Administration for Children and Families

Office of Refugee Resettlement

Residential (Staff Secure) Services for Unaccompanied Children

HHS-2023-ACF-ORR-ZU-0167

Application Due Date: 12/12/2023

Due Date for Applications:

FY24: (7/1/2024-6/30/2027)

FY25: 7/1/2025 (1/1/2026-12/31/2029)

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Executive Summary

Notice:

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

The Office of Refugee Resettlement/Division of Unaccompanied Children's Operations (ORR/DUCO) within the Administration for Children and Families (ACF) provides temporary shelter care and other child welfare-related services to unaccompanied children in ORR custody. Residential care services begin once ORR accepts an unaccompanied child for placement and end when the minor is released from ORR custody, turns 18 years of age, or the minor's immigration case results in a final disposition of removal from the United States. Residential care and other child welfare-related services are provided by state-licensed residential care programs in the least restrictive setting appropriate for the unaccompanied child's age and special needs.

ORR is publishing this Standing Notice of Funding Opportunity (SNOFO) to seek staff secure residential care providers. With the exception of certain programs in Texas, Florida, and South Carolina, residential care providers must be licensed (state child placement license and facility license) by an appropriate licensing agency to provide residential care services for children. The state child placement license must be submitted with the application; the facility license should be submitted, if available. See *Section I. Program Description, Licensing Requirements* for additional information on this SNOFO's licensing requirements.

All entities funded under this SNOFO must also comply with *Flores v. Reno*, Case No. CV 85-4544 RJK (C.D. Cal. 1996) (the *Flores* Settlement Agreement); pertinent federal laws and regulations; and ORR policies and procedures, including, but not limited to, the ORR Policy Guide and Manual of Procedures. ORR encourages applicants to review ORR's policies, instructions, and procedures at: https://www.acf.hhs.gov/orr/policy-guidance/unaccompanied-children-program-policy-guide as these will be critical to the overall program design. Please see *Section VI.2. Administrative and National Policy Requirements, Pertinent Federal Laws and Regulations for the Unaccompanied Children Program,* for a list of relevant federal laws and regulations.

Please refer to the Unaccompanied Children's Program website for additional information on the required services and policies.

I. Program Description

Statutory Authority

This program is governed by section 462 of the Homeland Security Act of 2002 (HSA of 2002), 6 U.S.C. § 279, which transferred responsibility for the care and custody of unaccompanied children, as defined, from the Commissioner of the former Immigration and Naturalization Service to the Director of ORR. In making decisions on placement and residential services provided to unaccompanied children, the director is governed by section 462 of HSA of 2002;

section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA of 2008), 8 U.S.C. § 1232, as amended; relevant portions of the Prison Rape Elimination Act of 2003 (PREA of 2003), 42 U.S.C. § 15607, as amended; and when it is not inconsistent with subsequent law, the *Flores* Settlement Agreement, Case No. CV 85-4544-RJK (C.D. Cal. 1996).

In December 2014, the U.S. Department of Health and Human Services (HHS) released the Interim Final Rule (IFR) on Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children (45 CFR Part 411). The IFR sets forth standards to prevent, detect, and respond to sexual abuse and sexual harassment in ORR care provider facilities that house unaccompanied children in accordance with section 1101(c) of the Violence Against Women Reauthorization Act of 2013, Public Law 113-4 (VAWA 2013). VAWA 2013 directed the Secretary of HHS to adopt national standards for the detection, prevention, reduction, and punishment of rape and sexual assault in facilities that maintain custody of unaccompanied children. The standards apply to all ORR care provider facilities housing children except secure care provider facilities and individual foster care homes. The standards build upon and enhance existing state and local laws, regulations, and licensing standards.

Description
BACKGROUND

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

Although the unaccompanied children population generally consists of adolescents 12 to 17 years of age, with males representing a higher percentage of the overall population, ORR is seeking applicants who can provide services for a diverse population of children of all ages and genders. Successful applicants are expected to provide culturally competent services for all minors referred to, and accepted by, ORR from any country. ORR is seeking applicants that have the flexibility to care for the expanding cultural and linguistically diverse populations that are referred each year to the Unaccompanied Children program.

Unaccompanied children are in the legal custody of the federal government but are in the physical custody of the care provider. For the purposes of this SNOFO, the term "care provider" refers to the prime recipient and if applicable, its subrecipient(s). The length of time that an unaccompanied child remains in ORR custody must not be longer than necessary to facilitate a safe and timely release. The size of the unaccompanied children population in ORR custody will fluctuate depending on the number of children that the U.S. Department of Homeland Security, or other federal agencies, refer to ORR for placement, and the rate that children are discharged from ORR custody.

PROGRAM STRUCTURE

A staff secure care provider (hereafter referred to as care providers) maintains stricter security measures such as higher staff to child ratio for supervision to control disruptive behavior and prevent escape. Residential care providers include licensed (state child placement license and facility license) providers operating a staff secure facility **or** Texas providers that are exempt from state licensure pursuant to 26 Texas Administrative Code § 745.115(1)(B), **or** Florida providers whose licenses have or will lapse or expire pursuant to Florida Executive No. 21-223, **or** South Carolina providers whose licenses have or will expire pursuant to South Carolina Executive Order No. 2021-19, who provide residential care and services 24 hours a day, 7 days a week for children that require a heightened level of supervision that begin at intake and end when the child is discharged from care. Care providers are required to accept children 24 hours per day, as long as ORR makes a determination to place a child at the program, the placement does not infringe on any licensing requirements (state child placement and facility), and it is safe to do so. Staff care providers may propose a maximum capacity of 24 beds for care providers facility(ies).

Care providers are required to maintain stricter security measures and higher staffing ratios to control disruptive behavior and discourage escape, but do not require lock-down procedures typically associated with juvenile detention facilities. The care provider, for example, cannot conduct strip searches, utilize mechanical restraints, utilize cell-like sleeping rooms, or employ razor wire, but there must be effective monitoring so that entry to and egress from the building is controlled.

Care providers must comply with Exhibit 1 of the *Flores* Settlement Agreement and provide proper physical care and shelter for unaccompanied children that includes, but is not limited to, suitable living accommodations (e.g., bed, chair, desk, and storage for clothing and other personal items); culturally appropriate meals and snacks; several sets of new clothing; and personal grooming items. For more information on the *Flores* Settlement Agreement, please see Key Documents for the Unaccompanied Children Program.

Please refer to *Section IV.2. The Project Description, Additional Eligibility Documentation* for documentation that must be submitted with the application.

Licensing Requirements

With the exception of certain programs in Texas, Florida, and South Carolina, residential care providers must be licensed (state child placement license and facility license) by an appropriate licensing agency to provide residential care services for children. Texas-based programs are excepted from the licensing requirement when either (1) the program had an appropriate license as of August 30, 2021, but the license was rescinded pursuant to 26 Texas Administrative Code (TAC) § 745.115(1)(B) (exempting, on a temporary basis, federally affiliated child-care facilities from the state licensure requirement); or (2) are currently licensed in the state of Texas, but are reasonably likely to have their license rescinded pursuant to 26 TAC § 745.115(1)(B) if the provider becomes a federally affiliated child-care facility funded under an ORR award. Florida-based programs are excepted from the licensing requirement when either (1) the program had an appropriate license as of September 28, 2021, but the Florida Department of Children and

Families allowed the program's license to lapse or expire pursuant to Florida Executive Order No. 21-223, § 8 by refusing to render a timely decision on the program's license renewal application or denying such application; or (2) the program is currently licensed in the state of Florida, but is reasonably likely to have its license lapse or expire as a result of Florida Executive Order No. 21-223, § 8. South Carolina programs are excepted from the licensing requirement if their program had a license on or before April 12, 2021, and the program's license is denied or revoked, or otherwise enjoined by the state because the program accepted placement of unaccompanied children at the request of ORR as a result of Executive Order No. 2021-19.

Please review *Section I. Program Description, Licensing Requirements*; *Section III.1. Eligible Applicants*; *Section III.3. Other, ORR Disqualification Factor*; and *Section IV.2. The Project Description, Additional Eligibility Documentation* for more information. **Applicants that do not provide the required documentation will be disqualified from review and from funding under this SNOFO.**

The state child placement license is required at the time of application. Please refer to *Section I. Post-Award Requirements, Facility Licensure Required Timeline* for information on ORR's stipulated time frames for those successful applicants that are proposing facilities that are not licensed.

Applicants that do not have a facility license at the time of application will not be disqualified from review and funding under this SNOFO. Applicants that have documentation of their facility(ies) license are strongly recommended to submit the facility license with their application and, if available, include information related to capacity, age/gender permitted, and the allowable length of stay.

In accordance with ORR Policy Guide and Manual of Procedures, care providers must report any allegations/concerns of abuse and/or neglect; and denial, suspension, and/or revocation of care provider's and, if applicable, subrecipient(s) licensing to provide child welfare-related services. The reporting period covers the past 5 years.

Facility Structure Requirements

See *Section I. Program Description, Licensing Requirements* for additional information on this SNOFO's licensing requirements.

Care providers must incorporate child welfare best practice standards and emphasize a child-centered, trauma-informed approach while working with unaccompanied children. Care providers must comply with all applicable state child welfare laws and regulations and all state and local building, fire, health, and safety codes.

Care providers must be readily accessible to visitors, staff, and children with disabilities, and must comply with local, state, and federal laws, codes, and regulations including the Americans with Disabilities Act (ADA) and section 504 of the Rehabilitation Act of 1973, as amended.

Care providers are required to be located in areas easily accessible to immigration courts; pro bono legal services; national airports; and community mental health, dental, and medical service providers. Care providers are required to have designated common areas; spaces for recreation, education, and case management; and confidential spaces for counseling and health services.

Care providers must make accommodations to allow the children to meet privately with their attorney.

Care providers must have at least one bedroom separate from communal areas that can be used for communicable disease isolating/quarantine purposes for a minimum of 28 days. Services that do not require confidentiality are required to be in an open setting without the need of extraordinary security measures. However, care providers must have procedures and strategies in place to discourage runaways, unauthorized absences, and unauthorized entries.

Services are provided for an average length of stay ranging from 30 to 35 days, depending on the type of sponsor to whom a child may be discharged. Care providers should anticipate that children with potential sponsors, who require a home study, will have a longer length of stay in order for an ORR-designated provider to complete the home study process and ensure a safe release.

Care providers are required to have a security system to monitor the care provider facility(ies) from unauthorized entrance and egress, including the use of alarm systems and video monitoring. Care providers are required to comply with state child placement licensing standards and not pose a threat to the safety of unaccompanied children in the event a child attempts to flee from the facility. Care providers must also meet the following minimum safety and security related requirements for their facilities: controlled entry and exit from the premises; video monitoring in common and living areas; a communications system and alarm system for all areas of the residential structure; effective video monitoring of the exterior of the building and surrounding premises; a system for physically counting the residents and written policy that staff regulate child movements; a daily log on residents' movement; mirrored windows or small windows in the doors of any rooms used for one-on-one meetings with children; a facility inspection checklist (to include the safety related components of all residential operations and program functions); quarterly safety assessments; and spot inspections. When selecting and purchasing video monitoring and telecommunications systems, care providers must adhere to Prohibition on Expending HHS Award Funds for Covered Telecommunications Equipment or Services as per 2 § CFR 200.216.

Information on real property cost restrictions for the Unaccompanied Children Program can be found in *Section IV.6. Funding Restrictions*.

PROGRAM STAFFING REQUIREMENTS

Care providers are required to develop, implement, and document a staffing plan based on the population served, the scope and type of services provided, anticipated requirements, staff vacancies, and budgets. The staffing plan must include staffing ratios in accordance with state licensing requirements (state child placement license and facility license) and as required by ORR's policies and procedures. Care provider facilities must be staffed with qualified, bilingual professionals, paraprofessionals, and support staff to meet the diverse needs, level of care, supervision, and safety and well-being of unaccompanied children. Care providers must also include a plan to ensure sufficient staffing to cover a one-on-one safety plan, when necessary. All staff, specifically case management staff, must be proficient in using the internet and related computer programs, including ORR's Official System of Record (also known as The Portal).

ORR requires care providers to supervise unaccompanied children in accordance with ORR policy, which includes staffing ratios and licensing (state child placement and facility license) requirements. For the purposes of this SNOFO, ORR requires the following ratios:

- One on-duty staff for every 4 children during waking hours;
- One on-duty staff for every 12 children during sleeping hours;
- One case manager for every 6 children; and
- One clinician for every 6 children.

Care providers are subject to the provisions of the Service Contract Act (SCA). For more information on SCA, please refer to *Section I. Program Description, Post-Award Requirements, Service Contract Act Requirements.*

Additional and/or backup staff must be made available for emergency situations or to meet the special needs of the Unaccompanied Children Program during capacity surges, including situations where tender age children need to be accommodated. Rotating after-hours and holiday coverage personnel must also be available in these situations. Same-gender supervision must be provided when indicated by individual treatment needs. It is anticipated that current and any additional staff needed will work the necessary hours, including mandatory overtime, to accommodate the immediate needs of the program. Overtime costs will be pre-approved in the terms and conditions of the award in expectation of the need for expanded capacity and placement in the case of a surge in need. The prime recipient and, if applicable, subrecipient(s) must adhere to the relevant Code of Federal Regulations (CFR) and Department of Labor (DOL) regulations.

Care providers must complete background investigations on all staff, contractors, and volunteers prior to hire to ensure the candidate is suitable for employment to work with minors in a residential setting. Background checks must be completed in accordance with ORR's policies and state child placement licensing requirements. At a minimum, a background check must be updated every 5 years. For additional information on the specific types of checks that must be completed, please consult the ORR Policy Guide at section 4.3 Personnel. All hired staff must (at a minimum):

- Be at least 21 years of age;
- Possess the relevant experience and/or qualifications to work with unaccompanied children and/or children with special needs;
- Be properly trained and licensed, as necessary; and
- Be able to show proof of immunity to vaccine-preventable diseases transmitted by the respiratory route if working directly with children, including:
    - Varicella: two doses of varicella vaccine (at least 4 weeks apart) OR born in the United States before 1980 with a reported history of chickenpox (verified by an adult present at the time of illness) OR titers indicating varicella immunity OR documentation from healthcare provider verifying previous infection.
    - Measles, Mumps, and Rubella (MMR): two doses of MMR vaccine (at least 4 weeks apart) OR titers indicating immunity to all three diseases.

- Diphtheria, Tetanus, and Pertussis (DTaP): Complete primary vaccination series. If primary vaccination series completed in childhood, one DTaP dose in adulthood.
- Influenza: One dose annually during flu season.
- COVID-19: Fully vaccinated against COVID-19 (two doses of Pfizer-BioNTech; or two doses of Moderna; or one dose of Janssen), with appropriate boosters if they become necessary while following all relevant guidance. An individual is considered fully vaccinated 2 weeks after their final dose. Additional dose(s): a third vaccine dose for certain groups of people, or booster dose(s) as recommended by the Centers for Disease Control and Prevention.

Please note: Criteria are different for health care personnel. More information can be found by visiting https://www.cdc.gov/vaccines/adults/. In addition, some state health codes or regulations require specific health maintenance for staff at licensed facilities. The care provider is responsible for knowing and satisfying requirements beyond ORR's recommendations.

Care providers' hiring and employment practices must abide by all standards outlined in the HHS Interim Final Rule (IFR) on Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children (45 CFR Part 411). These standards apply to any care provider staff member, contractor, or volunteer. For additional information on the standards outlined in the HHS IFR, please visit https://www.acf.hhs.gov/orr/standards-prevent-uac-sexual-abuse.

Training Requirements

In addition to the HHS IFR, care providers must comply with, and train staff, in accordance with the following ORR Policy Guide section 4 policies on sexual abuse and harassment:

- Maintaining and enforcing a zero-tolerance policy for all forms of sexual abuse, sexual harassment, and inappropriate sexual behavior;
- Meeting personnel requirements, including, but not limited to, background checks, training, and disciplinary sanctions and corrective actions;
- Meeting staffing and supervision requirements, including, but not limited to, staffing levels, staffing plans, and video monitoring restrictions;
- Providing responsive planning in the event there is an incident of sexual abuse or sexual harassment that occurs at the care provider facility(ies);
- Providing a coordinated response with medical and mental health care practitioners, community service providers, outside investigators, and care provider leadership immediately following an incident of sexual abuse or sexual harassment, as well as the follow-up necessary to ensure the safety of all children and staff;
- Educating children of policies and topics related to preventing, detecting, and responding to sexual abuse and harassment via an orientation, pamphlets, and bulletin board postings;
- Assessing all unaccompanied children for risk of being a victim or a perpetrator of sexual abuse while in ORR care and custody in order to inform the children's housing, education, recreation, and other service assignments;

- Providing medical and mental health care, including services following an incident of sexual abuse; and
- Reporting, providing notifications, and following up on sexual abuse, sexual harassment, and inappropriate sexual behavior occurring in ORR care, any retaliatory actions resulting from reporting allegations, and staff neglect or violations of responsibilities that contributed to incidents.

