



Administration for Children and Families

Office of Refugee Resettlement

Residential (Long Term Foster Care) Services for Unaccompanied Alien Children

HHS-2023-ACF-ORR-ZU-0162

Application Due Date: 11/17/2025

Table of Contents

Executive Summary	2
I. Program Description.....	3
PROGRAM STRUCTURE	5
Licensing Requirements.....	5
Placement Structure	5
Facility Requirements	6
UAC Eligibility	7
Foster Parent/House Parent Requirements.....	7
PROGRAM STAFFING REQUIREMENTS.....	8
Training Requirements.....	10
Key Personnel	11
PROGRAM REQUIREMENTS.....	12
FAITH-BASED ORGANIZATIONS	19
SUBAWARDS	20
POST-AWARD REQUIREMENTS	21
Service Contract Act Requirements	21
Program Performance Evaluation	22
Residential (LTFC) Services for UAC Program Evaluation	22
Required UAC Reporting.....	22
PROPERTY	23
II. Federal Award Information.....	24
III. Eligibility Information	26
III.1. Eligible Applicants.....	26
III.2. Cost Sharing or Matching	27
III.3. Other.....	27
IV. Application and Submission Information.....	28
IV.1. Address to Request Application Package	28
IV.2. Content and Form of Application Submission	29
Required Forms, Assurances, and Certifications	31
The Project Description	35
The Project Budget and Budget Justification.....	43
Application Submission Options	47
IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)	47

IV.4. Submission Dates and Times	48
Explanation of Due Dates	48
Acknowledgement of Received Application	48
IV.5. Intergovernmental Review	48
IV.6. Funding Restrictions	48
IV.7. Other Submission Requirements	49
V. Application Review Information	49
V.1. Criteria.....	49
V.2. Review and Selection Process.....	54
V.3. Anticipated Announcement and Federal Award Dates	55
VI. Federal Award Administration Information	55
VI.1. Federal Award Notices	55
VI.2. Administrative and National Policy Requirements	55
VI.3. Reporting	57
VII. HHS Award Agency Contact(s).....	57
VIII. Other Information	58
Reference Websites.....	58
Application Checklist.....	58
Appendix.....	62
Appendix A: Service Contract Act (SCA) Labor Standards Clauses for Federal Service Contracts Exceeding \$2,500 (29 CFR 4.6)	62
Appendix B: Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors..	72

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Residential (Long Term Foster Care) Services for Unaccompanied Alien Children

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Executive Summary

Notice:

- You 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>.
- This NOFO uses internal links. In Adobe Reader, you can go back to where you were by pressing Alt + Left Arrow (Windows) or Command + Left Arrow (Mac) on your keyboard.

The Office of Refugee Resettlement (ORR) has modified: Section I. Program Description (Statutory Authority, revised language related to vaccinations, and Faith-Based Organizations); Section II. Federal Award Information (updated estimated funding and award amounts); Section IV.4. Submission Dates and Times (provided applicable due dates); IV.6. Funding Restrictions; and Section VI.2. Administrative and National Policy Requirements, Pertinent Federal Laws and Regulations for the UAC Program (updated the list of governing laws and regulations). Terminology was revised throughout the document to comply with Presidential Executive Orders.

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

ORR is publishing this Standing Notice of Funding Opportunity (SNOFO) to seek Residential (Long Term Foster Care) Services for Unaccompanied Alien Children providers. For the purposes of this SNOFO, the term "care provider" refers to the prime recipient and, if applicable, its subrecipient(s). LTFC providers, or care providers, are required to be licensed (child placement license and any other required license according to state regulations) in the state in which they are located to provide foster care services and are required to meet the needs of UAC by providing quality care in a community setting. These settings can be in a traditional foster care placement or a group home placement setting. UAC who may qualify for placement in LTFC include the following: UAC between the ages of 0-17 years of age, sibling groups, pregnant/parenting teens, and/or UAC who are especially vulnerable or with other needs.

