the form with the requested information and click "submit." A confirmation email will be sent once the account has been created. If users are experiencing difficulties obtaining a user login and completing the registration process, please contact ILMS Support.

Organizations **must** remember to save a screen shot of the checklist showing all documents submitted in case any document fails to upload successfully.

ILMS Support (SAMS Domestic Help Desk):
For assistance with SAMS Domestic accounts and technical issues related to the system, please contact the ILMS Support by phone at 1-888-313-4567 (toll charges 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 24/7/365.

Should an applicant experience technical issues, contacted the helpdesk, and is not receiving timely assistance (e.g. if you have not received a response after 2 days of contacting the helpdesk), you may contact the S/CCI point of contact listed in section G, who may assist in contacting the appropriate helpdesk. Applicants should document their efforts in contacting the helpdesk.

E. Application Review Information

E.1 Criteria

Each application will be evaluated individually against the following criteria, listed below in order of importance, and not against competing applications.

Quality of Project Idea (35 points)
Applications should be responsive to the NOFO, appropriate in the country/regional context, and should exhibit originality, substance, precision, and relevance to S/CCI's objective to raise awareness and share best practices to defend against state-sponsored cyber-enabled IP. S/CCI prioritizes innovative and creative approaches rather than projects that simply duplicate or add to efforts by other entities. This does not exclude projects that clearly build off existing successful projects in a new and innovative way from consideration. .

Project Planning/Ability to Achieve Objectives (25 points)

A strong application will include a clear articulation of how the proposed project activities contribute to the overall project objectives, and each activity will be clearly developed and detailed. A comprehensive monthly work plan should demonstrate substantive undertakings and the logistical capacity of the organization. Objectives should be ambitious, yet measurable results-focused and achievable in a reasonable time frame. A complete application must include a logic model to demonstrate how the project will have an impact on its proposed objectives. **Applications should address how the project will engage relevant experts, including subject matter experts with relevant expertise in government and the private sector, to successfully implement this program. If partners have been identified, S/CCI strongly encourages applicants to submit letters of support from proposed partners.** Additionally, applicants should describe the division of labor among the direct applicant and any partners. If applicable, applications should identify the specific roles of subawardees, among other pertinent details. In particularly challenging operating environments, applications should include contingency plans for overcoming potential difficulties in executing the original work plan and address any operational or programmatic security concerns and how they will be addressed.

<u>Institution's Record and Capacity (15 points)</u>
S/CCI will consider the past performance of prior recipients and the demonstrated potential of new applicants. Applications should demonstrate an institutional record of successfully implementing trainings, education, and/or cyber related projects, including responsible fiscal management and full compliance with all reporting requirements for past grants. Proposed personnel and institutional resources should be adequate and appropriate to achieve the project's objectives. **Applications must demonstrate a strong capacity to raise awareness and share best practices to defend against state-sponsored cyber-enabled intellectual property (IP). Projects should also have in-house cyber expertise or access to such expertise through collaboration with subject matter experts outside of their organization to develop effective and impactful engagements on this issue.**

<u>Cost Effectiveness (10 points)</u>
S/CCI strongly encourages applicants to clearly demonstrate project cost-effectiveness in their application, including examples of leveraging institutional and other resources. However, cost-sharing or other examples of leveraging other resources is not required and does not need to be included in the budget. Inclusion in the budget does not result in additional points awarded during the review process. Budgets however should have low and/or reasonable overhead and administration costs and applicants should provide clear explanations and justifications for these costs in relation to the work involved. All budget items should be clearly explained and justified to demonstrate its necessity, appropriateness, and its link to the project objectives.

Please note: If cost-share is included in the budget then the recipient must maintain written records to support all allowable costs that are claimed as its contribution to cost-share, as well as costs to be paid by the Federal government. 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, S/CCI's contribution may be reduced in proportion to the recipient's contribution.

<u>Multiplier Effect/Sustainability (7 points)</u>

Applications should clearly delineate how elements of the project will have a multiplier effect and be sustainable beyond the life of the grant. A good multiplier effect will have an impact beyond the direct beneficiaries of the grant (e.g. participants trained under a grant go on to train other people, workshop participants use skills from a workshop to enhance a national level policy decision that affects the entire populace). A strong sustainability plan may include demonstrating continuing impact beyond the life of a project or garnering other donor support after S/CCI funding ceases.

Project Monitoring and Evaluation (8 points)
Complete applications will include a detailed plan (both a narrative and table) of how the project's progress and impact will be monitored and evaluated throughout the project. Incorporating a well-designed monitoring and evaluation component into a project is one of the most efficient methods of documenting the progress and results (intended and unintended) of a project. Applications should demonstrate the capacity to provide objectives with measurable outputs and outcomes and engage in robust monitoring and assessment of project activities. The quality of the M&E plan will be judged on the narrative explaining how both monitoring and evaluation will be carried out, who will be responsible for those related activities.