Care providers must be familiar with, and train staff on, the issue of human trafficking to provide appropriate services to unaccompanied children who are victims of human trafficking, as well as to protect unaccompanied children from potential threats of human trafficking. TVPRA of 2000, as amended (22 U.S.C. 7102), defines “severe forms of trafficking in persons” as "sex trafficking the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a person for the purpose of a commercial sex act, in which the commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age"; and “labor trafficking: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery." For more information, visit https://www.acf.hhs.gov/otip.

Training ensures that employees, contractors, and volunteers understand their obligations under ORR policies. Care provider facilities must tailor training to the unique needs, attributes, and gender of children in care at the individual care provider facility. For example, an employee must receive additional training if reassigned from a care provider facility that houses only male children to a care provider facility that houses only females. Care provider facilities must document the completion of all training in personnel files. Care provider facilities must review and revise their training and development plan annually based on their training needs.

Key Personnel

Care providers must have job descriptions and selection criteria for all staff positions that state the qualifications, performance standards, and responsibilities for each position (each job description must include a section on Essential Functions as mandated by ADA).

Care providers are required to have a clear organizational structure that outlines lines of authority and supervision. Staffing plans must be in place that provide a sound relationship between the proposed responsibilities of lead program staff.

Care providers must obtain prior approval from ORR for the key personnel listed below, and any exceptions to the minimum qualifications require ORR’s explicit written approval prior to hire. If there is a change in a key staff position listed below during the period of performance, the recipient must submit a prior approval request for ORR.

Program Director is responsible for the overall management of the programmatic, administrative, financial, and operational systems related to the provision of care and services; provision of regular and timely reports to ORR regarding operations, services, and finances; establishment of a respectful and supportive workplace environment; and elevation of any issues

or concerns to ORR. At a minimum, the Program Director must have a Master of Social Work or an equivalent degree in education, psychology, sociology, or other relevant behavioral science degree; or a bachelor's degree plus 5 years of experience in child welfare administration, child protective services, and 2 years of experience in program management or as Director of a licensed childcare program. The Program Director must possess the administrator's license for the care provider's facility(ies), if applicable.

Assistant Program Director provides support to the Program Director and serves as secondary liaison with ORR. The need for an Assistant Program Director will vary depending on the number of children served at a care provider facility(ies). At a minimum, the Assistant Program Director must have a bachelor's degree in education, psychology, sociology or other relevant behavioral science, plus 5 years of progressive employment experience with a social services or childcare agency or organization.

Lead Clinician coordinates clinical services, trains new clinicians, and supervises clinical staff. At a minimum, the Lead Clinician must have a Master of Social Work and 2 years of postgraduate direct service delivery experience; or a master's degree or Ph.D. in psychology, sociology, or other relevant behavioral science in which clinical experience is a program requirement, plus 2 years of postgraduate direct service delivery experience; or bachelor's degree plus 5 years' clinical employment experience in the behavioral sciences. The Lead Clinician must have supervisory experience and be licensed to provide clinical services in the state where the care provider is located.

Clinician conducts mental health assessments and provides ongoing individual and group counseling services, screens for human trafficking concerns, and provides crisis intervention services. At a minimum, the Clinician must have a Master of Social Work with clinical experience in the program; or master's degree in psychology, sociology, or other relevant behavioral science in which direct clinical experience is a program requirement; or a bachelor's degree plus 5 years clinical employment experience. Clinician must be licensed or eligible for licensure.

Lead Case Manager is responsible for coordinating case management and safe and timely release services, training new Case Managers, and supervising the work of other Case Managers. At minimum, the Lead Case Manager must have a master's degree in the behavioral sciences, human services, or social services fields; or a bachelor's degree and at least 3 years progressive employment experience that demonstrates supervisory and case management experience.

Prevention of Sexual Abuse (PSA) Compliance Manger is responsible for managing implementation and ongoing compliance with the HHS IFR on Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children (45 CFR Part 411) and ORR policies and procedures related to sexual abuse and harassment. At a minimum, the PSA Compliance Manager must have a bachelor's degree in the behavioral sciences, human services, or social service fields; or a bachelor's degree in business administration or management, and at least 1 year of experience working with child welfare standards, best practices, or quality assurance or compliance.

PROGRAM REQUIREMENTS

Care providers are required to provide services in a structured, safe, and productive environment consistent with their responsibilities under relevant state guidelines, federal law, their cooperative agreement with ORR, and the ORR Unaccompanied Children Program Policy Guide Section 3. Care providers must arrange access to outside services on an as-needed basis to address issues that may fall outside the scope or skill set of the staff secure program. The staff secure program needs to provide support to these outside providers and collaborate on any additional service plans.

Care providers are required to provide or arrange for the program required services in a manner that is sensitive to the age, culture, religion, dietary needs, native language, sex, and other important individual needs of each unaccompanied child. All children in ORR care are entitled to human rights protections and freedom from discrimination and abuse. Care providers must ensure that all children who are Lesbian, Gay, Transgender, Bisexual, Intersex (LGTBQI+) are treated fairly and served during their time in ORR custody. All services and assessments are required to be administered for all children even if they are in ORR custody for a short period of time. Care providers are required to have the capacity to provide services in the language spoken by the majority of children in their facility(ies) and provide translation services. Most children in ORR custody speak Spanish.

Care providers are expected to provide all the services under *Section I. Program Requirements* unless otherwise noted in this SNOFO.

Acculturation and Adaptation Services

Care providers are required to provide services that include the development of social and interpersonal skills that contribute to the ability to live independently and responsibly in the community. This includes community outings that prepare unaccompanied children to be released to the community.

Activities

Care providers are required to ensure that unaccompanied children participate in activities according to a recreation and leisure time plan that includes daily outdoor activities, weather permitting, of at least 1 hour per day of large muscle activity and 1 hour per day of structured leisure time activities other than television. Activities are required to be increased to a total of 3 hours daily on weekends and on other days when school is not in session. Recreation and leisure time activities are separate from the required physical educational during school day instruction.

Case Management Services

Care providers are required to implement and administer a case management system that tracks and monitors a child's progress on a regular basis to ensure that each child receives the full range of program services in an integrated and comprehensive manner. Care providers must provide case management services 7-days-a-week and ensure case management services are provided during holidays. Case managers are required to meet with children once a week, at a minimum, preferably in person. Case managers are required to remain up-to-date on ORR reunification policies and procedures as well as ensure the timely release of minors with viable sponsors.

The care provider's case management team is also responsible for inputting and maintaining data in ORR's case management system, the Official System of record (also known as The Portal). All placement, transfer, and release requests, as well as all significant incident reports, are processed through this web-based system. When necessary, the care provider's case management staff are required to also work collaboratively with agencies that conduct home studies and provide post-release services. If applicable, care providers are required to conduct safety and well-being follow-up calls to children and their sponsors 30 days after the child's release.

Case management will also include, at least every 30 days, a review with an ORR Federal Field Specialist and third-party Case Coordinator of the child's placement in staff secure care to determine whether placement is still appropriate or if the child can be stepped down to a less restrictive level of care.

Educational Services
Educational services are required to be provided daily, for a minimum of 6 hours; Monday through Friday; year round; and to be appropriate to the child's level of development, education, and communication skills. Educational services are required to be administered in a structured classroom setting and concentrate primarily on the development of basic academic competencies and secondarily on English language training. The educational program consists of instruction, educational materials, and other reading materials in the following basic academic areas: Science, Social Studies, Mathematics, Reading, Writing, and Physical Education. The program must also provide appropriate leisure time reading materials in languages other than English. The program must implement educational services that are effective in a staff secure setting and implement a behavior management model that is evidenced-based and provides classroom structure and support for children in staff secure.

Group Counseling
Care providers are required to provide group counseling sessions twice a week, at a minimum. One of these two groups can be substituted by "family or house meetings." At least one group counseling session must be provided according to a psycho-educational curriculum that may be adjusted according to the needs of the population. Group counseling session topics are to be designed for staff secure populations, which includes, but is not limited to, topics on drug and alcohol abuse and education on gangs and cartels.

Individual Counseling
Care providers are required to provide at least one individual counseling session per week for each unaccompanied child. A qualified clinician conducts the counseling session with the specific objective of assessing and responding to the child's mental health needs; reviewing the child's progress; establishing new short-term objectives; and addressing the developmental progress, immediate concerns, and crisis-related needs of each child.

Individualized Needs Assessments
Care providers are required to provide individualized ongoing assessments for each child, which includes the following:

- *Initial Intake Assessment* must be completed within 24 hours of an unaccompanied child's admission. A trained staff member, with the care provider, must use an Initial

Intake Assessment form to interview the child to identify any immediate needs or issues. This assessment guides the interviewer through a series of questions to obtain information about family members, immediate medical or mental health concerns, current medications, and any concerns about personal safety the child may have.

- *Unaccompanied Child Assessment* (initial intake assessment, psychosocial summary, medical information, and trauma and human trafficking assessment) must be completed within 5 days of admission to the care provider facility. The *Unaccompanied Child Assessment* gathers initial information relating to the child's journey, current medical concerns and health history, the child's and family's psychosocial assessment, trauma and substance abuse history, information about a child's work history or concerns about working to pay off debt, exploitation or trafficking concerns, and other essential data relating to the identification and history of the child and their family.
- *Assessment for Risk* must be completed within 72 hours of admission and updated every 30 days to identify risk factors for potential sexual victimization or sexual abuser tendencies so early intervention can take place to mitigate any potential risks or safety concerns.
- *Unaccompanied Child Case Review* must be completed every 30 days assessing the child's:
    - Mental health and identification of any special medical needs, including any specific issues that may require immediate intervention;
    - Educational assessment and plan;
    - Ongoing behavioral issues and any previous juvenile justice or criminal involvement;
    - Statement of religious preference and practice; and
    - Identifying information and continuing pursuit of additional information regarding the child's immediate family members, other relatives, or family friends who may be residing in the United States and able to be the child's sponsor.

Individual Service Plan

Care providers are required to complete a comprehensive and realistic Individual Service Plan (ISP) for each unaccompanied child in accordance with the child's needs as determined by the Unaccompanied Child Assessment and assessment of any trafficking concerns. ISPs are implemented and closely coordinated through an operative clinical assessment and intervention plan, as well through ORR's case management system, the Official System of Record (also known as The Portal).

The ISP must be completed within 5 days of admission and every 30 days thereafter until an unaccompanied child has reached 90 days in care. In cases where human trafficking is suspected or confirmed, the care provider is required to refer the child to ACF's Office on Trafficking in Persons and provide or refer the child for other services to ensure the child has access to all services guaranteed by TVPRA of 2008. Same sex supervision must be provided when indicated by individual treatment needs.

Legal Services
Care providers are required to provide unaccompanied children with ORR-supplied information about the availability of free legal assistance, the right to be represented by counsel at no expense to the federal government, the right to a removal hearing or bond hearings before an immigration judge, the right to apply for legal relief or to request voluntary departure in lieu of removal, and the rights victims of trafficking have under TVPRA of 2008.

Care providers are required to provide unaccompanied children with access to ORR-funded legal services. As children will meet individually and in groups with the ORR-funded legal service provider to receive legal services and assistance, care providers must ensure the availability of sufficient, scheduled private time for children in spaces that are free from extraneous noise and distractions and transport children to all hearings or proceedings to which the child is a party.

Maintenance of Case Files
Care providers must maintain comprehensive, accurate, and up-to-date case files, as well as electronic records on unaccompanied children that are kept confidential and secure at all times and must be accessible to ORR upon request. All unaccompanied child-related records are the property of ORR and are required to be provided to ORR upon request. Electronic records include those on the care provider's network drive as well as those on the Official System of Record (also known as The Portal). Care providers must have written policies and procedures for organizing and maintaining the content of active and closed case files that incorporate state licensing requirements, accrediting agency requirements, and ORR policies and procedures. Care providers must ensure compliance with 45 CFR § 75.303(e) to take reasonable measures to safeguard protected personally identifiable information of children such as name, date of birth, A-number, etc.

Medical Services
Care providers are required to establish relationships with health care providers who will accept ORR's fee-for-service payment system (if not directly hired by the care provider program) and follow ORR's medical and dental guidelines for the following services:

- A complete medical examination (including screening for infectious diseases) within 2 business days (48 hours, excluding weekends and federal holidays) of admission, per ORR stay in custody, including appropriate immunizations in accordance with the United States Advisory Committee on Immunization Practices Immunization Schedule;
- Family planning services;
- An initial dental exam 60 to 90 days after admission to a care provider program;
- Follow-up immunizations; and
- Emergency health care services.

Care providers must also be able to administer prescribed medications and special diets and arrange for appropriate mental health interventions and forensic medical examination, as necessary. Care providers may only use award funds to pay for certain medical expenses, such as medical supplies and medical personnel. Please see *Section IV.6. Funding Restrictions* for more information.

Mental Health Services
Care providers are required to provide clinical services, including regular on-site individual and group counseling sessions, and have the ability to access community mental health services for unaccompanied children with special needs. Community mental health services include psychiatric evaluations and treatment, medication assessments and management, crisis intervention, in-patient acute psychiatric care, and other clinical interventions as identified by ORR.

Nutritional Services
Care providers must provide nutritional services in accordance with U.S. Department of Agriculture and HHS nutritional guidelines and state licensing requirements. Care providers must establish procedures to accommodate dietary restrictions, food allergies, health issues, and religious or spiritual dietary requirements.

Orientation
Within 48 hours of admission, care providers are required to provide every unaccompanied child with a comprehensive program orientation that covers the program's services, rules (written and verbal), expectations, zero tolerance policy towards sexual abuse and sexual harassment, and the availability of free legal assistance. The orientation must be provided in formats that are accessible to unaccompanied children who are limited English proficient as well as those who have limited reading skills. In addition, care providers must ensure effective communication for children with communication disabilities.

Religious Access
Whenever possible, care providers must provide or arrange for access to religious services and counseling of the child's choice. Consistent with 45 CFR § 87.3(b), a faith-based organization may not use direct financial assistance from the department to engage in any explicitly religious activities (including activities that involve overt religious content such as worship, religious instruction, or proselytization). Such an organization also may not, in providing services funded by the department, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion, a religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice, as provided in 45 CFR § 87.3(d).

Right to Privacy
Unaccompanied children have a reasonable right to privacy that includes the right to the following: (a) wear their own clothes; (b) retain a private space in the residential facility for the storage of personal belongings; (c) talk privately on the phone, as permitted by the care provider's rules and regulations; (d) visit privately with guests, as permitted by care provider's rules and regulations; and (e) receive and send uncensored mail unless there is a reasonable belief that the mail contains contraband.

Rules/Behavior Management
Care providers' program rules and discipline standards are required to be formulated with consideration for the range of ages and maturity levels of unaccompanied children in the program and with cultural sensitivity towards all children. These standards must also encompass

strength-based behavior management and trauma-informed care approaches, such as using conflict resolution, problem-solving skills, and de-escalation techniques helping children and youth learn accountability and self-control. A behavior management plan used by the care provider must meet child welfare best practice standards and must be approved by ORR. Each residential facility must have basic rules posted in both English and Spanish. Care providers must ensure rules and any other ORR-required documents such as these are accessible to unaccompanied children whose primary language is not English or Spanish and, where possible, include visuals subject to verification by ORR. These rules must be reviewed with children upon placement with a focus on safety, respect, and group living. Misbehavior must be resolved on an individual basis. All interventions must be positive, strength-based, and must never subject children to corporal punishment, humiliation, mental abuse, or punitive interference with the daily functions of living, such as eating or sleeping, or ORR expected services, such as weekly calls to family or clinical sessions.