All entities funded under this SNOFO must also comply with *Flores v. Reno*, No. 85-4544-RJK (Px) (C.D. Cal. Jan. 17, 1997); pertinent federal laws and regulations; and ORR policies and procedures, including, but not limited to, the ORR UAC Bureau Policy Guide and Manual of Procedures. ORR encourages applicants to review [ORR's policies, instructions, and procedures](#) 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 UAC Program](#), for a list of relevant federal laws and regulations.

I. Program Description

Statutory Authority

ORR's residential services for Unaccompanied Alien Children is authorized under several laws and regulations:

- Section 462 of the Homeland Security Act of 2002 (HSA of 2002), 6 U.S.C. 279;
- 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), as amended, 34 U.S.C. 30307(d);
- Unaccompanied Children Program Foundational Rule, 45 C.F.R Part 410 (Apr. 30, 2024);
- Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Children, 45 C.F.R. Part 411 (Dec. 24, 2014; and
- ORR's Investigations of Child Abuse and Neglect Rule, 45. C.F.R. Part 412 (Nov. 27, 2024).

ORR must also comply with applicable terms of the Stipulated Settlement Agreement, *Flores v. Reno*, No. 85-4544-RJK (Px) (C.D. Cal. Jan. 17, 1997).

Description

BACKGROUND

The primary function of the Unaccompanied Alien Children's (UAC) Bureau is to provide temporary shelter care and other related services to UAC in ORR custody. The HSA of 2002 section 462(g)(2) uses the term “unaccompanied children,” but ORR uses the term “unaccompanied alien children” or “unaccompanied alien child.” An Unaccompanied Alien 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 UAC 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 population of UAC of all ages, and abilities, as well as pregnant and parenting teens. Successful applicants are expected to provide competent services for all minors referred to and accepted by ORR from any country.

UAC 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 “UAC” refers to unaccompanied alien children as defined by 6 U.S.C. 279(g)(2), and any other children served by the UAC Program. The length of time that a UAC remains in ORR custody must be no longer than necessary to facilitate a safe and timely release. The size of the UAC population in ORR custody will fluctuate depending on the number of UAC that the U.S. Department of Homeland Security, or other federal agencies, refer to ORR for placement and the rate at which UAC are discharged from ORR custody.

UAC are referred to LTFC following an initial placement in an ORR care provider facility, after efforts for the safe and timely release indicated that no sponsor is willing or able to care for the UAC, and the UAC is expected to have a protracted length of time in ORR care. Care providers

must timely process LTFC referrals in accordance with state licensing requirements, ORR's program requirements and policies, consideration for the type of legal relief available in the state, and the group/foster homes that are available for placement. Legal relief is an important element of the referral process; however, it is not the deciding factor for referral acceptance. LTFC providers meet the individual needs of UAC aged from 0-17, sibling groups, pregnant/parenting teens, and/or UAC who are especially vulnerable or with other special needs.

PROGRAM STRUCTURE

Licensing Requirements

Care providers are required to be licensed (child placement license and/or any other required license according to state regulations) by a state licensing agency to provide residential, group home, or foster care services for dependent children. You are required to submit documentation of current state licensure to provide residential, group home, or foster care services for children, including information on capacity and, age/sex permitted, is required to be submitted with the application. Care providers must also have state-certified caregivers, referred to as a "foster parent," "house parent," or an equivalent (as accepted by ORR) such as "resource parent." Care providers are responsible for recruiting, assessing, selecting, credentialing, training, monitoring, and retaining foster/house parents and foster care sites.

Failure to submit documentation of a care provider license for each proposed location within the application submission will disqualify the application from review and from funding under this SNOFO. You must provide a copy of non-expired licenses for all proposed locations. See [Section III.3 Other, ORR Disqualification Factor](#) and [Section IV.2. The Project Description, Additional Eligibility Documentation](#).

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

Placement Structure

LTFC placement types vary depending on the placement setting and level of care provided. Applicants can apply for one, multiple, or all of the following levels of care under this SNOFO.

