

**DEPARTMENT OF LABOR
Employment & Training Administration
Funding Opportunity Announcement
FOA-ETA-15-07-A**

Amendment Two

Training to Work 3 – Adult Reentry Grants

AGENCY: Employment and Training Administration, Department of Labor

ACTION: Amendment to FOA-ETA-15-07 and Amendment One

SUMMARY: The Employment and Training Administration announced on March 24, 2015, the availability of funds and Funding Opportunity Announcement (FOA) for Training to Work 3 – Adult Reentry grants to be awarded through a competitive process and posted Amendment One to the FOA on April 22, 2015, to announce a second closing date for receipt of applications. This amendment updates the Funding Opportunity Number, Key Dates, Executive Summary, Section II, Section III, Section IV, and Section VI. This document amends text from both FOA-ETA-15-07 and Amendment One. In each instance, we clarify where the Old Text is found.

The documents are hereby amended as follows:

FUNDING OPPORTUNITY NUMBER – This is to update the Funding Opportunity Number throughout the FOA (new language in bold)

Old Text:

Funding Opportunity Number: FOA-ETA-15-07

New Text:

Funding Opportunity Number: FOA-ETA-15-07-A

KEY DATES (new language in bold)

Old Text (from Amendment One to FOA-ETA-15-07):

The closing dates for receipt of applications under this Announcement are May 1, 2015 and January 15, 2016. Applications must be received no later than 4:00:00 p.m. Eastern Time. Applicants may apply for either of the two closing dates or both. If an applicant wishes to apply for the January 15, 2016 closing date, please do not submit an application earlier than October 1, 2015. ETA expects to issue an amendment in September 2015 giving further guidance related to the January 15, 2016 closing. Applications will be reviewed and selections will be made after each of these closing dates.

Applications that were submitted by the May 1, 2015 closing date but not selected for funding will not automatically be considered for the January 15, 2016 closing date. However, applicants will have the opportunity to re-submit their application or submit a new application for the competition closing on January 15, 2016.

New Text:

The closing dates for receipt of applications under this Announcement **is January 15, 2016**. Applications must be received no later than 4:00:00 p.m. Eastern Time.

Applications that were submitted **for Funding Opportunity Number FOA-ETA-15-07** by the May 1, 2015 closing date but not selected for funding will not automatically be considered for the January 15, 2016 closing date. However, applicants **may** re-submit their application or submit a new application for the competition closing on January 15, 2016.

EXECUTIVE SUMMARY (new language in bold)

Old Text (from Amendment One to FOA-ETA-15-07):

For the competition closing on May 1, 2015, the Employment and Training Administration (ETA) plans to award approximately \$27 million in grant funds authorized by the Workforce Investment Act (WIA) and the Second Chance Act of 2007 for Training to Work 3 – Adult Reentry.

New Text:

For the competition closing on **January 15, 2016**, the Employment and Training Administration (ETA) plans to award approximately **\$20 million** in grant funds authorized by the **Workforce Innovation and Opportunity Act (WIOA)** and the Second Chance Act of 2007 for Training to Work 3 – Adult Reentry.

The Workforce Innovation and Opportunity Act (“WIOA”, Public Law 113-128) was signed into law on July 22, 2014. Most provisions of WIOA became effective July 1, 2015, and all provisions will be effective July 1, 2016. Grants awarded under this amendment are authorized by the WIOA, and the terms of the WIOA will apply to these grants for the life of the grants. Please note that in addition to the provisions of WIOA, grantees will also be subject to WIOA’s implementing regulations when they are finalized and promulgated.

Old Text (from Amendment One to FOA-ETA-15-07):

ETA plans to award approximately 20 grants of up to \$1,360,000 each to serve male and female ex-offenders, referred to in this FOA as returning citizens.

New Text:

ETA plans to award approximately **14** grants of up to \$1,360,000 each to serve male and female ex-offenders, referred to in this FOA as returning citizens.

SECTION I.B – PROGRAM AUTHORITY (new language in bold)

Old Text (from Amendment One to FOA-ETA-15-07):

This program is authorized by Section 171, Pilot and Demonstration Projects, of the Workforce Investment Act (WIA), and Section 212 of the Second Chance Act of 2007. For grants awarded after the January 2016 closing date, this program is authorized by Section 169 of the Workforce Innovation and Opportunity Act (PL 113-128) and Section 212 of the Second Change Act of 2007.

New Text:

This program is authorized by **Section 169 of WIOA and Section 212 of the Second Chance Act of 2007.**

Most provisions of WIOA became effective July 1, 2015, and all provisions will be effective July 1, 2016. Grants awarded under this amendment are authorized by the WIOA, and the terms of the WIOA will apply to these grants for the life of the grants. Please note that in addition to the provisions of WIOA, grantees will also be subject to WIOA’s implementing

regulations when they are finalized and promulgated.