Safe and Timely Release Services

Care providers must adhere to ORR's policies and procedures that are in place to ensure the care and safety of unaccompanied children. These policies require the timely release of children to qualified parents, guardians, relatives, or other adults, referred to as "sponsors." Safe and timely release must occur within a setting that promotes public safety and ensures that sponsors are able to provide for the physical and mental well-being of children. The law requires ORR to protect children from smugglers, traffickers, or others who might seek to victimize or otherwise engage unaccompanied children in criminal, harmful, or exploitative activity. As such, ORR evaluates potential sponsors' ability to provide for the child's physical and mental well-being. The process for the safe and timely release of an unaccompanied child from ORR custody involves many steps, including the identification of sponsors; the sponsor's submission of the application for release and supporting documentation; the evaluation of the suitability of the sponsor, including verification of the sponsor's identity and relationship to the child, background checks, and in some cases home studies; and planning for post-release. The provision of safe and timely release services will be monitored and evaluated by ORR, and poor performance may result in corrective actions or termination of the award in accordance with all of HHS' regulatory provisions for termination at 45 CFR § 75.372. When considering recipients for future awards or expansions, performance in this area will be taken into consideration.

Safety Planning

Care providers must develop a written safety and security plan that includes policies and procedures for all unaccompanied children in their care and program staff. The safety plan must address emergency situations covering the following areas: runaways; shelter-in-place (e.g., due to tornadoes or high wind weather events); evacuation (e.g., due to a hurricane, fire, or other emergency); medical and mental health emergencies; and disease outbreaks. These plans must be exercised at least once per year.

Transportation/Escort

Care providers are required to provide unaccompanied children with transportation services to local airports and, if necessary, provide an escort for the children according to ORR policies; and provide transportation to local services and appointments, such as medical and dental appointments, immigration court hearings, or community services as part of the ISP.

Visitation/Phone Calls
Care providers must provide children with daily MINIMUM 10-minute calls or a MINIMUM of 50-minute calls allocated throughout the five (5) weekdays (Monday through Friday) in a private setting. Care providers must provide children with opportunities for daily MINIMUM 45-minute calls during weekends, holidays, and the child's birthday in a private setting. There is no limit on the length of calls to a child's attorneys of record. Children are allowed to call both family members and sponsors living in the United States and abroad. Unaccompanied children also have a right to receive visitors. Attorneys of record are required to have reasonable access to children according to ORR/DUCO instructions and procedures and care provider's time and place restrictions.

Vocational Educational Services
Care providers are encouraged to create or provide access to vocational training opportunities that will provide unaccompanied children with practical and competitive job skills and assist in the preparation for adulthood. Vocational programs may not replace academic education or be a substitute for the basic subject areas.

FAITH BASED ORGANIZATIONS

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

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

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

SUBAWARDS

Recipients under this award program may opt to transfer a portion of substantive programmatic work to other organizations through subaward(s).

The prime recipient must maintain a substantive role in the project. ACF defines a substantive role as conducting activities and/or providing services funded under the award that are necessary and integral to the completion of the project. Subrecipient monitoring activities alone as specified in 45 CFR § 75.352 do not constitute a substantive role. Furthermore, ACF does not fund awards where the role of the applicant is primarily to serve as a conduit for passing funds to other organizations unless that arrangement is authorized by statute.

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

For more information on reporting requirements for subawards, please see *Section VI.3. Reporting*. Per 45 CFR 75.352(a)(4), the prime recipient is responsible for paying the "approved federally recognized indirect cost rate negotiated between the subrecipient and the Federal Government or, if no such rate exists, either a rate negotiated between the pass-through entity and the subrecipient (in compliance with this part), or a de minimis indirect cost rate as defined in § 75.414(f)."

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

Please note that the SCA has been determined to apply to the unaccompanied children program cooperative agreement awards and subrecipients, including awards made pursuant to this SNOFO. See *Section I. Post-Award Requirements, Service Contract Act Requirements; VI.2. Administrative and National Policy Requirements, Service Contract Act (SCA); and Appendix A.*

Monitoring and Quality Assurance of Subrecipient Agencies

Care providers that choose to utilize a subrecipient(s) agency(ies) to provide delivery of staff secure beds and/or the requirements listed in *Section I. Program Description, Program Requirements* will be required to have a memorandum of understanding (MOU) with the agency(ies). The MOU must clearly define milestones (i.e., all ORR time frames that are stipulated in this SNOFO), progress markers, and reporting requirements, and the potential for discontinuation of the subaward if these are not satisfactorily met. The prime recipient will be responsible for ensuring compliance with program requirements and the timelines that ORR has stipulated in this SNOFO. Care providers must have established corrective action policies and procedures to guide the practice of a subrecipient(s) and to ensure compliance. In addition, ORR requires that care providers conduct on-site, annual monitoring of their subrecipient(s) to ensure that they comply with all requirements outlined in this SNOFO, ORR policies, and all applicable

laws and regulations, including 45 CFR § 75.351- 75.353. Care providers must ensure ORR's timely accessibility to corrective action plans and monitoring reports of subrecipients.

POST-AWARD REQUIREMENTS

Service Contract Act Requirements

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

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

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

Care providers are subject to the provisions of the SCA and implementing regulations found in title 29 of the CFR Part 4 and must abide by applicable DOL wage determinations, which can be found at https://alpha.sam.gov/content/wage-determinations, in their programs. See also Appendix A (providing SCA labor standards clauses described at 29 CFR Part 4), This award also is subject to Executive Order 14026-, Increasing the Minimum Wage for Federal Contractors, and its implementing regulations at 29 CFR Part 23 (see Appendix B); and Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, and its implementing regulations at 29 CFR Part 13 (see Appendix C).

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

benefits for that position. Information about identifying the applicable occupation code for positions at unaccompanied children shelter facilities can be found at https://www.acf.hhs.gov/orr/service-contract-act-wage-classifications. Please note that information on this website is provided to assist applicants, but applicants and awarded recipients still bear full responsibility for ensuring that the position is correctly selected, by comparing the work a position will perform against the position description.

Additional information about the SCA may be found on the DOL website at: https://www.dol.gov/agencies/whd/government-contracts/service-contracts. Specific information about the SCA labor standards provisions and procedures may be found at 29 CFR Part 4: https://alpha.sam.gov/content/wage-determinations. For additional information and reference to the SCA within this SNOFO, please refer to *Section VI.2. Administrative and National Policy Requirements* and *Appendices A-C.*

Facility Licensure Required Timeline

Recipients who currently hold a state child placement license, but are proposing a site for which a facility license has not been attained, the following special conditions apply:

- Every 2 months, care providers must submit to ORR a written update on progress made towards obtaining licensure for each proposed facility.
- Within 6 months of initial award, submittal of proof of facility licensure is required.
- Failure to obtain a facility license to provide residential services for children within the 6-month time period may result in ACF taking one or more of the actions listed within 45 CFR §75.371-375, including discontinuation of funding as appropriate, for any part of the award found to be non-compliant with federal statutes, regulations, and/or terms and conditions of the award.

When considering recipients for future awards or expansion, performance in this area will be taken into consideration.

As required by Paperwork Reduction Act (PRA) of 1995, 44 U.S.C. §§ 3501-3521, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid Office of Management and Budget (OMB) Control Number. ORR is seeking approval of these reports through the OMB Office of Information and Regulatory Affairs and will not request this information if these forms are not approved at the time that reports are due.

Coronavirus Disease Response

ORR recognizes that as a result of the coronavirus disease (COVID-19) outbreak, activities may need to be adjusted and public health interventions implemented to ensure the safety and health of children and care provider staff. If during the project period, recipients are required to adjust activities due to COVID-19, ORR will exercise maximum flexibilities as needed. Adjustments must be consistent with the COVID-19 recommendations provided by ORR, the care provider's local health jurisdiction, and the Centers for Disease Control and Prevention (CDC) (https://www.cdc.gov/coronavirus/2019-ncov/index.html). Modifications must include safeguards to prevent the spread of COVID-19, planning to respond to COVID-19 cases among

staff or children, and planning for staffing absenteeism and shortages. To limit the effects of COVID-19 on staff and children, all eligible program staff must be vaccinated for COVID-19 (see *Section I. Program Description, Program Staffing Requirements*).

Program Performance Evaluation

To provide high-quality services for all unaccompanied children, ORR has established standardized performance metrics to clearly communicate ORR priorities and will collect data quarterly and assess data via the ORR Official System of Record. The list of metrics and scoring criteria can be found under *Appendix D* within the SNOFO.

Once beds are delivered per facility and available for unaccompanied children placement, ORR will collect data quarterly to assess the performance of recipients under this SNOFO. ORR will share data, through a scorecard for each facility to help care providers meet established goals. A recipient's performance on each metric will be scored and assessed as green, yellow, or red, as outlined in *Appendix D*. ORR will assess the need for further discussion related to performance or compliance with ORR policies. A recipient's compliance with the identified performance metrics is essential for the government to assess award performance and the continuation of an award. ORR will contact recipients on a quarterly basis to discuss issues related to performance or compliance with ORR policies. If the recipient is not in compliance with the performance scoring baseline outlined for each metric in *Appendix D* and ORR deems the situation requires escalation, corrective actions and funding restrictions could be applied as per 45 CFR § 75.207 Specific award conditions and/or 45 CFR § 75.371 Remedies for noncompliance. In some circumstances, these measures could affect the continuation of the award. When considering recipients for future awards or expansions, performance in this area will be taken into consideration.

Should any adjustments be made in the future to the performance metrics or scoring criteria, ORR will provide a policy letter to care providers 90 days prior to taking effect. These performance metrics have been approved under PRA of 1995, 44 U.S.C. §§ 3501-3521 and reflected in the unaccompanied children reporting documents as listed in *Section I. Program Description, Post-Award Requirements, Required Unaccompanied Children Reporting*. The recipient is responsible for accurately inputting and submitting all unaccompanied children reporting documents in the ORR Official System of Record within the time frame identified in the reporting documents.

Residential (Staff-Secure) Services for Unaccompanied Children Program Evaluation

If ACF identifies additional resources to fund a federal study of funded Residential (staff-secure) Services for unaccompanied children, then the recipient will be required to participate. The study would utilize an outside, non-recipient evaluation team and would focus on the processes, implementation, progress indicators, and quality improvement of funded activities.

NOTE: Consistent with PRA of 1995, (44 U.S.C. §§ 3501-3521), under this SNOFO, ORR will not conduct or sponsor, and a person is not required to respond to, a collection of information covered by such Act, unless it displays a currently valid OMB Control Number. ORR will seek OMB approval for a federal study of the funded activities, as appropriate.

Required Unaccompanied Children Reporting

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

- Administration and Oversight of the Unaccompanied Children Program (OMB #0970-0547, Expiration Date May 31, 2025.
- Placement and Transfer of Unaccompanied Children into ORR Care Provider Facilities (OMB #0970-0554), Expiration Date September 30, 2025.
- Release of Unaccompanied Children from ORR Custody (OMB #0970-0552), Expiration Date May 31, 2025.
- Services Provided to Unaccompanied Children (OMB #0970-0553), Expiration Date April 30, 2025.
- Family Reunification Packet for Sponsors of Unaccompanied Children (OMB # 0970-0278), Expiration Date August 31, 2025.
- Legal Services for Unaccompanied Children (OMB #0970-0565), Expiration Date November 30, 2024.
- Monitoring and Compliance for Office of Refugee Resettlement Care Provider Facilities (OMB #0970-0564), Expiration Date October 31, 2024.
- Health Assessment Form, Public Health Investigation Form: Non-TB Illness, and Public Health Investigation form: Active TB (OMB #0970-0509), Expiration Date December 31, 2023.
- Serious Medical Procedure Request (SMR) Form (OMB #0970-0561), Expiration Date February 29, 2024.
- Initial Medical Exam Form, Supplemental TB Screening Form, and Dental Exam Form (OMB #0970-0466), Expiration Date December 31, 2023.
- Annual Data Collection on Sexual Abuse and Sexual Harassment Involving Unaccompanied Children (OMB #0970-0558), Expiration Date November 30, 2023.
- Office of Refugee Resettlement's Staff Questionnaire- Interpreter (OMB #0970-0558), Expiration Date November 30, 2023.
- COVID-19 Screening Tool for Unaccompanied Children Program Staff and Visitors (OMB #0970-0543), Expiration Date December 21, 2024.

PROPERTY

Unallowable Real Property Costs

Recipients, and if applicable, subrecipient(s), awarded funds through this SNOFO must adhere to all property regulations found in 45 CFR Part 75. In general, see ACF Property Guidance.

In addition, award funds may not be used for the acquisition, construction, and major renovation of real property under this program. Such a use of award funds is not authorized by statute and would be considered an unallowable expenditure.

Unallowable expenditures are subject to disallowances and other remedial measures described at 45 CFR Part 75. Please refer to *Section IV.6. Funding Restrictions* for more information. See also Unallowable Property Costs.

Leasing Real Property Documentation

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

Rent/Lease Arrangement Costs

Recipients awarded funds through this SNOFO must adhere to the rental costs of real property in accordance with 45 CFR § 75.465. For more information, see Rent/Lease Arrangement Guidance.

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

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

Post-Award Requests Involving Real Property

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

All real property costs are subject to ACF administrative review. Recipients, and if applicable, subrecipient(s), if not provided during the application, will be required to provide detailed listings of all real property addresses and their associated costs (45 CFR §§ 75.436, 75.439, 75.462, and 75.465) used and claimed under this federal award. This includes all real property owned or leased by the recipient, and if applicable, subrecipient(s). Information on residential facilities, administrative buildings, and offices must be provided. The requested information for any and all real property that has a cost claimed under the award must be provided. For more information, see Property Guidance pages, including, Rent/Lease Arrangement Guidance, Real

Property Documentation, Unallowable Property Costs.

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

II. Federal Award Information

Funding Instrument Type:
CA (Cooperative Agreement)

Estimated Total Funding:
$40,000,000

Expected Number of Awards:
10

Award Ceiling:
$20,000,000
Per Budget Period

Award Floor:
$1,000,000
Per Budget Period

Average Projected Award Amount:
$4,000,000
Per Budget Period

Anticipated Project Start Date:
07/01/2024

Length of Project Periods:
36-month project period with three 12-month budget periods

Additional Information on Project Periods and Explanation of 'Other'

Additional Information on Awards:
Awards made under this funding opportunity are subject to the availability of federal funds.

Applications requesting an award amount that exceeds the *Award Ceiling* per budget period, or per project period, as stated in this section, will be disqualified from the merit review and funding under this funding opportunity. Please see *Section III.3. Other, Application Disqualification Factors.*

The maximum award ceiling is to accommodate applicants proposing a multiple site model in various geographic locations or for applicants proposing a significant bed capacity. Funds for years 2 and 3 will be awarded on the basis of submission and approval of non-competing continuation applications. Non-competing continuation awards are subject to obtaining and maintaining licensure and satisfactory progress by the recipient (i.e., meeting all ORR unaccompanied children requirements based on performance metrics referenced in *Section I. Program Description, Post-Award Requirements, Program Performance Evaluation* and adhering to the ORR stipulated timeframes in *Section I. Program Description, Post-Award*

Requirements, Facility License Timeline), availability of funds, and a determination that continued funding would be in the best interest of the federal government. Funds for this award may be terminated by ORR in accordance to HHS' regulatory provisions for termination at 45 CFR § 75.372. See also 2 CFR § 200.340.

Special Note: Until funded capacity is achieved, funding will be released incrementally according to the approved costs associated with start-up prior to receiving unaccompanied children.

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

ORR recipients must obtain ACF prior approval for the transfer of substantive programmatic work (subawards and/or contracts). Recipients must provide a signed MOU or a signed letter of intent and draft subaward agreement and/or contract agreement with a detailed description of the subrecipient's and/or contractor's responsibilities regarding service provisions

ORR supports recipients in the following areas:

- Design, implementation, and modification of program activities, services, and facilities;
- Design of protocols or procedures;
- Approval of the behavioral management plan;
- Approval of key program staff;
- Provision of training and technical assistance to staff;
- Input of case information into the Official System of Record;
- Select decisions regarding individual case management activities; and
- Approval of all releases of unaccompanied children to sponsors.

III. Eligibility Information

III.1. Eligible Applicants

Eligibility is unrestricted. Applicants are required to submit documentation as described in *Section IV.2. The Project Description, Additional Eligibility Documentation*. Lack of the required documentation will disqualify the application from review and from award. Please see *Section III.3. Other, ORR Disqualification Factor* for more information.

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

Applicants proposing multiple real property locations to provide staff secure services specific to this SNOFO are strongly encouraged to submit all facilities and locations within a single

application. Applicants must document each real property in the SF-Project/Performance Site Location(s) form (SF-P/PSL).

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

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

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

III.2. Cost Sharing or Matching

Cost Sharing / Matching Requirement:
No
For all federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the recipient's cost sharing or matching when such contributions meet all criteria listed in 45 CFR § 75.306.

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

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

See *Section IV.2. The Project Budget and Budget Justification, Commitment of Non-Federal Resources* for more information.