- **Basic foster care:** UAC resides with an unrelated licensed foster parent(s) and requires only the minimal services required in a licensed foster care setting.
- **Therapeutic foster care:** UAC resides with an unrelated licensed foster parent(s) but receives additional treatment services and/or supervision specific to the UAC's identified treatment needs. UAC with significant emotional, behavioral, medical, and/or developmental needs receive structured treatment within a therapeutic foster care setting.

- **Basic group home:** UAC resides in a group care living arrangement with a designated house parent(s) and/or staff. This setting is generally used for UAC who do not wish to be placed in a family setting or for whom a family setting has not been located.
- **Therapeutic group home:** UAC resides in a group care living arrangement with a designated house parent(s) and/or staff. This setting is used for those UAC who have difficulties within a family setting and require therapeutic services/interventions because of significant emotional, behavioral, medical, and/or developmental needs. The UAC receives additional treatment services and/or supervision specific to the UAC's identified treatment needs.

In addition to the LTFC placement types mentioned above, care providers must have respite care homes available. Respite care is short-term care for UAC by someone other than the primary foster parent(s) and is intended to give foster parent(s) and UAC the chance to have short periods of time apart. Respite care can also be used in emergency situations or other extenuating circumstances.

Facility Requirements

Care providers must incorporate child welfare best practice standards and emphasize a child-centered, trauma-informed approach while working with UAC. LTFC 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 provider facility(ies) must be readily available to visitors, staff, and UAC 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 provider facility(ies) are required to be located in areas with available immigration courts; pro bono legal services; national airports, and community mental health, dental, and medical services providers. Care providers must make accommodations to allow the UAC to meet privately with their attorney.

Care providers are required to have a security system to monitor the care provider facility(ies) (not individual foster homes) from unauthorized entrance and egress, including the use of alarm systems and video monitoring. All security measures are required to be in compliance with state licensing standards and not pose a threat to the safety of UAC in the event a UAC attempts to flee from the facility. In the event a care provider provides services to UAC at a central location or location other than an individual foster care home, relevant security features such as the use of video monitoring and storage are required. Any video monitoring system should include the ability to permanently download footage when necessary. When selecting and purchasing video monitoring and telecommunications systems, care providers must adhere to the [Prohibition on Expending HHS Award Funds for Covered Telecommunications Equipment or Services as per 2 § C.F.R. 200.216](#).

Information on real property cost restrictions for the UAC Program can be found in [Section IV.6](#).

Funding Restrictions.

UAC Eligibility

UAC may be eligible for LTFC if they meet the following criteria:

- are expected to have an extended stay of 4 months or more in ORR custody and remain without a viable sponsor or potential sponsorship option;
- are under the age of 17 years and 6 months old at the time of placement, unless waived by both the referring and receiving Federal Field Staff (FFS), who will take into account the best interests of the child;
- are currently placed in an ORR care provider shelter (specifically in a congregate care setting);
- are not otherwise ineligible for LTFC under [ORR's UAC Bureau Policy Guide Section 1.2.6](#).

ORR also considers the following when making long-term placement decisions:

- UAC's mental, emotional, behavioral, and physical health needs;
- UAC's ability and commitment to live in a family and community-based setting;
- UAC's age;
- the availability of an appropriate placement that meets the UAC's needs;
- on a case-by-case basis for UAC who will have a longer stay because of other circumstances.

Foster Parent/House Parent Requirements

Care providers are required to follow the requirements of their state licensing agency (child placement license and any other required license according to state regulations). At a minimum, foster parents must meet all the following requirements:

- Be at least 21 years of age;
- Be able to show proof of immunity to the following vaccine-preventable diseases that are transmitted by the respiratory route:
 - 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.
 - Tetanus, Diphtheria, Pertussis (Tdap): One Tdap dose within the past 10 years.
 - Influenza: one dose annually during flu season (August/September through June).
 - Be able to meet family's current financial obligations;
 - Reside in a home that passes health and fire inspection; and

- Obtain a background check clearance prior to minor placement (including fingerprint background checks, child abuse and neglect checks, and other checks as required) in accordance with state law, including background checks of household members, the result of which must be available to ORR.
- Licensed homes will not cohabitate UAC with children from the U.S. domestic foster care system. Foster homes are to provide housing and care for UAC only, at a given time.