SECTION II.A - AWARD TYPE AND AMOUNT (new language in bold)

Old Text (from FOA-ETA-15-07):

Funding will be provided in the form of a grant. Approximately \$27 million is expected to be available to fund approximately 20 grants. You may apply for a ceiling amount of up to \$1,360,000. Awards made under this Announcement are subject to the availability of Federal funds. In the event that additional funds become available, we reserve the right to use such funds to select additional grantees from applications submitted in response to this Announcement.

New Text:

Funding will be provided in the form of a grant. Approximately **\$20 million** is expected to be available to fund approximately **14** grants. You may apply for a ceiling amount of up to \$1,360,000. Awards made under this Announcement are subject to the availability of Federal funds. In the event that additional funds become available, we reserve the right to use such funds to select additional grantees from applications submitted in response to this Announcement.

Section III.C.3. – ELIGIBLE PARTICIPANTS (new language in bold)

Old Text (from FOA-ETA-15-07):

NOTE: Male participants age 18 or older are required to register for selective service before services can be provided. If they turn 18 while participating, they must be registered at that time. Training and Employment Guidance Letter (TEGL) 11-11, Change 2 clarifies the implementation of the Selective Service registration requirements of Section 189(h) of the Workforce Investment Act (WIA) of 1998 for grantees funded or authorized by Title I of WIA, located at http://wdr.doleta.gov/directives/attach/TEGL/TEGL_11-11_change2.pdf.

New Text:

NOTE: **Under section 189(h) of WIOA**, male participants age 18 or older are required to register for selective service before services can be provided. If they turn 18 while participating, they must be registered at that time.

Section IV.B.1 – SF-424, “Application for Federal Assistance” (new language in bold)

Old Text (from FOA-ETA-15-07):

In addition, the applicant’s Authorized Representative’s signature in block 21 of the SF-424 form constitutes assurance by the applicant of compliance with the following requirements in accordance with 29 CFR 37.20.

As a condition to the award of financial assistance from the Department of Labor under Title I of the Workforce Investment Act of 1998 (WIA), the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the WIA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I—financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; The Age

Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs. The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

New Text:

In addition, the applicant's Authorized Representative's signature in block 21 of the SF-424 form constitutes assurance by the applicant of compliance with the following requirements in accordance with **29 CFR 38.20**.

As a condition to the award of financial assistance from the Department of Labor under Title I of **WIOA**, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the **WIOA**, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any **WIOA** Title I—financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs. The grant applicant also assures that it will comply with 29 CFR **part 38** and all other regulations implementing the laws listed above. **(29 CFR part 38 implements Section 188 of WIOA.)** This assurance applies to the grant applicant's operation of the **WIOA** Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the **WIOA** Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

Section IV.B. 3.1 – PROJECT NARRATIVE (new language in bold)

Old Text (from FOA-ETA-15-07):

1) Statement of Need

- Demonstrate that the geographic area to be served is an urbanized area or urban cluster, as determined by the U.S. Census Bureau in the most recently available census;

New Text:

1) Statement of Need

- Demonstrate that the geographic area to be served is an urbanized area or urban cluster **with high poverty, high crime**, as determined by the U.S. Census Bureau in the most recently available census;

Section IV.E.2. – ADMINISTRATIVE COSTS (new language in bold)

Old Text (from FOA-ETA-15-07):

Under this FOA, an entity that receives a grant to carry out a project or program may not use more than 10 percent of the amount of the grant to pay administrative costs associated with the program or project. Administrative costs could be direct or indirect costs, and are defined at 20 CFR 667.220.

New Text:

Under this FOA, an entity that receives a grant to carry out a project or program may not use more than 10 percent of the amount of the grant to pay administrative costs associated with the program or project. Administrative costs are for the performance of administrative functions in carrying out activities under Title I of WIOA that are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and nonpersonnel costs and both direct and indirect costs.

Section VI.B.1 – ADMINISTRATIVE PROGRAM REQUIREMENTS (new language in bold)

Old Text (from FOA-ETA-15-07):

c. All recipients must comply with the applicable provisions of The Workforce Investment Act of 1998, Public Law No. 105-220, 112 Stat. 936 (codified as amended at 29 U.S.C. 2801 et seq.) and the applicable provisions of the regulations at 20 CFR 660 et seq. Note that 20 CFR part 667 (general fiscal and administrative rules) includes unsuccessful applicant appeal information.

* * * *

j. 29 CFR Part 37 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998.

New Text:

c. All recipients must comply with the applicable provisions of **the Workforce Innovation and Opportunity Act (codified at 29 U.S.C. 3101 et seq.)**. **In addition to the provisions of WIOA, grantees will also be subject to WIOA’s implementing regulations when they are finalized and promulgated.**

* * * *

j. 29 CFR **Part 38** – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the **Workforce Innovation and Opportunity Act**.

FOR FURTHER INFORMATION, CONTACT: Brinda Ruggles, Grants Management Specialist, Office of Grants Management, at (202) 693-3437 or T2W3@dol.gov.

Signed October 28, 2015 in Washington, D.C. by:

Melissa Abdullah
Grant Officer, Employment & Training Administration