III.3. Other

Application Disqualification Factors

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

Award Ceiling Disqualification

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

Required Electronic Application Submission

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

If you do not have an internet connection or sufficient capacity to upload large documents to the internet you may contact ACF for an exemption that will allow you to submit your application in paper format. Information and the requirements for requesting an exemption from required electronic application submission are found in "ACF Policy for Requesting an Exemption from Electronic Application Submission."

Missing the Application Deadline (Late Applications)

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

Applications submitted to Grants.gov which fail their validation check, will not be received at, or acknowledged by ACF. If you submit an application for the same NOFO more than once, only the last on-time submission will be acknowledged.

Paper applications with an approved exemption from the electronic submission requirement must be received by 4:30 pm ET on the due date listed in the *Overview* and in *Section IV.4. Submission Dates and Times*. Paper applications received after 4:30 pm ET on the due date will be disqualified from the merit review and funding under this funding opportunity.

ORR Disqualification Factor

Except for certain programs in Texas, Florida, or South Carolina, residential care providers must be licensed (state child placement license) by an appropriate licensing agency to provide residential, group, or foster care services for children. Texas-based programs are excepted from the licensing requirement when either (1) the program had an appropriate license as of August 30, 2021, but the license was rescinded pursuant to 26 Texas Administrative Code (TAC) § 745.115(1)(B) (exempting, on a temporary basis, federally affiliated child-care facilities from the state licensure requirement); or (2) are currently licensed in the State of Texas, but are reasonably likely to have their license rescinded pursuant to 26 TAC § 745.115(1)(B) if the provider becomes a federally affiliated child-care facility funded under an ORR award. Florida-based programs are excepted from the licensing requirement when either (1) the program had an appropriate license as of September 28, 2021, but the Florida Department of Children and Families allowed the program's license to lapse or expire pursuant to Florida Executive Order No. 21-223, § 8 by refusing to render a timely decision on the program's license renewal application or denying such application; or (2) the program is currently licensed in the state of Florida, but is reasonably likely to have its license lapse or expire as a result of Florida Executive Order No. 21-223, § 8. South Carolina programs are excepted from the licensing requirement if their program had a license on or before April 12, 2021, and the program's license is denied or revoked, or otherwise enjoined by the state because the program accepted placement of unaccompanied children at the request of ORR as a result of Executive Order No. 2021-19.

ORR also notes that other residential programs in other states may be eligible for this award if the program is delicensed by a state or when a state actor refuses, revokes, denies, delays or otherwise makes state licensure unavailable on the basis that the program houses, will house, or is planning to house unaccompanied children, as determined by ORR.

Documentation of current state residential licensure to provide residential services for children must be submitted with the application. Applicants' failure to provide the required documentation of their state child placement license for **each** proposed state within their application submission will be disqualified from the application review and from funding under this SNOFO. The required documentation is described in *Section IV.2. The Project Description, Additional Eligibility Documentation*.

Notification of Application Disqualification

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

IV. Application and Submission Information

IV.1. Address to Request Application Package

Karen
Code
Office of Grants Management
Family Protection and Resilience Portfolio
Mary E. Switzer Building

330 C Street, SW
Washington
DC
20201
(202) 401-6888
Karen.Code@acf.hhs.gov

Application Packages

Electronic Application Submission:

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

IV.2. Content and Form of Application Submission

FORMATTING APPLICATION SUBMISSIONS

Notice of Two-File Requirement

Applicants applying via Grants.gov must upload only two electronic files, excluding Standard Forms (SFs) and Office of Management and Budget (OMB)-approved forms. Additional files will be removed prior to the merit review.

FOR ALL APPLICATIONS:

Signature of Authorized Organization Representative (AOR)

Each applicant must designate an authorized organization representative (AOR) with authority to act on the organization's behalf on matters related to the application submission and administration of awards. The AOR signature must appear on all forms in which a signature is required. By signing, the AOR agrees the organization will abide by all applicable Federal statutes, regulations and terms and conditions of the award.

Accepted Font Style and Size

Applications must be in Times New Roman 12-point font, except for footnotes, which may be 10-point font. Pages that contain blurred or illegible text will be removed.

If documents must be scanned, the font size on any scanned documents must be large enough so that it is readable. You may not scan more than one page of a documents onto a single page. Pages with blurred text will be removed from the application.

English Language

Applications must be submitted in the English language and must be in the terms of United States (U.S.) dollars. See 45 CFR §75.111 for more information.

Page Limitations

You must observe the page limitation(s) listed under "PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS" later in this section. **Page limitation(s) do not include SFs and OMB-approved forms.**

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

Application Elements Exempted from Double-Spacing Requirements
The following elements of the application submission are exempt from the double-spacing requirements and may be single-spaced:

- Table of Contents
- One-page Project Summary
- Required Assurances and Certifications
- SFs and OMB-approved forms
- Resumes, Logic Models, Proof of Legal Status/Non-Profit Status, Third-Party Agreements, Letters of Support, footnotes and tables
- Line-Item Budget and/or the Budget Justification

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

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

Corrections/Updates to Submitted Applications
When applicants revise a previously submitted application, ACF will accept only the last on-time application for pre-review under the Application Disqualification Factors. See *Section III.3. Other, Application Disqualification Factors* and *Section IV.2. Application Submission Options*.

Copies Required
Applicants must submit one complete copy of the application package electronically. Applicants must follow the registration and application submission instructions provided at Grants.gov.

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

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

PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:

Applicants proposing multiple real property locations to provide residential and non-residential services specific to this SNOFO are encouraged to submit all real property locations within a

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

The Project Description (Narrative) includes the following:

- A one-page Project Summary;
- Table of Contents;
- Geographic Location;
- Approach;
- Project Timeline and Milestone;
- Plan for Oversight of Federal Award Funds and Activities;
- Program Performance Evaluation Plan;
- Logic Model;
- Protection of Sensitive and/or Confidential Information; and
- Line-item Budget and Budget Justifications.

The appendices include the following:

- Required Certifications and Assurances;
- Proof of Legal Status;
- Organizational Capacity
    - List of Board of Directors;
    - Resumes of current staff, and/or Position Descriptions;
    - Organizational Chart of Applicant Entity and the Project;
- Third-Party Agreements;
- Approved Negotiated Indirect Cost Rate Agreement, if applicable;
- Letters of Support;
- Applicants must provide a copy of current state child placement licensure for all proposed states. With the exception of certain programs in Texas, Florida, and South Carolina, residential care providers must be licensed (state child placement and facility) by an appropriate licensing agency to provide staff secure residential services for children. Texas-based programs are excepted from the licensing requirement when either (1) the program had an appropriate license as of August 30, 2021, but the license was rescinded pursuant to 26 Texas Administrative Code (TAC) § 745.115(1)(B) (exempting, on a temporary basis, federally affiliated child-care facilities from the state licensure requirement); or (2) are currently licensed in the state of Texas, but are reasonably likely to have their license rescinded pursuant to 26 TAC § 745.115(1)(B) if the provider becomes a federally affiliated child-care facility funded under an ORR award. Florida-based programs are excepted from the licensing requirement when either (1) the program had an appropriate license as of September 28, 2021, but the Florida Department of Children and Families allowed the program's license to lapse or expire pursuant to Florida Executive Order No. 21-223, § 8 by refusing to render a timely decision on the program's license renewal application or denying such application; or (2) the program is currently licensed in the state of Florida, but is reasonably likely to have its license lapse or expire as a result of Florida Executive Order No. 21-223, § 8. South Carolina programs

are excepted from the licensing requirement if their program had a license on or before April 12, 2021, and the program's license is denied or revoked, or otherwise enjoined by the state because the program accepted placement of unaccompanied children at the request of ORR as a result of Executive Order No. 2021-19. The required documentation is described in *Section IV.2. The Project Description, Additional Eligibility Documentation.*

- Management Letter/Summary Report in lieu of full audit reports, including the disclosure of any findings or recommendations noted in the most recently completed single audit;
- Executed Leases for proposed real property(ies) and/or draft leases for proposed real property(ies) (for applicants that have multiple leases for different real property, if the page limitation will be exceeded, only include the lease(s) for the highest number of unaccompanied children served). ORR and OGM will contact awardees through this SNOFO to obtain leases that were not submitted as part of the application;
- Any other information the applicant deems relevant and necessary.

ELECTRONIC APPLICATION SUBMISSION INSTRUCTIONS

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

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

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

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

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

Formatting Submission Files

ACF strongly recommends that File One and File Two be uploaded as Portable Document Files (PDFs).

To adhere to the two-file requirement, you may need to convert and/or merge documents together using a PDF converter software. Applicants using Adobe Acrobat Reader software will be able to merge these documents together. ACF recommends merging documents electronically rather than scanning multiple documents into one document manually.

Applicants must ensure that the version of Adobe Acrobat Reader they are using is compatible with Grants.gov. To verify Adobe software compatibility please go to Grants.gov and click on "Applicants" at the top bar menu and select "Adobe Software Compatibility."

Naming Application Submission Files
Carefully observe the file naming conventions required by Grants.gov. Limit file names to 50 characters (characters and spaces).Please also see https://www.grants.gov/web/grants/applicants/submitting-utf-8-special-characters.html.

Use only file formats supported by ACF
While ACF supports all of the following file formats, **we strongly recommend that the two files (Project Description and Appendices) are uploaded as PDFs in order to comply with the two-file upload limitation.**

ACF supports the following file formats:

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

Documents in file formats not listed here will be removed from the application and will not be used in the merit review. This may make the application incomplete, and ACF will not make awards based on an incomplete application.

Do Not Encrypt or Password-Protect the Electronic Application Files
If ACF cannot access submitted electronic files because they are encrypted or password protected, the affected file will not be reviewed. This may make the application incomplete, and ACF will not make awards based on an incomplete application.

REQUIREMENTS FOR PAPER APPLICATION SUBMISSIONS:
You must receive an exemption in order for a paper application to be accepted for review. For more information on the exemption, see "ACF Policy for Requesting an Exemption from Required Electronic Application Submission."

Applicants with an approved exemption for paper application submission should download the forms package associated with the NOFO's Synopsis on Grants.gov under the Package tab.

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

Applicants must submit one original and two copies of the complete application, including all SFs and OMB-approved forms. The original copy must have original signatures. Copies of the application, not the original, will be reproduced by the federal government for review. **All application materials must be one-sided for duplication purposes. All pages in the application submission must be sequentially numbered.**

Required Forms, Assurances, and Certifications

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

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
SF-424 - Application for Federal Assistance	Submission is required for all applicants by the application due date.	Required for all applications.
Unique Entity Identifier (UEI) and System for Award Management (SAM) registration.	Required of all applicants. Applicants must have a UEI and maintain an active SAM registration throughout the application and project award period. Obtain a UEI and SAM registration at: http://www.sam.gov .	See *Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)* for more information.
SF-424 Key Contact Form	Submission is required for all applicants by the application due date.	Required for all applications.
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Submission required of all applicants with the application package. If it is not submitted with the application package, it must be submitted prior to the award of a grant.	Submission of the certification is required for all applicants.

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

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
Facility(ies) license for each proposed facility.	Referenced in *Section I. Post-Award Requirements, Facility Licensure Required Timeline.*	If the facility(ies) license is not available at the time of application, it must be submitted within 6 months of award.
State child placement license for each state proposed to provide residential services for children	Referenced in *Section I. Program Description, Program Structure, Licensing Requirement, Section III.3. Other, ORR Disqualification Factor* and *Section IV.2 The Project Description, Additional Eligibility Documentation.*	Submission is due by the application due date.

Additional Required Assurances and Certifications

Mandatory Grant Disclosures

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

Disclosures must be sent in writing to:

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

And to:

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

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

Email: grantdisclosures@oig.hhs.gov

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

ORR Non-discrimination Assurance
Submission of an application for this SNOFO constitutes assurance that in serving beneficiaries of this program, applicants have made reasonable good faith efforts to have the following:

- Compliance with all federal statutes relating to nondiscrimination.
- Policies prohibiting discrimination and harassment of such beneficiaries based on race, sexual orientation, gender, gender identity (or expression), religion, and national origin;
- Inclusivity of, and non-stigmatizing toward LGBTQI+ individuals (e.g., staff, sponsors) including LGBTQI+ youth;
- Training all staff serving program beneficiaries to prevent and respond to harassment in all forms; and
- Monitor claims of harassment and discrimination of beneficiaries, address them seriously, and document corrective action(s) so all participants are assured that programs are safe, inclusive, and non-stigmatizing by design and in operation.

Submission of an application for this award further constitutes an assurance that any subrecipient(s) and contractor(s) directly engaged in the care and custody of unaccompanied children will do as follows:

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

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

The Project Description

The Project Description Overview

General Expectations and Instructions
The Project Description requests the information by which an application is evaluated and ranked in competition with other applications for financial assistance. It must address all activities for which federal funds are being requested and all application requirements as stated

in this section. The Project Description must explain how the project will meet the purpose of the NOFO, as described in *Section I. Program Description*. As a reminder, reviewers will be evaluating this section in accordance with *Section V.1. Criteria*.

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

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

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

Project Summary
Provide a summary of the project description. The summary must include a brief description of the applicant's proposed project including the needs to be addressed, the proposed activities or services, and if applicable, the population group(s) to be served. The summary must be clear, accurate, concise, and without cross-references to other parts of the application. Please place the following at the top of the Project Summary:

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

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

Geographic Location
Describe the precise physical location of the project and boundaries of the area to be served by the proposed project. If the geographic area(s) are served by both the primary recipient and subrecipient organization(s), describe the locations covered by all organizations anticipated to receive funding from the award.

Legal Status of Applicant Entity
Applicants must provide the following documentation:

Certification of their legal status and/or eligibility. This may include, but is not limited to, Governing Board membership documentation and/or articles of incorporation.

Non-Profit Organizations

Proof of Non-Profit Status Options:

Option 1: 501(c)(3) and non-501(c)(3) non-profit organizations are eligible
Non-profit organizations applying for funding are required to submit proof of their non-profit status. Proof of non-profit status is any one of the following:

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

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

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

Additional Eligibility Documentation
Applicants must provide the additional, required documentation, or required credentials, to support eligibility for an award, as described in *Section III. Eligibility Information* of this funding opportunity.

Applicants must submit documentation of their state child placement license issued by a state licensing agency for each proposed state within their application to provide residential care services for children; Texas-based programs must provide proof of such state child placement licensure in the State of Texas as of August 30, 2021, that was subsequently rescinded pursuant to § 726 TAC § 745.115(1)(B). Florida-based programs must provide proof of such state child placement licensure in the State of Florida as of September 28, 2021, that subsequently lapsed or expired, or is reasonably expected to lapse or expire, pursuant to Florida Executive Order No. 21-223, § 8. South Carolina based programs must provide proof of state licensure in South Carolina as of April 12, 2021, that subsequently lapsed or expired, or is reasonably expected to lapse or expire, pursuant to South Carolina Executive Order No. 2021-19. Applicants in other states that are delicensed because they house, will house, or are planning to house unaccompanied children, must submit evidence, including citation to any relevant law, executive order, or regulation, that delicenses or effectively delicenses the program. **Applicants' failure to submit the required documentation will be disqualified from the application review process and from funding under this SNOFO.**

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

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

Program Design and Service Provision
Applicants must provide their Program Design and Service Provision plan and, if applicable, each subrecipient's plan in accordance with the requirements below:

- Applicants must provide evidence of sufficient experience and expertise in efficiently and effectively operating residential staff secure facilities designed to serve children. Applicants must describe the organization's past work; program design and ability to provide residential care; and a range of social, psychosocial, and health services for children.
- Applicants must describe their overall program design for staff secure to include a timeline for the delivery of funded bed capacity, and provide documentation supporting the ability to provide the required program services indicated in *Section I. Program Description, Program Requirements.*
- Applicants must describe how their program delivery for staff secure facilities is sensitive to the religious preferences, culture, native language, sexual orientation, gender, and special needs of unaccompanied children.
- Applicants must describe experience and proficiency in implementing a behavioral management plan for staff secure facilities as indicated in *Section I. Program Description, Program Requirements, Rules/Behavior Management.*
- Applicants must describe their experience and provide documentation supporting their ability to provide appropriate 7-day case management services for staff secure facilities, including developing and updating ISPs, as well as other assessments required by ORR.
- Applicants must describe their ability to comply with the pertinent laws; regulations; settlement agreements; and ORR policies, procedures, and instructions as referenced in *Section I. Program Description, Program Requirements* and *Section VI.2. Administrative and National Policy Requirements, Pertinent Federal Laws and Regulations for the Unaccompanied Children Program,* and the HHS IFR on Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children (45 CFR Part 411).
- Applicants must design developmentally appropriate programs for staff secure facilities that address the specialized and individual needs of all unaccompanied children, focusing on the unique vulnerabilities and trauma of the unaccompanied children populations served by ORR.
- Applicants must describe their capacity and process to identify possible victims of human trafficking and other crimes.
- Applicants must describe their process for the identification and safe and timely release of unaccompanied children to eligible sponsors.
- Applicants must describe their process to provide timely processing and reviewing of referrals to their program and ensure oversight of denial decisions.