All foster parents that are identified to care for UAC must meet the care provider's and the state's regulatory requirements and be actively licensed/certified to provide LTFC services. Care providers must recruit foster parents who are willing to foster UAC males between the ages of 15-17 as they represent the majority of UAC eligible for LTFC. Care providers must recruit a variety of foster parents to meet the linguistic, religious, and special needs of the UAC population. This consideration should include the different placement types and levels of care for LTFC.

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 (child placement license and any other required license according to state regulations), and as required by ORR's policies and procedures. Care provider facilities must be staffed with qualified professionals, bilingual professionals, paraprofessionals, and support staff to meet the needs, level of care, supervision, safety, and well-being requirements of UAC. Care providers must also include a plan to ensure sufficient staffing to cover one-on-one safety planning, 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 UAC Portal).

ORR requires care providers to supervise UAC in accordance with ORR policy, which includes staffing ratios and licensing requirements (child placement license and any other required license according to state regulations). For the purposes of this SNOFO, ORR requires the following ratios:

- One case manager for every 8 UAC;
- One clinician for every 12 UAC;
- One on-duty staff for every 8 UAC during waking hours in a group home setting; and
- One on-duty staff for every 16 UAC during sleeping hours in a group home setting.

Supervision policies for youth in foster home settings are established in accordance with prudent parenting guidelines and the foster parent guidelines or at the care provider's discretion, taking into account the needs of the youth and safety planning pursuant to the [Federal Preventing Sex Trafficking and Strengthening Families Act Public Law 113-183](#).

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

Additional or backup staff must be available for emergency situations or to meet the special needs of the UAC program during capacity surges or when there is an increase in the needs of the population resulting in higher staff ratios. Rotating after-hours and holiday coverage personnel must also be available. To ensure the continued safe and timely discharge of children and continuity of care, ORR expects care providers to maintain a 7-day case manager coverage schedule for cases requiring case movement, such as when a sponsor has been identified, a UAC requires post placement planning, or has a change in legal status.

Care providers must complete background investigations on all staff, contractors, volunteers, and adults who reside in or operate foster and/or group homes prior to hire, to ensure the candidate is suitable for employment to work with minors in foster and/or group home settings. Background checks must be completed in accordance with ORR's policies and state 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's UAC Bureau Policy Guide Section 4.3.3.3 Suitability Determination Investigations](#).

All hired staff, including house parents, must (at a minimum):

- Be at least 21 years of age;
- Possess the relevant experience and/or qualifications to work with UAC;
- Possess relevant experience and/or qualifications to work with 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 UAC, 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.
 - Tetanus, Diphtheria, Pertussis (Tdap): One Tdap dose within the past 10 years.
 - Influenza: one dose annually during flu season (August/September through June).

Please note: Criteria are different for healthcare personnel. More information can be found at [CDC's Vaccine Information for 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 meet all standards outlined in the [ORR's](#)

[UAC Bureau Policy Guide Section 4.3 Personnel](#). These standards apply to any care provider staff member, contractor, or volunteer and applies to foster parents.

Training Requirements

Care providers must comply with, and train staff in accordance with, the following [ORR's UAC Bureau 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 UAC 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 UAC for risk of being a victim or a perpetrator of sexual abuse while in ORR care and custody in order to inform the UAC'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, 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 in order to provide appropriate services to UAC who are victims of human trafficking, as well as to protect UAC from potential threats of human trafficking. TVPRA of 2000, as amended (22 U.S.C. 7102), defines "severe forms of trafficking in persons" as: "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, volunteers, and foster parents understand their

obligations under ORR policies. Care provider facilities must tailor training to the unique needs and attributes of UAC 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 UAC 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 the employee's essential functions as mandated by ADA).

Care providers must obtain prior approval from ORR before selecting individuals for the key personnel listed below. 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.

Background checks for the below key personnel must be completed in accordance with ORR's policies and state 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 [ORR's UAC Bureau Policy Guide Section 4.3 Personnel](#).

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 (MSW) 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).