E.2 Review and Selection Process

S/CCI strives to ensure each application receives a balanced evaluation by an S/CCI Review Panel. All technically eligible applications for a given notice of funding opportunity are reviewed against the same criteria, listed above. Additionally, the S/CCI Review Panel will evaluate how the application addresses the NOFO request, U.S. foreign policy goals, and the priority needs of S/CCI overall.

The S/CCI Review Panel generally includes representatives from S/CCI, as well as other representatives from the Department of State (as appropriate), and may include additional panelists from U.S. embassies, other U.S. government departments, agencies, or boards, representatives from partner governments, or representatives from entities that are in a public-private partnership with S/CCI. All Panelists must sign non-disclosure agreements and conflicts of interest agreements.

S/CCI Review Panels may provide conditions and recommendations on applications to enhance the proposed project, which must be addressed by the applicant before further consideration of funding. To ensure effective use of S/CCI funds, conditions or recommendations may include requests to increase, decrease, clarify, and/or justify costs and project activities.

E.3 Federal Awardee Performance & Integrity Information System

For any Federal award under a notice of funding opportunity, if the Federal awarding agency anticipates that the total Federal share will be greater than the simplified acquisition threshold on any Federal award under a notice of funding opportunity may include, over the period of performance (see §200.88 Simplified Acquisition Threshold), this section must also inform applicants:

i. That the Federal awarding agency, prior to making a Federal award with a total amount of Federal share greater than the simplified acquisition threshold, is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently FAPIIS) (see 41 U.S.C. 2313);

ii. The applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM 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.

iii. The Department of State 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 completing the review of risk posed by applicants as described in §200.205 Federal awarding agency review of risk posed by applicants.

F. FEDERAL AWARD ADMINISTRATION INFORMATION

F.1 Federal Award Notices

S/CCI will provide a separate notification to applicants on the result of their applications. Successful applicants will be notified by S/CCI via email. This email may include a request for the applicant respond to panel conditions and recommendations. This notification is not an authorization to begin activities and does not constitute formal approval or a funding commitment.

Final approval is contingent on the applicant successfully responding to the panel’s conditions and recommendations, being registered in required systems, including the U.S. government’s Payment Management System (PMS), unless an exemption is provided, and completing and providing any additional documentation requested by the Department of State. Final approval is also contingent on Congressional Notification requirements being met and final review and approval by the Department’s warranted Grants Officer.

The cooperative agreement will be written, signed, awarded, and administered by the warranted Grants Officer. The award agreement is the sole authorizing document and it will be provided electronically to the recipient’s authorized signatory for review and signature through SAMS Domestic. The recipient may only start incurring program expenses beginning on the start date show on the award document signed by the Grants Officer.

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 as the discretion of the Department of State.

Issuance of this NOFO does not constitute 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.

F.2 Administrative and National Policy Requirements

Before submitting an application, applicants should review all the terms and conditions and required certifications which will apply to this award, to ensure that they will be able to comply.

These include:

- 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 600 – DEPARTMENT OF STATE REQUIREMENTS
- U.S. DEPARTMENT OF STATE STANDARD TERMS AND CONDITIONS

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.

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, the Department of State will review and consider applications for funding, as applicable to specific programs, pursuant to this notice of funding opportunity in accordance with the following: NOTE:

- 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 (Pub. L. No. 115—232) (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) (§§ 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), and
- 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).

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/m/a/ope/index.htm.

F.3 Reporting

Recipients will be required to complete and upload regular financial reports and program progress reports to the grant file in SAMS Domestic. The award document will specific how often these reports must be submitted. S/CCI typically requests that reports are submitted on a quarterly basis. Please note that all substantiating documentation supporting reporting and data collected, including survey responses and contact information, must be maintained for a minimum of three years and provided to the Department of State upon request. All reports must be written in English

1. **Financial Reports**: The recipient is required to submit quarterly financial reports through the project period. The Federal Financial Report (FFR or SF-425) is the required form for the financial reports. If the recipient will receive funds through the Payment Management System (PMS), the recipient will be required to complete financial reports in PMS. Financial reports are due 30 days after the end of the reporting period.

2. **Progress Reports:** The recipient is required to submit quarterly narrative progress reports in SAMS Domestic. Progress reports are due 30 days after the end of the reporting period. Narrative progress reports should reflect the focus on measuring the project's impact on the overarching objectives and should be compiled according to the objectives, outcomes, and outputs as outlined in the award's Scope of Work (SOW) and in the Monitoring and Evaluation (M&E) Statement. An assessment of the overall project's impact, should be included in each progress report. Where relevant, progress reports should include the following sections:
   - Relevant contextual information (limited);
   - Explanation and evaluation of significant activities of the reporting period and how the activities reflect progress toward achieving objectives, including meeting

benchmarks/targets as set in the M&E plan. In addition, attach the M&E plan, comparing the target and actual numbers for the indicators;