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

- Applicants must describe their overall program service environment and provide documentation supporting their ability to provide the required program services for staff secure facilities indicated in *Section I. Program Description, Program Requirements*.
- Applicants must provide a plan in accordance with meeting facility licensure required timeline described in *Section I. Program Description, Post-Award Requirements, Facility Licensure Required Timeline.*
- Applicants must describe each facility's accessibility to immigration court, airports, fire and police services, and the local community. Applicants must provide evidence on the feasibility of administering a program in the area(s) that are proposed.
- Applicants must clearly describe and/or provide photographs of the proposed facility(ies) (including descriptions of sleeping arrangements, food preparation, kitchen and dining area, classrooms, office space, restrooms, outside recreation areas, isolation/quarantine room, and living space).
- Applicants must describe how educational, clinical, and case management services will be delivered to unaccompanied children in staff secure placements.
- Applicants must describe how the facility(ies) meets all relevant zoning, licensing, fire, safety, and health codes required to operate staff secure facilities. Applicants must provide detailed information regarding the type of state licensure (state child placement license and facility license), and, if available, include information on capacity, age/sex permitted, and length of stay allowable.
- Applicants must report any allegations/concerns of abuse and/or neglect; and denial, suspension, and/or revocation of care provider's and, if applicable, subrecipient's, licensing to provide child-welfare related services. The reporting period covers 5 years.
- Applicants with religious objections to providing any service required by the Unaccompanied Children Program must specify this within their Project Summary (*see Section IV.2. The Project Description, Project Summary)* and provide further detail as to their objection and alternative approach within their application as referenced in *Section I. Program Description, Faith-Based Organizations*.
- Applicants must delineate their real properties into the following three categories: owned, leased (current lease already in place), or intent to lease (through either a letter of intent or an actual draft/unsigned lease). If applicable, the applicant must provide a lease for each real property proposed as well as leases for any real properties(ies) provided through subrecipient(s) partnerships. If a lease(s) has not been executed prior to submission of an application, the application must include an actual draft of the lease; the unsigned lease; or a letter of intent describing the potential arrangement, including the address, terms, length, and proposed expenses. As part of the application, the applicant must identify if the lease is an "arm's-length" or "less-than-arm's-length" lease and provide how costs are calculated in accordance with 45 CFR § 75.465 and 45 CFR § 75.436. If any lease is a "less-than-arm's-length" lease, a copy of the residing state real property records (no more than 2 years old) must be provided to show proof of the "less-than-arm's-length" arrangement. For more information, see Rent/Lease Arrangement Guidance and Real Property Documentation. Please reference *Section I. Program Description, Post-Award Requirements, Property, Rent/Lease Arrangement Costs* for more. Applicants must delineate real properties in the following manner:
    - Owned
    - Leased (Lessor is "Arm's-Length" or Lessor is "Less-Than-Arm's-Length")

    - Intent to Lease (Lessor is "Arm's-Length" or Lessor is "Less-Than-Arm's-Length")

- Applicants must describe all security measures for the facility(ies) and how they adequately meet the requirements of the program to prevent unauthorized absence from the facility(ies) and to monitor those who enter and exit the facility(ies).
- Applicants must provide documented evidence/references, or letters of local community support, and acceptance of the applicant's program in the designated area(s). This must include established relationships with local emergency services (i.e., police, fire), medical and mental health agencies (e.g., local health department), religious and community organizations, and state licensing offices' recommendations for serving unaccompanied children.

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

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

- Organizational charts.
- Resumes.
- Financial statements adhering to Generally Accepted Accounting Principles (GAAP), if available, submit statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations).
- Audit reports or statements from Certified Public Accountants/Licensed Public Accountants, if available, submit statements for up to the two most recently completed fiscal years (this requirement does not apply to start-up organizations).
- Audit summary report including auditor’s opinion in lieu of the full audit report, if applicable.
- Copy or description of the applicant organization's fiscal control and accountability procedures.
- Evidence that the applicant organization, and any partnering organizations, have relevant experience and expertise with administration, development, implementation, management, and evaluation of programs similar to that offered under this funding opportunity.
- Names of payment/performance Bond carriers used by the applicant organization (construction projects).

- Child care licenses and other documentation of professional accreditation.
- Information on compliance with federal/state/local government standards.

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

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

- Applicants must provide a comprehensive overview of the applicant's organization including qualifications, history, relevant licensure, organizational mission and goals, and lists of all federal-, state-, or local-funded awards and/or contracts received.
- Applicants must describe their experience in the provision of child welfare services, child protective services, services to children with special needs, victims of trafficking, youth outreach, and/or other social services; and describe organizational experience working directly with unaccompanied children, cross-cultural/international or domestic children, or their experience providing trauma-informed related services to children from various cultural backgrounds, various language capabilities, and special needs, including vulnerability to human trafficking.
- Applicants must provide documentation of clear organizational structure outlining lines of authority and supervision within their organization. Applicants must describe staffing plans within their organization that provide a sound relationship between the proposed responsibilities of lead program staff, including Program Director, Lead Clinician, and Lead Case Manager, and the educational and professional experience required for the position according to requirements outlined in *Section I. Program Description, Program Staffing Requirements.*
- Applicants must describe a plan to implement the HHS IFR and ORR's sexual abuse and harassment policies, including, but not limited to, appropriate screening of new hires, developing internal policy documents, and training staff on IFR policies.
- As required by state licensing, applicants must provide a detailed plan for completing background checks for applicable staff, contractors, and volunteers.
- Applicants must describe in detail the scope of work to be performed and other terms and conditions that define third-party working relationships with subrecipients, or subcontractors, to successfully carry out the activities as described in this SNOFO.
- Applicants issuing subawards must provide an effective plan to monitor their subrecipients in accordance with 45 CFR § 75.352.
- Applicants must describe their ability to provide a comprehensive staff secure facility training plan that meets state licensing requirements and ORR policies; the plan must include elements specific to working with the unaccompanied children population, including prevention of and intervention in child abuse and neglect, local reporting procedures, and staff code of conduct.
- Applicants must describe how case management, intakes, clinical, medical, and educational staff are proficient in using the internet and related computer programs.

- Applicants must provide a copy of a management letter/summary report in lieu of full audit reports; and must also include disclosure of any findings or recommendations noted in the most recently completed single audit.

Plan for Oversight of Federal Award Funds and Activities
Recipients are required to ensure proper oversight in accordance with 45 CFR Part 75 Subpart D.

These regulations set forth the following standards for effective oversight:

- Financial and Program Management
- Property Management
- Procurement
- Performance and Financial Monitoring and Reporting
- Subrecipient Monitoring and Management
- Record Retention and Access
- Remedies for Noncompliance
- Prior Written Approval

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

Program Performance Evaluation Plan
Applicants must describe a plan for the program performance evaluation that will contribute to continuous quality improvement. The program performance evaluation must monitor ongoing activities and the progress towards the goals and objectives of the project. Include descriptions of the inputs (e.g., organizational profile, collaborative partners, key staff, budget, service processes and other resources), key activities, and expected outcomes of the funded activities. The plan must explain how the inputs, activities, and outcomes will be measured; how the information will be used to inform improvement of funded activities; and any processes that support data quality.

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

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

- Applicants must describe a plan, separate from the ORR's external performance management and metrics, for performance evaluation of the program that will contribute to continuous quality improvement. This is in collaboration with ORR's external performance management and metrics.
- Applicants must describe effective and resource-efficient strategies for programmatic control, predictability, and accountability as evidenced by the program design for staff secure facilities.
- Applicants must describe their evaluation methodology based on performance. Focus will be placed on child welfare practices, particularly child safety, safe and timely release performance, and ability to ensure timely and appropriate release for children with potential sponsors. Applicants must describe measures that effectively track performance in this area.
- Applicants must address how they will monitor the progress of individual cases and include a clearly structured timeline with regard to working with each child on safe and timely release.
- Applicants must provide an effective plan for developing and maintaining internal structure, control, and accountability through programmatic means for staff secure facilities.
- Applicants must describe their ability to produce statistical reports to track demographics and performance of program as referenced in *Section I. Program Description, Post-Award Requirements, Required Unaccompanied Children Reporting*.
- Applicants must describe their ability to maintain adequate records, including client files, medical files, financial files, and personnel files.
- Applicants must provide documentation of a system that preserves the confidentiality of unaccompanied children information and protects those records from unauthorized use or disclosure.
- Applicants must describe their ability to provide regular reports as required by ORR that permit ORR to monitor and enforce the *Flores* Settlement Agreement, federal requirements, ORR policies and procedures, and other requirements and standards. ORR will not request any unaccompanied children reports from recipients unless it has received OMB approval under PRA.
- Applicants must describe their ability to implement and maintain the Official System of Record.

Logic Model

Applicants must submit a logic model for designing, managing and/or evaluating the project. A logic model is a diagram that presents how inputs drive activities to produce outputs, outcomes, and the ultimate goals of the proposed project, and explains the links among program elements. Logic models must target the identified objectives and goals of the project. While there are many versions of logic models, for the purposes of this funding opportunity, the logic model may include connections between the following items:

- Inputs (e.g., additional resources, organizational profile, collaborative partner(s), key staff, budget);
- Target population (e.g., the individuals to be served, identified needs);

- Activities, Mechanisms, Processes (e.g., evidence-based practices, best practices, approach, key intervention and evaluation components, continuous quality improvement efforts);
- Outputs (i.e., the immediate and direct results of program activities);
- Outcomes (i.e., the expected short and long-term results the project is designed to achieve, typically described as changes in people or systems), and
- Goals of the project (e.g., overarching objectives, reasons for proposing the project).

Protection of Sensitive and/or Confidential Information
Provide a description of how protected PII and other information that is considered sensitive, consistent with applicable federal, state, local and tribal laws regarding privacy and obligations of confidentiality, will be collected and safeguarded. The applicant must provide the methods and/or systems that will be used to ensure that confidential and/or sensitive information is properly handled and if applicable, address the process for subrecipient(s) and/or contractors. Also, provide a plan for the disposition of such information at the end of the project period. See 45 CFR § 75.303(e) for more information.

Third-Party Agreements

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

Applicants must provide Letters of Commitment, MOUs, or MOAs between recipients and third-parties (i.e., subrecipients, contractors, or other cooperating entities). In addition to clearly describing the roles and responsibilities for project activities and support and/or resources that the third-party is committing, these agreements must detail work schedules and estimated remuneration with an understanding that a finalized agreement will be negotiated once the aware is made to the successful applicant.

Letters of Support
Provide statements from community, public, and/or commercial leaders that support the project proposed for funding. All submissions must be included in the application package. At minimum, each letter of support must identify the individual writing the letter, the organization they represent, the date, and reason(s) for supporting the project.

The Project Budget and Budget Justification

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

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

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

Provide a budget for the initial budget period only (typically the first 12 months of the project) using the SF-424A and/or SF-424C, as applicable.

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

Pre-License Costs: Applicants who do not currently possess a facility license for the facility(ies) in which they intend to provide unaccompanied children services, must complete a Pre-License budget in addition to a base annual budget. While Pre-License costs are included in the base annual budget, this subset of costs must also be presented in a separate line-item and narrative budget for the purpose of tracking costs that will be expended in the pursuit of gaining the facility license. **"Pre-license costs" are costs that will be incurred once the project period begins and are made in support of attaining licensure.** The Pre-License Costs are part of the 12-month budget and are the costs that will be released in support of the recipient attaining a license. Some of these costs may be designated as both Pre-License costs and Start-up costs — see the Start-up Costs section below.

Start-up Costs: All applicants must identify one-time costs, i.e., start-up costs, that are necessary to operationalize the facility(ies). Start-up costs are defined as those costs that are limited to the initial budget year and are related to expenses incurred during the process of creating a new program. **Start-up costs are included within the total costs of the first-year budget.** These costs are not included in budgetary forecasts after the initial year. Start-up costs must be identified within the line-item detail costs and in the budget narrative, clearly distinguished from ongoing operating costs, and consistent with the SF-424A cost categories.

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

more information.

Other sources of funding to provide Unaccompanied Children services: The applicant must identify and provide any current sources of federal funding received from any government award or contracting division to provide services to the Unaccompanied Children Program. This includes direct awards, as well as subrecipient or subcontractor awards from a directly funded recipient, to provide services to the Unaccompanied Children Program.

Overtime Costs: To address any expected surges in effort, applicants that budget for projected overtime for any of their direct care positions (i.e., Clinicians, Case Managers, Youth Care Workers, and Medical Staff), should reflect overtime costs in the Personnel budget category.

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

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

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

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

submitting a budget where subawards go above and beyond 50 percent.

The applicant must provide a description of its internal financial monitoring system and, if applicable, proposed subrecipient(s')'s financial monitoring system that demonstrates structure, fiscal management, and accountability consistent with the requirements for financial management and standards for financial management systems indicated at 45 CFR §§ 75.302-303.

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

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

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

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

Applicants may only include the cost of medical personnel and medical supplies in the applicant’s budget. No funds may be charged to this award for unaccompanied children medical services as this is provided under a separate ORR-managed care program. For more information on medical costs, please see *Section IV.6. Funding Restrictions.*

Based on individual child need, transfer to a residential facility within the ORR network may occur. In addition, temporary placement outside of ORR's network in an acute psychiatric hospital and/or psychiatric residential setting may become necessary and would require transportation of children for placement and discharge once treatment has been completed. Placement decisions outside of ORR’s network are initiated by the care provider in conjunction with ORR, and final approval is made by ORR. These transfers would include airfare, escort, and transport to and from airport/residential facility. Applicant should include transport cost for no more than 1 percent of the estimated number of unaccompanied children applicant proposes to serve annually.

General

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

Personnel

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

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

Fringe Benefits

Description: Costs of employee fringe benefits are allowances and services provided by employers to their employees in addition to regular salaries and wages. For more information on Fringe Benefits please refer to 45 CFR § 75.431. **Do not include** the fringe benefits of consultants, contractors, and subrecipients because those costs should be listed under the "Contractual" category as part of the total value of the contract or agreement.

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

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

Travel

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

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

Equipment

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

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

Supplies

Description: Tangible personal property other than those included under the Equipment category. A computing device is a supply if the acquisition cost is less than the lesser of $5,000, or the capitalization level established by the non-Federal entity for financial statement purposes, regardless of the length of its useful life. See 45 CFR § 75.2, 75.321, and 75.453 for more information.

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

Contractual

Description: Cost of all contracts and subawards except those that should be placed under other categories such as equipment, supplies, construction, etc. Include third-party evaluation contracts, procurement contracts, and subawards. Recipients are required to use 45 CFR §§ 75.326-.340 procurement procedures, and subawards are subject to the requirements at 45 CFR §§ 75.351-.353. Costs related to professional and consultant services rendered by persons who are members of a particular profession or possess a special skill, and who are not officers or employees, must be listed in the Other category. (Typically, these arrangements will take the form of a consultant agreement directly with an individual as opposed to a contract with a company that employs the consultant. The latter case must still be listed under Contractual line item.)

If applicable and charged as a direct cost, include cost of third-party renting or leasing agreements for equipment; and third-party renting or leasing agreements for real property by address for each building, facility, administrative office, space, structure, land, and other real property.

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

along with the same justifications referred to in these budget and budget justification instructions.

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

If applicable and charged as a direct cost, for each real property proposed or claimed for rent or lease include: the rent amount with calculation; terms of lease; maintenance and repair amounts with details on each type of expense proposed and its associated cost; minor A&R with specifics for each type of proposed expense and its associated cost; show the computation and provide other information that supports the amount requested. Only when allowable and with prior approval, describe the financing costs (including interest) including terms for the real property address. For applicable ACF programs with real property authority, see ACF Property Guidance. **Do not include** real property owned by the recipient or arrangements considered "less-than-arms-length," "sale and lease back," "finance lease" per Financial Accounting Standards Board, "financed purchase" per Government Accounting Standards Board standards because these costs (e.g., depreciation costs) if charged as 1) a direct cost, should be listed under the "Other" category or 2) an indirect cost as with any indirect costs, as part of their indirect cost pool that is used to calculate an indirect cost rate). These costs must be treated as either direct or indirect costs, not both. For more information, see 45 CFR §75.2, 75.414, 75.430-75.431, 75.434, 75.436, 75.439, and 75.452.