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 UAC served at 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 an MSW, plus 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 of 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, provides ongoing individual and group counseling services, screens for human trafficking concerns, and provides crisis intervention services. At a minimum, the Clinician must have an MSW with clinical experience; or a master's degree in psychology, sociology, or other relevant behavioral science in which clinical experience is a program requirement; or a bachelor's degree plus 5 years of clinical employment experience. The 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 a minimum, the Lead Case Manager must have a master's degree in the behavioral sciences, human services, or social services field; or a bachelor's degree and at least 3 years of progressive employment experience that demonstrates supervisory and case management experience.

Prevention of Sexual Abuse (PSA) Compliance Manager is responsible for managing implementation and ongoing compliance with the HHS IFR: Standards to Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children ([45 CFR Part 411](#)) and ORR policies and procedure 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 field; 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.

Other Required Staffing

To appropriately address the behavioral and mental health needs of children, care providers are required to retain specialized staff who can provide crisis intervention and de-escalation to children beyond the in-house program supports that are typically in place. This specialized service is in addition to the required mental health services and would require, at a minimum, the following staffing:

Behavioral Support Crisis Intervention Specialist

Acts as a mentor for the minor, assists program staff in providing stabilization of the minor, teaches social skills, and works with the minor on existing behavioral issues with the clinician. Oversees the minor's case and its progress and shares updates and recommendations with care provider staff to ensure holistic support for the minor's treatment plan as the minor continues in the existing placement.

Programs are encouraged to find and utilize community resources, partnerships, and local out-of-network placements to further support the needs of UAC with special needs.

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's UAC Bureau Policy Guide](#). 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 LTFC program. The LTFC 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 required services in a manner that is sensitive to the age, religion, dietary needs, language, sex, and other important individual needs of each UAC. All UAC in ORR care are entitled to human rights protections and freedom from discrimination and abuse. Care providers must ensure that all UAC are treated fairly and served during their time in ORR custody. All services and assessments are required to be administered for all UAC 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 UAC in their facility(ies) and/or provide translation services. Most UAC in ORR custody speak Spanish.

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

Important Timeframes

Care providers must adhere to specific time-frames for required assessments and/or reports that must be administered to UAC.

Report/Assessment	Initial Deadline
Assessment for Risk	Within 72 hours of admission and every 90 days thereafter
Individual Service Plan	Within 5 days of admission
Initial Intake Assessment	Within 24 hours of admission
Initial Medical Exam	Within 2 business days (48 hours, excluding weekends and federal holidays) of admission
UAC Assessment	Within 5 days of admission
UAC Case Review	On the UAC's 30th day in care and subsequently at least every 30 days until the minor reaches 90 days in care; when the UAC is released or transferred; when there is a substantial change in the UAC's case; or those who continue to meet the criteria for 30-day case review in accordance with ORR policy, procedure, and field guidance.

Acculturation and Adaptation Service

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.

Case Management Services

Care providers are required to implement and administer a case management system that tracks and monitors a UAC's progress on a regular basis to ensure that each UAC 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 UAC once a week, at a minimum, either in-person (preferred) or by telephone. 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 UAC 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 UAC and their sponsors 30 days after the UAC's release.

Educational Services in a Community-Based School

Educational services are required to be provided daily for a minimum of 6 hours, Monday through Friday, and to be appropriate to the UAC'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.

Care providers are required to enroll UAC into the local school district of the foster and/or group home. Because LTFC youth attend school in the community, care providers are exempt from providing a minimum of 6 hours of education per day Monday through Friday to UAC during the summer months. However, summer education plans must still be established. Programs should tailor educational programming in the summer according to state licensing requirements (child placement license and any other required license according to state regulations) and the youth's needs.

Individual Counseling

Individual counseling, when needed, must be provided by a qualified mental health professional.