- Any tangible impact or success stories from the project, when possible;
- Copy of mid-term and/or final evaluation report(s) conducted by an external evaluator; if applicable;
- Relevant supporting documentation or products related to the project activities (such as articles, meeting lists and agendas, participant surveys, photos, manuals, etc.) as separate attachments;
- Description of how the Recipient is pursuing sustainability, including looking for sources of follow-on funding;
- Any problems/challenges in implementing the project and a corrective action plan with an updated timeline of activities;
- Reasons why established goals were not met;
- Data for the required F Framework indicator(s) for the quarter as well as aggregate data by fiscal year using the SF-PPR-B: Project Indicators or other mutually agreed upon format approved by the Grants Officer. Evaluation indicators from the Foreign Assistance Framework can be found at http://www.state.gov/f/indicators/ ;
- Proposed activities for the next quarter;
- Additional pertinent information, including analysis and explanation of cost overruns or high unit costs, if applicable.

3. **Final Report:** A final narrative report and financial report will be required within 90 days after the completion of the award. The final narrative should include an in-depth impact assessment and/or project evaluation.

Please note: delays in reporting may result in delays of payment approvals and failure to provide required reports may jeopardize the recipients' ability to receive future U.S. government funds.

S/CCI reserves the right to request any additional programmatic and/or financial project information during the award period of performance.

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. Successful applicants 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, typically program or sector and/or regions or country, the successful applicant will be required to maintain separate accounting records.

G. CONTACT INFORMATION

Any prospective applicant who has questions concerning the contents of this NOFO should email them to Cybergrants@state.gov with the subject “[Applicant Name] Proposal for Defending against cyber-enabled IP theft.” To maintain fairness and transparency in competition, S/CCI will not answer substantive NOFO questions except when posting questions and answers to the announcement page below.

All questions must be submitted via email to **Cybergrants@state.gov** by **April 26, 2021**. S/CCI will create a document of submitted questions with answers and upload it to the announcement page in grants.gov no later than May 3, 2021. Note that once the NOFO deadline has passed, DOS staff in Washington, D.C. and overseas and U.S. Embassies/Missions may not discuss this completion with applicants until the review process has been completed.

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 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 hours a day, seven days a week, except federal holidays.

With the exception of technical submission questions, during the solicitation 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 an award has been made.

H. OTHER INFORMATION

H.1 Guidelines for Budget Justification

Personnel and Fringe Benefits: Describe the wages, salaries, and benefits of temporary or permanent staff who will be working directly for the applicant on the program, and the percentage of their time that will be spent on the program.

Travel: Estimate the costs of travel and per diem for this program, for program staff, consultants or speakers, and participants/beneficiaries. If the program involves international travel, include a brief statement of justification for that travel.

Equipment: Describe any machinery, furniture, or other personal property that is required for the program, which has a useful life of more than one year (or a life longer than the duration of the program), and costs at least $5,000 per unit.

Supplies: List and describe all the items and materials, including any computer devices, that are needed for the program. If an item costs more than $5,000 per unit, then put it in the budget under Equipment.

Contractual: Describe goods and services that the applicant plans to acquire through a contract with a vendor. Also describe any sub-awards to non-profit partners that will help carry out the program activities.

Other Direct Costs: Describe other costs directly associated with the program, which do not fit in the other categories. For example, shipping costs for materials and equipment or applicable taxes. All “Other” or “Miscellaneous” expenses must be itemized and explained.

Indirect Costs: These are costs that cannot be linked directly to the program activities, such as overhead costs needed to help keep the organization operating. If your organization has a Negotiated Indirect Cost Rate (NICRA) and includes NICRA charges in the budget, attach a copy of your latest NICRA. Organizations that have never had a NICRA may request indirect costs of 10% of the modified total direct costs as defined in 2 CFR 200.68.

“Cost Sharing” refers to contributions from the organization or other entities other than the U.S. Embassy. It also includes in-kind contributions such as volunteers’ time and donated venues.

Alcoholic Beverages: Please note that award funds cannot be used for alcoholic beverages.

H.2 Other Considerations:
S/CCI understands that some information contained in applications may be considered sensitive or proprietary and will make appropriate efforts to protect such information. However, applicants are advised that S/CCI cannot guarantee that such information will not be disclosed, including pursuant to the Freedom of Information Act (FOIA) or other similar statutes.

The information in this NOFO is binding and may not be modified by any S/CCI representative. Explanatory information provided by S/CCI that contradicts this language will not be binding. Issuance of the NOFO and negotiation of applications does not constitute an award commitment on the part of the U.S. government. S/CCI reserves the right to reduce, revise, or increase proposal budgets in accordance with the needs of the project evaluation requirements.

Issuance of this NOFO does not constitute 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. The. U.S. government reserves the right to reject any or all proposals received.

This NOFO will appear on www.grants.gov and SAMS Domestic (https://mygrants.service-now.com).