Other

Description: Enter the total of all other costs. Such costs, where applicable and appropriate, may include, but are not limited to: individual consultant costs; local travel; insurance (when not included under the Fringe category); food (when allowable); medical and dental costs (non-personnel); professional service costs (e.g., audit charges); depreciation of real property and equipment (when not treated as an indirect cost), printing and publications, training costs (such as tuition and stipends), staff development costs, and administrative costs (when not treated as an indirect cost). Please note costs must be allowable per 45 CFR Part 75 Subpart E.

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

If applicable and charged as a direct cost, include depreciation by real property address for each building, facility, administrative office, structure, land, and other real property proposed for use and depreciation of equipment proposed for use. For each real property owned by the recipient or less-than-arms-length lease intended to be proposed or claimed for use provide, if applicable, and in accordance with 45 CFR §§75.436 and 75.465: the allocable percentage and total dollar amount; the depreciation amount with type of method and calculation used; tax amount; insurance amount and what it covers; maintenance and repair amounts with details on each type of expense proposed and its associated cost; minor A&R with specifics for each type of proposed expense and its associated cost; the ownership type (e.g., owned, leased, or intent to lease); show the computation and provide other information that supports the amount requested.

For more information, please see ACF Property Guidance. **Do not include** costs of third-party renting or leasing real property and equipment because those costs should be under the "Contractual" category.

Indirect Charges

Description: Indirect or Facilities & Administration (F&A) (F&A means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. F&A costs are generally used by institutions of higher education). Typical examples of indirect or F&A costs include but are not limited to depreciation on buildings and equipment, equipment and capital improvements, operation and maintenance expenses, and general administration and expenses, such as the salaries and expenses of personnel administration and accounting. For more information, see 45 CFR §75.2, 75.414, 75.430-75.431, 75.434, 75.436, and 75.439. Enter the total amount of indirect costs. This category has one of two methods that an applicant can select. An applicant may only select one.

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

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

2. Per 45 CFR § 75.414(f) Indirect (F&A) costs, "any non-Federal entity [i.e., applicant] that has never received a negotiated indirect cost rate, ... may elect to charge a *de minimis* rate of 10% of modified total direct costs which may be used indefinitely. As described in Section 75.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. If chosen, this methodology once elected must be used consistently for all Federal awards until such time as the non-Federal entity chooses to negotiate for a rate, which the non-Federal entity may apply to do at any time."

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

Commitment of Non-Federal Resources

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

For all federal awards, any shared costs or matching funds and all contributions, including cash and third-party in-kind contributions, must be accepted as part of the recipient's cost sharing or matching when such contributions meet all of the criteria listed in 45 CFR § 75.306. For awards that require matching by statute, recipients must meet the required level of cost sharing. Recipients that have voluntarily decided to contribute cost sharing when it is not required, or at a higher level than required, will be held accountable for the proposed cost-sharing, if accepted by ACF and included in the Notice of Award (NoA). **A recipient's failure to provide cost sharing that has been accepted by ACF may result in the disallowance of federal funds.**

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

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

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

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

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

Paperwork Reduction Act Disclaimer
As required by the Paperwork Reduction Act, 44 U.S.C. 3501-3521, the public reporting burden for the Project Description is estimated to average 60 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed, and reviewing the collection of information. The Project Description information collection is approved under OMB control number 0970-0139, which expires 03/31/2026. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Application Submission Options

Please read the following instructions carefully and completely.

Electronic Delivery

ACF applicants are required to submit their applications online through Grants.gov.

How to Register through Grants.gov

Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process.

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

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

Organization applicants can find complete instructions here:
https://www.grants.gov/web/grants/applicants/organization-registration.html

***Register with SAM*:** All organizations (entities) applying online through Grants.gov must register with SAM. Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For detailed instructions for registering with SAM, refer to:
https://www.grants.gov/web/grants/applicants/organization-registration.html

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

***Add a Profile to a Grants.gov Account*:** For detailed instructions about creating a profile on Grants.gov, refer to: https://www.grants.gov/web/grants/applicants/registration/add-profile.html

EBiz POC Authorized Profile Roles: After you register with Grants.gov and create an Organization Applicant Profile, the applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC is then expected to log into Grants.gov and authorize the appropriate roles. For detailed instructions about creating a profile on Grants.gov, refer to:
https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html

Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov.

For questions related to this funding opportunity, please contact the number listed in the application package.

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

Timely Receipt Requirements and Proof of Timely Submission

All applications must be received by 11:59 pm ET on the due date established for each program. Proof of timely submission is automatically recorded by Grants.gov. The applicant AOR will receive an acknowledgment of receipt and a tracking number (GRANTXXXXXXXX) from

Grants.gov with the successful transmission of their application. Applicant AORs will also receive the official date/stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When ACF successfully retrieves the application from Grants.gov, and acknowledges the download of submission, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role.

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

Issues with Federal Systems

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

Request an Exemption from Required Electronic Application Submission

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

Paper Application Submission

See *Section IV.7. Other Submission Requirements* of this funding opportunity for address information for paper application submissions.

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

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

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

- Be registered in SAM prior to submitting an application or plan;
- Maintain an active SAM registration with current information until the process is complete. If you receive an award, your SAM registration must be active throughout the life of the award. It must be renewed every 365 days to keep it active;
- Provide its UEI in each application or plan it submits; and
- Ensure any proposed subrecipient(s) have obtained and provided to the recipient their UEI(s) prior to making any subawards (**Note:** Subrecipients are not required to complete full SAM registration.).

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

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

IV.4. Submission Dates and Times

12/12/2023

Due Dates for Applications

12/12/2023

Due Date for Applications:

FY24: (7/1/2024-6/30/2027)

FY25: 7/1/2025 (1/1/2026-12/31/2029)

Explanation of Due Dates

The due date for receipt of applications is listed in the *Overview* and in this section.

Electronic Applications

The deadline for submission of electronic applications via Grants.gov is 11:59 pm ET on the due date.

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

Mailed Paper Applications

The deadline for receipt of mailed paper applications is 4:30 pm ET on the due date listed in the Overview and in this section. Applications should be mailed to the address provided in *Section IV.7. Other Submission Requirements*.

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

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

Emergency Extensions

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

Acknowledgement of Received Application

Acknowledgement from Grants.gov

Applicants will receive an initial email upon submission of their application to Grants.gov. This email will provide a **Grants.gov Tracking Number**. Refer to this tracking number in all

communication with Grants.gov. The email will also provide a **date and time stamp**, which serves as the official record of the application's submission**.** Receipt of this email does not indicate that the application is accepted or that it has passed the validation check.

Applicants will also receive an email acknowledging that the received application is in the **Grants.gov validation process.**

Acknowledgement from ACF of an electronic application's submission:

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

Acknowledgement from ACF of receipt of a paper application:
ACF will not provide acknowledgement of receipt of hard copy application packages submitted via mail.

IV.5. Intergovernmental Review

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

IV.6. Funding Restrictions

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

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

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

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

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

IV.7. Other Submission Requirements

Submit paper applications to the following address.

Submission by Mail
Unaccompanied Children Operations Center
c/o F2 Solutions
Attn: HHS-2023-ACF-ORR-ZU-0167
1401 Mercantile Lane

Suite 401
Largo
MD
20774

V. Application Review Information

V.1. Criteria

Please note: With the exception of the notice of funding opportunity and relevant statutes and regulations, reviewers must not access, or review, any materials that are not part of the application documents. This includes information accessible on websites via hyperlinks that are referenced, or embedded, in the application. Reviewers must evaluate and score an application based on the documents that are presented in the application and must not refer to, or access, external links during the merit review.

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

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

PROGRAM DESIGN AND SERVICE PROVISION **Maximum Points:** 30

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

- Detailed documentation and evidence supporting the applicant's ability and/or experience in providing the required program services indicated in *Section I. Program Description, Program Requirements* for staff secure care, with the exception of any required service(s) the applicant has expressed a religious objection to providing. (0-4 points)
- Clear description of overall program design for staff secure facility(ies) and a plan for provision of the services listed (i.e., medical services, ISP, education, etc.) in *Section I. Program Description, Program Requirements.* The description must include the ability to adhere to the time frames required for service provision. (0-4 points)
- Detailed information on how program activities, services, and materials are developed and provided in a manner that is appropriate for the target population, taking into account the culture, native language, and special needs of unaccompanied children for staff secure care. (0–3 points)

- Detailed plan to identify and address the specialized needs of the unaccompanied children population, including victims of trafficking and risk factors for potential sexual victimization or sexual abuser tendencies. (0-5 points)
- Detailed description of how the applicant's behavior management plan will be developed and implemented as required in *Section I. Program Description, Program Requirements, Rules/Behavior Management* for staff secure care. The description must identify how the behavior management plan is trauma-informed, strength-based, and meets child welfare best practices. In addition, the plan must include a description of how the applicant's behavior management plans takes into consideration the range of ages, maturity levels, and cultural sensitivities of unaccompanied children. (0-4 points)
- Detailed plan on how applicant will identify, assess, and release children with eligible domestic sponsors in a timely manner. The plan identifies the applicant's ability to facilitate safe and timely release of children including, but not limited to, identifying sponsor(s), evaluating the suitability of the sponsor, and verifying sponsor's identity and relationship to the child according to the requirements outlined in *Section I. Program Description, Program Requirements, Safe and Timely Release Services.* (0-10 points)

PROGRAM MANAGEMENT **Maximum Points:** 25

The application will be reviewed for the applicant's capacity and, if applicable, subrecipient(s)', to develop and manage an unaccompanied children program by assessing the following:

- Comprehensive and concise overview of the applicant's organization, including qualifications, history, and organizational mission and goals. Evidence that the applicant's including subrecipient's, if applicable, key staff have sufficient and relevant experience, knowledge, and capability to implement and manage a staff secure program. (0-5 points)
- Detailed supporting documentation and description of experience in providing appropriate 7-day case management services for staff secure care (e.g., ISP). Documentation must evidence the applicant's experience with providing case management services to the unaccompanied children population, including cross-cultural/international and/or domestic children. (0-3 points)
- Clear and comprehensive organizational structure of the proposed program for staff secure care that describes delineation of authority, roles and responsibilities, and supervision across the entire organization, allowing for communication and coordination between the various program components and partner agencies. Applicant addresses the educational and professional experience required for key positions according to requirements outlined in *Section I. Program Description, Program Staffing, Key Personnel*. (0-5 points)
- Detailed plan to screen, hire, and train staff to meet licensing (state child placement license and facility licensing) and ORR requirements. Training must address elements specific to working with the unaccompanied children population; prevention of, and intervention in, child abuse and neglect; local reporting procedures; and staff code of conduct. (0-5 points)
- Comprehensive plan to implement the HHS IFR on Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children (45 CFR Part 411), and ORR's sexual abuse and harassment policies, including, but not

limited to assigning a PSA Staff Coordinator, appropriate screening of new hires, developing internal policy documents, and training staff and children on these policies. (0-4 points)

- Documentation of a detailed, thorough, and realistic description of a recruitment and retention staffing plan that takes into consideration the particular needs of the target population. Detailed plan for completing background checks for all individuals working with or having direct access to children (e.g., staff, contractors, volunteers). (0-3 points)

ADMINISTRATIVE AND SERVICE ENVIRONMENT **Maximum Points:** 15

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

- Comprehensive description of the overall program service environment for staff secure facilities with documentation supporting its ability to provide the required program services indicated in *Section I. Program Description, Program Requirements* with the exception of any required service(s) to which the applicant has expressed a religious objection to providing. (0-5 points)
- Clear description of the proposed facility(ies), including a description of the sleeping arrangements, food preparation, kitchen and dining area, office space, restrooms, outside recreation areas, designated personal telephone call space, isolation and quarantine room, and living space. (0-3 points)
- Documentation of the proposed facility(ies) accessibility to immigration court, airports, fire and police services, and the local community. Documentation that each facility(ies) is/are meeting all relevant zoning, fire, safety, and health codes required to operate a residential-based social service program. Documentation of allegations/concerns of abuse and neglect; and denial, suspension, and/or revocation of licensure to provide any child welfare related services. The reporting period covers 5 years. (0-3 points)
- Explanation and documentation of real property(ies) (e.g., ownership type, leasing agreement(s), and/or draft lease/intent to lease letter(s)) to include evidence of complete lease documentation provided in accordance with *Section IV.2. The Project Description, Administrative and Service Environment.* (0-2 points)
- Documented evidence/references, or letters of local community support and acceptance of the applicant's program. This should include established relationships with local emergency services (i.e., police, fire), medical and mental health agencies (i.e., local health department), religious and community organizations, and state licensing offices' recommendations for serving unaccompanied children. (0-2 points)

PROGRAM PERFORMANCE EVALUATION PLAN **Maximum Points:** 15

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

- Clear description of an effective model for programmatic control, predictability, and accountability as evidenced by the program design for staff secure facility(ies). (0-5 points)

- Detailed evaluation methodology based on performance as evidence by a focus on child welfare practices, particularly child safety, safe and timely release performance, and ability to ensure timely and appropriate release for unaccompanied children with potential sponsors, when applicable. Measures that effectively track performance in this area must be described in detail. Documentation of an effective plan to monitor subrecipient(s), if applicable, in accordance with 45 CFR § 75.352 and monitor internal programming. (0-5 points)
- Ability to maintain adequate electronic and/or hard copy records, including client files, medical files, financial files, and personnel files. Ability to produce reports that track demographics and program performance, effective monitoring and enforcement of the *Flores* Settlement Agreement, federal requirements including ORR policies and procedures, and other requirements and standards. (0-3 points)
- Documentation of an effective and efficient plan to operate the Official System of Record and to upload all appropriate unaccompanied children forms and file information within the time frames indicated in *Section I. Program Description, Program Requirements, Individualized Needs Assessments, and Individual Service Plan.* (0-2 points)

BUDGET AND BUDGET JUSTIFICATION **Maximum Points:** 15

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

- Accurate and detailed budget and budget justification noting line-item expenses with specific detail for understanding per-item costs for the applicant to include a budget for each proposed real property delineated by facility name and location, inclusion of the names of staff for positions already filled, and corresponding levels of effort (percentage dedicated to the project). (0-5 points)
- Documentation of costs that are reasonable, allowable, program-related, and commensurate with the types and range of activities to be conducted, to include a sound plan that is in compliance with the funding restrictions noted in *Section IV.6. Funding Restrictions*. (0-6 points)
- Comprehensive plan for overall fiscal management, including internal and third-party financial monitoring systems that demonstrate structure and accountability for applicant and any subrecipient(s) and/or contractors. (0-2 points)
- Documentation of most recent financial audit management letter or summary report; including the disclosure of any findings or recommendations noted in the most recently completed single audit. (0–2 points)

V.2. Review and Selection Process

No award will be made under this funding opportunity on the basis of an incomplete application.

Initial ACF Screening

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

Merit Review and Results

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

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

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

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

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

ACF does not fund concurrent projects, i.e., funding a recipient to provide the same type of services in the same facility. ORR and OGM will be coordinating with ACF's Office of Government Contracting Services to ensure that there is no duplication in services and funding for the same services between awards and contracts funding unaccompanied children efforts.

For existing recipients, past performance will be considered in the selection of awards.

Federal Financial Review of Proposed Unaccompanied Children Projects

ORR and OGM staff will perform an internal review and analysis of the applications ranked highest in the panel's review and scoring. This internal review is used to determine the application's consistency with the requirements of the *Flores S*ettlement Agreement; pertinent HHS regulations and laws; pertinent SCA provisions; and ORR policies, instructions, and procedures. In addition, a review will be conducted by OGM of all leases and associated costs to ensure that they comply with federal regulations and SNOFO requirements. ACF reserves the right to reduce the budget due to unallowable costs (e.g., rental costs, indirect costs, etc.).

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

Federal Awarding Agency Review of Risk Posed by Applicants

ACF is required to review and consider any information about the applicant that is in the Federal Awardee Performance and Integrity Information System (FAPIIS),

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

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

V.3. Anticipated Announcement and Federal Award Dates

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

VI. Federal Award Administration Information

VI.1. Federal Award Notices

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

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

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

VI.2. Administrative and National Policy Requirements

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

available at: www.acf.hhs.gov/administrative-and-national-policy-requirements.

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

HHS Grants Policy Statement

ACF awards are subject to the requirements of the HHS Grants Policy Statement (HHS GPS), which covers basic award processes, standard terms and conditions, and points of contact, as well as important agency-specific requirements. The HHS GPS is available at https://www.hhs.gov/sites/default/files/grants/grants/policies-regulations/hhsgps107.pdf.