Individualized Needs Assessments

Care providers are required to provide individualized ongoing assessments for each UAC, which include the following:

- *Initial Intake Assessment* must be completed within 24 hours of a UAC's admission. A trained staff member, with the care provider, must use an Initial Intake Assessment form to interview the UAC 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 UAC may have.
- *UAC Assessment* (initial intake assessment, psychosocial summary, medical information, and trauma and human trafficking assessment) must be completed within 5 days of UAC admission to the care provider facility. The UAC Assessment gathers initial information relating to the UAC's journey, current medical concerns and health history, the UAC and family's psychosocial assessment, trauma and substance abuse history, information about a UAC'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 UAC and his/her family.
- *Assessment for Risk* must be completed within 72 hours of admission and updated every 90 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.
- *UAC Case Review* at least every 30 or 90 days assessing the UAC'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. The UAC Case Review continues to pursue additional information regarding the UAC's immediate family members, other relatives, or family friends who may be residing in the United States and able to be the UAC's sponsor.

Individual Service Plan

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

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

Legal Services

Care providers are required to provide UAC 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 a bond hearing 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 UAC with access to ORR-funded legal services. All children in LTFC have the right to be represented by an ORR-funded legal service provider. Care providers must ensure the availability of sufficient, scheduled private time for UAC in spaces that are free from extraneous noise and distractions and transport UAC to all hearings or proceedings to which the UAC 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 UAC that are kept confidential and secure at all times. All UAC-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 UAC 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 UAC, 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 grant 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 offer clinical services, including regular on-site individual and group counseling sessions, and have the ability to access community mental health services for UAC 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. See Section I. Program Description, Program Staffing Requirements, Other Required Staffing for additional information on required staffing.

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 UAC 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 available to UAC who are limited English proficient or those who have limited reading skills. In addition, care providers must ensure effective communication for UAC with communication disabilities.

Religious Access

Whenever possible, care providers must provide or arrange for access to religious services and counseling of the UAC'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

UAC have a reasonable right to privacy that includes the right to the following: (a) wear his or her own clothes; (b) retain a private space in the group or foster home for the storage of personal belongings; (c) talk privately on the phone as permitted by the group/foster home rules and regulations; (d) visit privately with guests as permitted by group/foster home 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 UAC in the program and with

sensitivity towards all UAC. 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 foster/group home 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 available to UAC whose primary language is not English or Spanish, and where possible, include visuals subject to verification by ORR. These rules must be reviewed with UAC upon placement with a focus on safety, respect, and family/group living. Misbehavior must be resolved on an individual basis. All interventions must be positive, strength-based, and must never subject UAC 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 UAC. These policies require the timely release of UAC 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 UAC. The law requires ORR to protect UAC from smugglers, traffickers, or others who might seek to victimize or otherwise engage UAC in criminal, harmful or exploitative activity. As such, ORR evaluates potential sponsors' ability to provide for UAC's physical and mental well-being. The process for the safe and timely release of a UAC 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's 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.

Generally, UAC are placed in LTFC because they do not have immediate sponsorship options. However, LTFC providers are required to continue efforts to identify a potential sponsor for UAC in their care in accordance with ORR's 30-day and 90-day case review requirements. Please see Section I. Program Description, Important Timeframes.

Safety Planning

Care providers must develop a written safety and security plan that includes policies and procedures for all UAC 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 UAC with transportation services to local airports, and if necessary, provide an escort for the UAC according to ORR policies 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 UAC's attorneys of record. UAC are allowed to call both family members and sponsors living in the United States and abroad. UAC also have a right to receive visitors. Attorneys of record are required to have reasonable access to UAC according to ORR instructions and procedures and the care provider's time and place restrictions. Visitations may need to occur in a setting other than the group/foster home placement to ensure the safety and well-being of the UAC and others in the group/foster home.

Vocational Educational Services

Care providers are encouraged to create or provide access to vocational training opportunities that will provide UAC 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

Applicants proposing an alternative approach - If you have requested a religious objection to providing a required service, you will not be penalized (i.e., will not receive a lower score, priority or preference) for not providing that service, unless ACF determines that you do not meet the following standards, and any federal conscience or religious freedom laws that you cited.

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 religious backgrounds of those we serve.

ORR requires that organizations that have a religious objection to providing any UACB-required service must indicate in their application that they have such an objection and include a summary of an alternative approach that clearly describes how the organization will meet its award obligations. 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:

- The approach will ensure timely provision of all services for which the individual is eligible.
- The approach is not burdensome to the child.
- The approach is operationally feasible for ACF

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 a 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\(f\)](#).”

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 UAC program cooperative agreement awards and subrecipients, including awards made pursuant to this SNOFO. See Section I. Post-Award Requirements, Service Contract Act Requirements; [Section 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 LTFC beds and/or the requirements listed in Section I. Program Requirements will be required to have a Memorandum of Understanding (MOU) with the agency(ies). The MOU must clearly define milestones, 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 § 75.351-75.352](#) and [2 CFR § 200.333](#). Care providers must ensure ORR's timely access 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 UAC 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 which is to furnish services in the United States (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, CFR, 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 employee* expressly excludes those employees who are employed in a bona fide executive, administrative, or professional capacity as defined in [Part 541](#) of title 29, CFR, and as discussed further in [29 CFR § 4.156](#). Some of the specific types of service employees who may be employed on service contracts are noted in other sections that discuss the application of the Act to employees.

The 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.

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 13706, Establishing Paid Sick Leave for Federal Contractors, and its implementing regulations at [29 CFR Part 13 \(Appendix B\)](#).

In computing SCA wage and fringe benefit rates, applicants can initiate a [SAM.gov](#) search. Prospective applicants shall enter the location of the UAC 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 UAC 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 UAC shelter facilities can be found at ORR's [Service Contract Act \(SCA\) 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](#). Specific information about the SCA labor standards provisions and procedures may be found at [29 CFR Part 4](#) and [SAM.gov's Wage Determinations website](#). 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-B](#).

Program Performance Evaluation

Providers are expected to be fully compliant for standards in which processes on safety, family unification, and health have clearly defined metrics as outlined in policy. ORR will evaluate providers against such standards with a Provider Scorecard that assesses the provider's performance over the prior 90 days. Providers will receive their data and anonymized data from other providers for a comparative understanding of performance.

Providers must demonstrate that their continuous quality improvement plans include processes to review the Provider Scorecard, outline a process to make organizational and practice improvement to ensure achievement of 100% of standards with numerical metrics.

Residential (LTFC) Services for UAC Program Evaluation

If ACF identifies additional resources to fund a federal study of funded Residential (LTFC) Services for UAC, 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 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 Office of Management and Budget (OMB) Control Number. ORR will seek OMB approval for a federal study of the funded activities, as appropriate.

Required UAC Reporting

Consistent with the PRA of 1995, 44 U.S.C. 3501-3521, ORR will 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. 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:

- Placement and Transfer of Unaccompanied Alien Children into ORR Care Provider Facilities (OMB #0970-0554), Expiration Date June 30, 2026.
- Release of Unaccompanied Alien Children from ORR Custody (OMB #0970-0552), Expiration Date April 30, 2027.
- Monitoring and Compliance for ORR Care Provider Facilities (OMB #0970-0564), Expiration Date November 30, 2026.
- Risk Determination Hearings for Unaccompanied Alien Children (OMB #0970-0633), Expiration Date June 30, 2027
- Mental Health Assessment Form, Public Health Investigation Form: Non-TB Illness, and Public Health Investigation Form: Active TB (OMB #0970-0509), Expiration Date September 30, 2026.
- Serious Medical Procedure Request (SMR) Form (OMB #0970-0561), Expiration Date December 31, 2026.
- Medical Assessment Form and Dental Assessment Form (OMB #0970-0466), Expiration Date October 31, 2026.
- Administration of Psychotropic Medication to Unaccompanied Alien Children (OMB #0970-0641), Expiration Date January 31, 2028.

The forms approved under (OMB #0970-0278) (OMB #0970-0547) (OMB #0970-0553) (OMB #0970-0565) are currently under review with OMB for revisions and extension of approval.