Equal Treatment of Faith-Based Organizations

A faith-based organization that participates in this program will retain its independence from the federal government and may continue to carry out its mission consistent with religious freedom, nondiscrimination, and conscience protections in federal law, including the Free Speech and Free Exercise Clauses of the First Amendment of the U.S. Constitution, the Religious Freedom Restoration Act (42 U.S.C. 2000bb *et seq.*), the Coats-Snowe Amendment (42 U.S.C. 238n), Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e–1(a) and 2000e–2(e)), Americans with Disabilities Act, 42 U.S.C. 12113(d)(2), section 1553 of the Patient Protection and Affordable Care Act (42 U.S.C. 18113), the Weldon Amendment (e.g., Further Consolidated Appropriations Act, 2020, Public Law 116–94, 133 Stat. 2534, 2607, div. A, sec. 507(d) (Dec. 20, 2019)), or any related or similar federal laws or regulations. Religious accommodations may also be sought under many of these religious freedom and conscience protection laws.

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

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

Service Contract Act (SCA)

This award is also subject to the provisions of SCA and its implementing regulations at 29 CFR Part 4, including SCA labor standards clauses found at Appendix A, which set forth obligations

under SCA wage determinations for the localities in which Residential (Staff Secure) Services for Unaccompanied Children may be performed and may be found at https://alpha.sam.gov/content/wage-determinations. The applicable wage determinations are set forth for the various classes of service employees to be employed in furnishing services and the minimum monetary wage rates to be paid and minimum fringe benefits to be furnished to them during the periods when they are engaged in the performance of SCA-covered services. For additional information on the provisions of the SCA, please visit: https://www.dol.gov/agencies/whd/government-contracts/service-contracts. This award is also subject to Executive Order 14026, Increasing the Minimum Wage for Federal Contractors, and its implementing regulations at 29 CFR Part 23 **(Appendix B within this SNOFO)** and Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, and its implementing regulations, at 29 CFR Part 13 **(Appendix C within this SNOFO**). For additional information on the Minimum Wage and Paid Sick Leave requirements, please visit: https://www.dol.gov/agencies/whd/government-contracts/minimum-wage and https://www.dol.gov/agencies/whd/government-contracts/sick-leave.

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

Pertinent Federal Laws and Regulations for the Unaccompanied Children Program

Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019, Public Law 116-26 (Jul. 1, 2019)

Further Consolidated Appropriations Act, 2020, Public Law 116-94 (Dec. 20, 2019)

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

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

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

Consolidated Appropriations Act, 2022, Public Law 117-103 (Mar. 15, 2022)

HSA of 2002, Public Law 107-296, H.R. 5005, 107th Cong.

HHS IFR on Standards To Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children, 45 CFR § 411

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

Preventing Sex Trafficking and Strengthening Families Act, Public Law 113-183, H.R. 4980,

113th Cong.

Flores v. Reno, Case No. CV 85-4544-RJK (C.D. Cal. 1996)

TVPRA of 2008, Public Law 110-457 (Dec. 23, 2008)

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

VI.3. Reporting

Performance Progress Reports:
Quarterly

Reporting Requirements
Recipients under this funding opportunity will be required to submit performance progress and financial reports periodically throughout the project period. Information on reporting requirements is available on the ACF website at https://www.acf.hhs.gov/grants/manage-grant/reporting.

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

Financial Reports:
Quarterly
Recipients under this SNOFO will be required to submit/administer forms to include, but not limited to, all forms listed under *Section I. Program Description, Post-Award Requirements, Required Unaccompanied Children Reporting.*

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

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

VII. HHS Award Agency Contact(s)

Program Office Contact
Jahmya
Ross
Administration for Children and Families
Office of Refugee Resettlement
Division of Children's Services
Mary E. Switzer Building
330 C Street, SW
Washington

DC
20201
(202) 573-1533
DCS_ProjectOfficers@acf.hhs.gov

Office of Grants Management Contact

Karen
Code
Administration for Children and Families
Office of Grants Management
Family Protection and Resilience Portfolio
Mary E. Switzer Building
330 C Street, SW
Washington
DC
20201
(202) 401-6888
Karen.Code@acf.hhs.gov

VIII. Other Information

Reference Websites

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

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

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

ACF "Applying for an ACF Award" https://www.acf.hhs.gov/grants/how-apply-grant.

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

Grants.gov Accessibility Information www.grants.gov/ web/grants/accessibility-compliance.html.

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

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

ORR Unaccompanied Children Program https://www.acf.hhs.gov/orr/programs/uc

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

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

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

Application Checklist

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

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

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

What to Submit	Where Found	When to Submit
	IV.2. Required Forms, Assurances and Certifications.	to the Office of the Inspector General is required.
The Project Budget and Budget Justification	Referenced in *Section IV.2. The Project Budget and Budget Justification.*	Submission is required in addition to submission of SF-424A and / or SF-424C. Submission is required with the application package by the due date in the *Overview* and in *Section IV.4. Submission Dates and Times.*
Indirect Cost Rate Agreement (IDR)	Referenced in *Section IV.2. The Project Budget and Budget Justification.* The IDR must be submitted with the application package.	If the IDR is available by the application due date, it must be submitted with the application package. If it is not available by the application due date, listed in the *Overview* and *Section IV.4. Submission Dates and Times,* it may be submitted prior to the award of a grant.
The Project Description	Referenced in *Section IV.2. The Project Description.*	Submission is due by the application due date found in the *Overview* and in *Section IV.4. Submission Dates and Times.*
Eligibility Documentation by For-Profit Organizations	Referenced in *Section IV.2. The Project Description, Legal Status of Applicant Entity.*	Submission is required with the application by the Application Due Date in the *Overview* and in *Section IV.4. Submission Dates and Times.*

What to Submit	Where Found	When to Submit
Facility(ies) license for each proposed facility.	Referenced in *Section I. Program Description, Post-Award Requirements, Facility Licensure Required Timeline.*	If the facility(ies) license is not available at the time of application, it must be submitted within 6 months of award.
State child placement license for each state proposed to provide residential services for children	Referenced in *Section I. Program Description, Program Structure, Licensing Requirements, Section III.3. Other, ORR Disqualification Factor* and *Section IV.2. The Project Description, Additional Eligibility Documentation.*	Submission is due by the application due date.

Appendix

Appendix A: Service Contract Act (SCA) Labor Standards Clauses for Federal Service Contracts Exceeding $2,500 (29 CFR 4.6)

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

(b)

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

(2)

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

(ii) Such conforming procedure shall be initiated by the contractor prior to the performance of contract work by such unlisted class of employee. A written report of the proposed conforming action, including information regarding the agreement or disagreement of the authorized representative of the employees involved or, where there is no authorized representative, the employees themselves, shall be submitted by the contractor to the contracting officer no later

than 30 days after such unlisted class of employees performs any contract work. The contracting officer shall review the proposed action and promptly submit a report of the action, together with the agency's recommendation and all pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, U.S. Department of Labor, for review. The Wage and Hour Division will approve, modify, or disapprove the action or render a final determination in the event of disagreement within 30 days of receipt or will notify the contracting officer within 30 days of receipt that additional time is necessary.

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

(iv)

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

B. In the case of a contract modification, an exercise of an option or extension of an existing contract, or in any other case where a contractor succeeds a contract under which the classification in question was previously conformed pursuant to this section, a new conformed wage rate and fringe benefits may be assigned to such conformed classification by indexing (i.e., adjusting) the previous conformed rate and fringe benefits by an amount equal to the average (mean) percentage increase (or decrease, where appropriate) between the wages and fringe benefits specified for all classifications to be used on the contract which are listed in the current wage determination, and those specified for the corresponding classifications in the previously applicable wage determination. Where conforming actions are accomplished in accordance with this paragraph prior to the performance of contract work by the unlisted class of employees, the contractor shall advise the contracting officer of the action taken but the other procedures in paragraph (b)(2)(ii) of this section need not be followed.

C. No employee engaged in performing work on this contract shall in any event be paid less than the currently applicable minimum wage specified under section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended.

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

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

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

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

(d)

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

substantially at variance with those which prevail for services of a character similar in the locality, and/or that the collective bargaining agreement applicable to service employees employed under the predecessor contract was not entered into as a result of arm's-length negotiations, the Department will issue a new or revised wage determination setting forth the applicable wage rates and fringe benefits. Such determination shall be made part of the contract or subcontract, in accordance with the decision of the Administrator, the Administrative Law Judge, or the Administrative Review Board, as the case may be, irrespective of whether such issuance occurs prior to or after the award of a contract or subcontract. 53 Comp. Gen. 401 (1973). In the case of a wage determination issued solely as a result of a finding of substantial variance, such determination shall be effective as of the date of the final administrative decision.

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

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

(g)

1. The contractor and each subcontractor performing work subject to the Act shall make and maintain for 3 years from the completion of the work records containing the information specified in paragraphs (g)(1)(i) through (vi) of this section for each employee subject to the Act and shall make them available for inspection and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:
   (i) Name and address and social security number of each employee.
   (ii) The correct work classification or classifications, rate or rates of monetary wages paid and fringe benefits provided, rate or rates of fringe benefit payments in lieu thereof, and total daily and weekly compensation of each employee.
   (iii) The number of daily and weekly hours so worked by each employee.
   (iv) Any deductions, rebates, or refunds from the total daily or weekly compensation of each employee.
   (v) A list of monetary wages and fringe benefits for those classes of service employees not included in the wage determination attached to this contract but for which such wage rates or fringe benefits have been determined by the interested parties or by the Administrator or authorized representative pursuant to the labor standards clause in paragraph (b) of this section. A copy of the report required by the clause in paragraph (b)(2)(ii) of this section shall be deemed to be such a list.

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

2. The contractor shall also make available a copy of this contract for inspection or transcription by authorized representatives of the Wage and Hour Division.
3. Failure to make and maintain or to make available such records for inspection and transcription shall be a violation of the regulations and this contract, and in the case of failure to produce such records, the contracting officer, upon direction of the Department of Labor and notification of the contractor, shall take action to cause suspension of any further payment or advance of funds until such violation ceases.
4. The contractor shall permit authorized representatives of the Wage and Hour Division to conduct interviews with employees at the worksite during normal working hours.

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

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

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

(k)

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

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

Employee class (OPM Classification for Occupational Groups and Families)	Role	Monetary wage-fringe benefits (General Schedule Grade Range)
340	Program Managers	14-15
1001	Communication Team	5-13
1101/1910	Quality Assurance Team	5-13
1035	Public Information Officer	13-14
1103	Property Management Team	5-13
1107	Waste Management Team	6-7
1160	Finance Team	9-15
1530	Warehouse Data	11
1601	Maintenance Team	9
1670	Equipment Team	11
1701	Training Team	7-13
1720	Education Team	7-13
1801	Compliance Team	7
2003	Supply Program Management	13

Employee class (OPM Classification for Occupational Groups and Families)	**Role**	**Monetary wage-fringe benefits (General Schedule Grade Range)**
2005	Supply Clerical and Technician Team	4-12
2101/21012	Transportation Team	7-13

Employee class (OPM Classification for Occupational Groups and Families)	**Role**	**Monetary wage-fringe benefits** (General Schedule Grade Range)
2151	Emergency Response Services	5-13
2210	Information Technology	9-14
3566	Custodial Team	WG 1, WG2
3704	Laundry Support Team	WG 2
4749	General Maintenance Team	NA05, WL5
5413	Fuel Distribution Team	WG8
5703	Bus Drivers	4-8
5704	Fork Lift Operator	5
6901	Warehouse Manager	WL 7
6907	Warehouse Support	NA04, WG5
6912	Vendor Specialist	WL7
7408	Food Services Team	6, WG 4
7603	Barber Team	7-8
0018	Safety Officer	9
0080	Security Team	9-13
0081	Firefighter	6-9

0089	Fire Officer	11-14
0101	Case Management Team	7-14
0110	Cost Specialist	13
0185	Clinical Team	11-14
0186	Clinical Support Services	4-7
0187	Shelter Operations Team	9-13
0189	Recreational Services Team and Youth Care Specialists	NF1
0201	Staffing Team	7-13
0301	Administrative Team	7-14
0303	Supportive Services Team	5-14
0346	Logistics Team	7-14
0540	Voucher Services Team	5

Employee class (OPM Classification for Occupational Groups and Families)	**Role**	**Monetary wage-fringe benefits** (General Schedule Grade Range)
0592	CTM Agent	9
0601	Epidemiologist	12-14
0602	Physician Team	13-15
0610	Nursing Team	7-13
0622	Medical Aide Team	3-7
0630	Paramedic	3
0640	Finance Team	5-14
0660	Pharmacist Team	7

0661	Pharmacy Tech Team	3
0670	Health System Administrative Team	14-15
0679	Medical Support Assistant Services Team	3-6
0685	Public Health Specialists	12-14
0962	Call Center Staff	5
0986	Legal Specialists	6-9

(l)

1. If wages to be paid or fringe benefits to be furnished any service employees employed by the Government prime contractor or any subcontractor under the contract are provided for in a collective bargaining agreement which is or will be effective during any period in which the contract is being performed, the Government prime contractor shall report such fact to the contracting officer, together with full information as to the application and accrual of such wages and fringe benefits, including any prospective increases, to service employees engaged in work on the contract, and a copy of the collective bargaining agreement. Such report shall be made upon commencing performance of the contract, in the case of collective bargaining agreements effective at such time, and in the case of such agreements or provisions or amendments thereof effective at a later time during the period of contract performance, such agreements shall be reported promptly after negotiation thereof.
2. Not less than 10 days prior to completion of any contract being performed at a Federal facility where service employees may be retained in the performance of the succeeding contract and subject to a wage determination which contains vacation or other benefit provisions based upon length of service with a contractor (predecessor) or successor (§ 4.173 of Regulations, 29 CFR Part 4), the incumbent prime contractor shall furnish to the contracting officer a certified list of the names of all service employees on the contractor's or subcontractor's payroll during the last month of contract performance. Such list shall also contain anniversary dates of employment on the contract either with the current or predecessor contractors of each such service employee. The contracting officer shall turn over such list to the successor contractor at the commencement of the succeeding contract.

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

(n)

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

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

1. Apprentices, student-learners, and workers whose earning capacity is impaired by age, physical, or mental deficiency or injury may be employed at wages lower than the minimum wages otherwise required by section 2(a)(1) or 2(b)(1) of the Service Contract Act without diminishing any fringe benefits or cash payments in lieu thereof required under section 2(a)(2) of that Act, in accordance with the conditions and procedures prescribed for the employment of apprentices, student-learners, handicapped persons, and handicapped clients of sheltered workshops under section 14 of the Fair Labor Standards Act of 1938, in the regulations issued by the Administrator (29 CFR Parts 520, 521, 524, and 525).
2. The Administrator will issue certificates under the Service Contract Act for the employment of apprentices, student-learners, handicapped persons, or handicapped clients of sheltered workshops not subject to the Fair Labor Standards Act of 1938, or subject to different minimum rates of pay under the two acts, authorizing appropriate rates of minimum wages (but without changing requirements concerning fringe benefits or supplementary cash payments in lieu thereof), applying procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act of 1938 (29 CFR Parts 520, 521, 524, and 525).
3. The Administrator will also withdraw, annul, or cancel such certificates in accordance with the regulations in parts 525 and 528 of title 29 of the Code of Federal Regulations.

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

the ratio permitted to the contractor as to his entire work force under the registered program.

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

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

(r) ***Disputes concerning labor standards.*** Disputes arising out of the labor standards provisions of this contract shall not be subject to the general disputes clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 4, 6, and 8. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the employees or their representatives.

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

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

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

Appendix B: Executive Order 14026, Increasing the Minimum Wage for Federal Contractors (29 CFR Appendix A to Part 23)

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

(b) Minimum wages.

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

(2) The minimum wage required to be paid to each worker performing work on or in connection with this contract between January 30, 2022 and December 31, 2022, shall be $15.00 per hour. The minimum wage shall be adjusted each time the Secretary of Labor's annual determination of the applicable minimum wage under section 2(a)(ii) of Executive Order 14026 results in a higher minimum wage. Adjustments to the Executive Order minimum wage under section 2(a)(ii) of Executive Order 14026 will be effective for all workers subject to the Executive Order beginning January 1 of the following year. If appropriate, the contracting officer, or other agency official overseeing this contract shall ensure the contractor is compensated only for the increase in labor costs resulting from the annual inflation increases in the Executive Order 14026 minimum wage beginning on January 1, 2023. The Secretary of Labor will publish annual determinations in the Federal Register no later than 90 days before such new wage is to take effect. The Secretary will also publish the applicable minimum wage on https://alpha.sam.gov/content/wagedeterminations (or any successor website). The applicable published minimum wage is incorporated by reference into this contract.

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

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

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

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

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

(e) Workers who receive fringe benefits. The contractor may not discharge any part of its minimum wage obligation under Executive Order 14026 by furnishing fringe benefits or, with respect to workers whose wages are governed by the Service Contract Act, the cash equivalent thereof.

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

(g) Payroll records.

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

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

(2) The contractor shall also make available a copy of the contract, as applicable, for inspection or transcription by authorized representatives of the Wage and Hour Division.
(3) Failure to make and maintain or to make available such records for inspection and transcription shall be a violation of 29 CFR part 23 and this contract, and in the case of failure to produce such records, the contracting officer, upon direction of an authorized

representative of the Department of Labor, or under its own action, shall take such action as may be necessary to cause suspension of any further payment or advance of funds until such time as the violations are discontinued.

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

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

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

(i) Certification of eligibility.

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

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

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

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

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

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

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

(4) The employer must be able to show by records that the tipped employee receives at least

the applicable Executive Order minimum wage through the combination of direct wages and tip credit.

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

(l) Disputes concerning labor standards. Disputes related to the application of Executive Order 14026 to this contract shall not be subject to the general disputes clause of the contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR part 23. Disputes within the meaning of this contract clause include disputes between the contractor (or any of its subcontractors) and the contracting agency, the U.S. Department of Labor, or the workers or their representatives.

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

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

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

(b) ***Paid Sick Leave.***

1. The contractor shall permit each employee (as defined in 29 CFR 13.2) engaged in the performance of this contract by the prime contractor or any subcontractor, regardless of any contractual relationship that may be alleged to exist between the contractor and employee, to earn not less than 1 hour of paid sick leave for every 30 hours worked. The contractor shall additionally allow accrual and use of paid sick leave as required by Executive Order 13706 and 29 CFR Part 13. The contractor shall in particular comply with the accrual, use, and other requirements set forth in 29 CFR 13.5 and 13.6, which are incorporated by reference in this contract.
2. The contractor shall provide paid sick leave to all employees when due free and clear and without subsequent deduction (except as otherwise provided by 29 CFR 13.24), rebate, or kickback on any account. The contractor shall provide pay and benefits for paid sick

leave used no later than one pay period following the end of the regular pay period in which the paid sick leave was taken.

3. The prime contractor and any upper-tier subcontractor shall be responsible for the compliance by any subcontractor or lower-tier subcontractor with the requirements of Executive Order 13706, 29 CFR Part 13, and this clause.

(c) ***Withholding.*** The contracting officer shall, upon its own action or upon written request of an authorized representative of the Department of Labor, withhold or cause to be withheld from the prime contractor under this or any other Federal contract with the same prime contractor, so much of the accrued payments or advances as may be considered necessary to pay employees the full amount owed to compensate for any violation of the requirements of Executive Order 13706, 29 CFR Part 13, or this clause, including any pay and/or benefits denied or lost by reason of the violation; other actual monetary losses sustained as a direct result of the violation, and liquidated damages.

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

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

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

(g) ***Recordkeeping.***

1. Any contractor performing work subject to Executive Order 13706 and 29 CFR Part 13 must make and maintain, for no less than three (3) years from the completion of the work on the contract, records containing the information specified in paragraphs (i) through (xv) of this section for each employee and shall make them available for inspection, copying, and transcription by authorized representatives of the Wage and Hour Division of the U.S. Department of Labor:

i. Name, address, and Social Security number of each employee;

ii. The employee's occupation(s) or classification(s);

iii. The rate or rates of wages paid (including all pay and benefits provided);
iv. The number of daily and weekly hours worked;
v. Any deductions made;
vi. The total wages paid (including all pay and benefits provided) each pay period;
vii. A copy of notifications to employees of the amount of paid sick leave the employee has accrued, as required under 29 CFR 13.5(a)(2);
viii. A copy of employees' requests to use paid sick leave, if in writing, or, if not in writing, any other records reflecting such employee requests;
ix. Dates and amounts of paid sick leave taken by employees (unless a contractor's paid time off policy satisfies the requirements of Executive Order 13706 and 29 CFR Part 13 as described in § 13.5(f)(5), leave must be designated in records as paid sick leave pursuant to Executive Order 13706);
x. A copy of any written responses to employees' requests to use paid sick leave, including explanations for any denials of such requests, as required under 29 CFR 13.5(d)(3);
xi. Any records reflecting the certification and documentation a contractor may require an employee to provide under 29 CFR 13.5(e), including copies of any certification or documentation provided by an employee;
xii. Any other records showing any tracking of or calculations related to an employee's accrual or use of paid sick leave;
xiii. The relevant covered contract;
xiv. The regular pay and benefits provided to an employee for each use of paid sick leave; and
xv. Any financial payment made for unused paid sick leave upon a separation from employment intended, pursuant to 29 CFR 13.5(b)(5), to relieve a contractor from the obligation to reinstate such paid sick leave as otherwise required by 29 CFR 13.5(b)(4).

2.

i. If a contractor wishes to distinguish between an employee's covered and non-covered work, the contractor must keep records or other proof reflecting such distinctions. Only if the contractor adequately segregates the employee's time will time spent on non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. Similarly, only if that contractor adequately segregates the employee's time may a contractor properly refuse an employee's request to use paid sick leave on the ground that the employee was scheduled to perform non-covered work during the time she asked to use paid sick leave.
ii. If a contractor estimates covered hours worked by an employee who performs work in connection with covered contracts pursuant to 29 CFR 13.5(a)(i) or (iii), the contractor must keep records or other proof of the verifiable information on which such estimates are reasonably based. Only if the contractor relies on an estimate that is reasonable and based on verifiable information will an employee's time spent in connection with non-covered work be excluded from hours worked counted toward the accrual of paid sick leave. If a contractor estimates the amount of time an employee spends performing in connection with covered contracts, the contractor must permit the employee to use her paid sick leave during any work time for the contractor.

3. In the event a contractor is not obligated by the Service Contract Act, the Davis-Bacon Act, or the Fair Labor Standards Act to keep records of an employee's hours worked,

such as because the employee is exempt from the FLSA's minimum wage and overtime requirements, and the contractor chooses to use the assumption permitted by 29 CFR 13.5(a)(1)(iii), the contractor is excused from the requirement in paragraph (1)(d) of this section to keep records of the employee's number of daily and weekly hours worked.

4.

i. Records relating to medical histories or domestic violence, sexual assault, or stalking, created for purposes of Executive Order 13706, whether of an employee or an employee's child, parent, spouse, domestic partner, or other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, shall be maintained as confidential records in separate files/records from the usual personnel files.

ii. If the confidentiality requirements of the Genetic Information Nondiscrimination Act of 2008 (GINA), section 503 of the Rehabilitation Act of 1973, and/or the Americans with Disabilities Act (ADA) apply to records or documents created to comply with the recordkeeping requirements in this contract clause, the records and documents must also be maintained in compliance with the confidentiality requirements of the GINA, section 503 of the Rehabilitation Act of 1973, and/or ADA as described in 29 CFR 1635.9, 41 CFR 60-741.23(d), and 29 CFR 1630.14(c)(1), respectively.

iii. The contractor shall not disclose any documentation used to verify the need to use 3 or more consecutive days of paid sick leave for the purposes listed in 29 CFR 13.5(c)(1)(iv) (as described in 29 CFR 13.5(e)(1)(ii)) and shall maintain confidentiality about any domestic abuse, sexual assault, or stalking, unless the employee consents or when disclosure is required by law.

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

6. Nothing in this contract clause limits or otherwise modifies the contractor's recordkeeping obligations, if any, under the Davis-Bacon Act, the Service Contract Act, the Fair Labor Standards Act, the Family and Medical Leave Act, Executive Order 13658, their respective implementing regulations, or any other applicable law.

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

(i) ***Certification of Eligibility.***

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

(j) ***Interference/Discrimination.***

1. A contractor may not in any manner interfere with an employee's accrual or use of paid sick leave as required by Executive Order 13706 or 29 CFR part 13. Interference includes, but is not limited to, miscalculating the amount of paid sick leave an employee has accrued, denying or unreasonably delaying a response to a proper request to use paid sick leave, discouraging an employee from using paid sick leave, reducing an employee's accrued paid sick leave by more than the amount of such leave used, transferring an employee to work on non-covered contracts to prevent the accrual or use of paid sick leave, disclosing confidential information contained in certification or other documentation provided to verify the need to use paid sick leave, or making the use of paid sick leave contingent on the employee's finding a replacement worker or the fulfillment of the contractor's operational needs.
2. A contractor may not discharge or in any other manner discriminate against any employee for:

i. Using, or attempting to use, paid sick leave as provided for under Executive Order 13706 and 29 CFR Part 13;
ii. Filing any complaint, initiating any proceeding, or otherwise asserting any right or claim under Executive Order 13706 and 29 CFR Part 13;
iii. Cooperating in any investigation or testifying in any proceeding under Executive Order 13706 and 29 CFR Part 13; or
iv. Informing any other person about his or her rights under Executive Order 13706 and 29 CFR Part 13.

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

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

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

Appendix D: Performance Metrics

To provide high-quality services for all unaccompanied children, ORR has established performance metrics to clearly communicate ORR priorities, and quarterly collect and share data through a scorecard for each facility, to help care providers meet established goals. The list of metrics can be found in the following Appendix D. These performance metrics have been approved by OMB as required under PRA Act of 1995 (44 U.S.C. 3501-3521) through a variety of information collections including OMB control numbers: 0970-0547, 0970-0552, 0970-0553,

and 0970-0554.

The following performance metrics will apply to all recipients under this SNOFO. The metrics are grouped in the following categories: bed availability, safety, unification, and health and well-being. The bed availability metrics evaluate whether funded beds are delivered on time as well as the continuing availability of the beds once the beds are delivered. The safety category is related to a child's safety while in a provider's care. In addition to risk assessments that must be completed on time, ORR will use corrective actions issued to a provider as an indicator of proper care and compliance with ORR policies, which are designed to ensure a child's safety and well-being. The metrics that fall under unification look at the key steps in the unification process to ensure cases are progressing in a timely manner. It is in the best interest of the children to be released and in the care of their sponsors thus the metrics assess a provider's efforts towards unification and show a child's ultimate length of stay. The timing for the steps in this process are spelled out in other program documents and so these metrics align with the communications that have been previously issued. Under the category of health and well-being, there are metrics related to the initial medical exam, vaccines, and a child's weekly phone calls. These metrics will aim to take into account a family or child's decision to refuse vaccines or situations where a child may choose not to make a phone call while in a provider's care. Each of these metrics have scoring criteria aligned with ORR's expectations and a care provider's performance will be scored and assessed as green, yellow, or red. Once beds are delivered and available for child placement, ORR will collect and share data on a quarterly basis through a scorecard for each facility to assess the performance of recipients under this SNOFO.

Performance Metrics Scorecard – Staff Secure Care Providers

Performance Metric Category	Metric	Green Parameters	Yellow Parameters	Red Parameters
Bed Availability	Number of days between the date beds were funded and the date beds were delivered	<91 Days	91 to 120 Days	>120 Days
	Number of pending beds not delivered by agreed upon delivery date	0% of newly funded beds not delivered by agreed upon delivery date	0< to 10% of newly funded beds not delivered by agreed upon delivery date	>10% of newly funded beds not delivered in agreed upon delivery date
	Average number of unavailable beds, total and disaggregated by reason, such as Isolation, Staffing	<10% of total delivered beds are unavailable	10 to 20% of total delivered beds are unavailable	>20% of total delivered beds are unavailable

	Issues, Facility or Maintenance Issues, etc.			
Safety	Number of Risk Assessments NOT completed within 72 hours of admission	0% of Unaccompanied Children	0< to 5% of Unaccompanied Children	>5% of Unaccompanied Children
	Number of Risk Assessments NOT updated every 30 days	0% of Unaccompanied Children	0< to 5% of Unaccompanied Children	>5% of Unaccompanied Children
	Number of Corrective Actions (CAs) reported for violations of Unaccompanied Children Manual of Procedures (MAP) and other policies	0 to 1 CAs reported related to MAP and other policies	2 to 4 CAs reported related to MAP and other policies	>4 CAs reported related to MAP and other policies
Unification	Number of Unaccompanied Child Assessments NOT completed within 5 days of admission	<5% of Unaccompanied Children	5 to 10% of Unaccompanied Children	>10% of Unaccompanied Children
	Number of Unaccompanied Child Case Reviews NOT completed every 30 days	0% of Unaccompanied Children	0< to 5% of Unaccompanied Children	>5% of Unaccompanied Children
	Number of first Sponsor Assessments occurring more than 10 days after admission (Category 1 and 2A)	<5% of Unaccompanied Children	5 to 10% of Unaccompanied Children	>10% of Unaccompanied Children
	Number of first Sponsor Assessments	<5% of Unaccompanied Children	5 to 10% of UUnaccompanied Children	>10% of Unaccompanied Children

	occurring more than 14 days after admission (Category 2B)			
	Number of first Sponsor Assessments occurring more than 21 days after admission (Category 3)	<5% of Unaccompanied Children	5 to 10% of Unaccompanied Children	>10% of Unaccompanied Children
	Number of Discharge Notifications generated more than 24 hours after travel request submission	0% of Unaccompanied Children	0< to 5% of Unaccompanied Children	>5% of Unaccompanied Children
	Number of Fingerprint Appointments scheduled later than 3 business days of ARI (only for cases requiring fingerprints)	<10% of Unaccompanied Children	10 to 15% of Unaccompanied Children	>15% of Unaccompanied Children
	Number of Initial Intake Assessments NOT completed within 24 hours of admission	0% of Unaccompanied Children	0< to 5% of Unaccompanied Children	>5% of Unaccompanied Children
	Number of Unaccompanied Children whose Length of Stay is within 20 days excluding valid exception code (Category 1)	>70% of Unaccompanied Children	60 to 70% of Unaccompanied Children	<60% of Unaccompanied Children
	Number of Unaccompanied Children whose Length of Stay is within 20 days	>45% of Unaccompanied Children	35 to 45% of Unaccompanied Children	<35% of Unaccompanied Children

	excluding valid exception code (Category 2A)			
	Number of Unaccompanied Children whose Length of Stay is within 24 days excluding valid exception code (Category 2B)	>50% of Unaccompanied Children	40 to 50% of Unaccompanied Children	<40% of Unaccompanied Children
	Number of Unaccompanied Children whose Length of Stay is within 31 days excluding valid exception code (Category 3)	>30% of Unaccompanied Children	20 to 30% of Unaccompanied Children	<20% of Unaccompanied Children
Health & Well-Being	Number of Unaccompanied Children in care who have NOT received the Initial Medical Exam within 2 business days of admission (excluding transfers where the Initial Medical Exam was previously completed)	<5% of Unaccompanied Children	5 to 10% of Unaccompanied Children	>10% of Unaccompanied Children
	Number of Unaccompanied Children with at least one dose of Hep B or DTap/Tdap within 2 business days of admission	>90% of Unaccompanied Children	80 to 90% of Unaccompanied Children	<80% of Unaccompanied Children
	Percent of Unaccompanied Children that	<5% of Unaccompanied Children	5 to 10% of Unaccompanied Children	>10% of Unaccompanied Children

	missed weekly calls (does not include children who refuse)			

Glossary	
Key Terms	Definition
Admission	Unaccompanied children who have been confirmed as officially in care at an ORR facility. Unaccompanied children are not officially admitted until providers complete the "Admissions" tab in The Portal.
Discharged Unaccompanied Children	Unaccompanied children who have exited ORR's care through unification discharges not including valid exception codes. See exception codes.
Exception Codes	Certain circumstances that are out of provider controls will be designated as exceptions and not included in performance metric reporting. Exception codes include (but are not limited to) the following: home studies, age-outs, redeterminations, multiple sponsors, medical discharges, and other ORR discretionary circumstances.
Length of Stay	The number of days spent by unaccompanied children in a specific ORR program. This is calculated starting from the date the child was admitted to a program and ending on either the date the child was discharged from the program (for children who have been discharged) or the current date (for children who have not been discharged from the program).
Pending Beds	Funded beds that have not yet been delivered.
UC	Unaccompanied children in care during the reporting period.
Unavailable Beds	The number of beds that ORR has funded but are unavailable for designation or transfer for various reasons including the following: Quarantine, Isolation, COVID-Restricted, Facility or Maintenance, Staffing Issues, Foster Family Limitations, Stop Placement Orders, and Other Reasons.