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, grant funds may not be used for the acquisition, construction, and major renovation of real property under this program. Such a use of grant 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, Approach, 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) for 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 UAC 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:

\$140,000,000

Expected Number of Awards:

100

Award Ceiling:

\$12,000,000

Per Budget Period

Award Floor:

\$500,000

Per Budget Period

Average Projected Award Amount:

\$1,400,000

Per Budget Period

Anticipated Project Start Date:

05/01/2026

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.

If an application asks for more money than the award ceiling, it will not be considered for review or funding. 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. Once a care provider is awarded initial funds and starts the three-year project period, funding for years two and three depend on the submission and approval of continuation applications, which are non-competitive and contingent upon satisfactory progress (i.e., meeting all UACB requirements referenced in [Section I. Program Description](#) and [Post Award Requirements](#)), availability of funds, compliance with the terms and conditions of the award, and the best interests of the Federal government (including a determination that continuing the award effectuates program goals and agency priorities).

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

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, and services;
- the design of protocols or procedures;
- approval of the behavioral management plan;
- the approval of key program staff;
- provision of training and technical assistance to staff;
- input of case information into the Official System of Record (also known as the UAC Portal);
- select decisions regarding individual case management activities; and
- the approval of all releases of UAC 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 UAC program who wishes to apply for this SNOFO to provide LTFC services must propose services in a new and different facility. Current UAC recipients with UAC 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 group home and/or LTFC 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).

Individuals, including sole proprietorships, and foreign entities are not eligible. See [Section III.3. Other, Application Disqualification Factors](#).

Faith-based and community organizations that meet the eligibility requirements are eligible for awards under this funding opportunity.

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.**

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

If an application asks for more money than the award ceiling, it will not be considered for review or funding.

Required Electronic Application Submission

ACF requires electronic submission of applications at Grants.gov. **Paper applications are not allowed unless they have prior approval.**

You may contact ACF for an exemption if you do not have an internet connection or sufficient capacity to upload large documents to the internet. Please see the [ACF Policy for Requesting an Exemption from Electronic Application Submission](#) for more information.

Missing the Application Deadline (Late Applications)

Electronic applications must be submitted through Grants.gov by 11:59 pm ET on the due date listed in the Overview and in [Section IV.4. Submission Dates and Times](#). Applications submitted 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 review and funding.

Applications which fail their Grants.gov validation check will not be received or acknowledged by ACF. If you submit the same 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.

ORR Disqualification Factor

Care providers are required to be licensed (child placement license and/or any other required license according to state regulations) by a state licensing agency to provide residential, group home, or foster care services for dependent children. You are required to submit documentation of current state licensure to provide residential, group home, or foster care services for children with the application. **Failure to submit documentation of a care provider license for each proposed location within the application submission will disqualify the application from review and from funding under this SNOFO. You must provide a copy of non-expired licenses for all proposed locations.** The required documentation is described in [Section IV.2. The Project Description, Additional Eligibility Documentation](#).

Notification of Application Disqualification

We will let you know if your application is disqualified within 30 days of the application deadline. You won't receive any notice from ACF if your application failed Grants.gov validation checks.

IV. Application and Submission Information

IV.1. Address to Request Application Package

Anita
White
Administration for Children and Families
Office of Grants Management
Mary E. Switzer Building
330 C Street, SW.
Washington

DC
20201
anita.white@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

General Requirements

1. Two-File Requirement: Upload only two electronic files via Grants.gov, excluding Standard Forms (SFs) and OMB-approved forms. Extra files will be removed before review.
2. Authorized Organization Representative (AOR): Designate an AOR to sign all required forms. The AOR's signature confirms compliance with all applicable Federal statutes and regulations.
3. Font Style and Size: Use Times New Roman 12-point font for the main text and 10-point font for footnotes. Ensure scanned documents are legible and are no more than one scan to a page. Blurred or illegible pages will be removed.
4. Language and Currency: Submit applications in English and in U.S. dollars. See 45 CFR §75.111 for more information.
5. Page Limitations: Follow the page limits specified under "PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS." Extra pages will be removed and not reviewed.
6. Double-space all application pages. Exemptions: The following can 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 Budget Justification
7. Formatting Adherence: Applications that do not observe the formatting requirements will have pages removed before merit review. Applicants will be notified of any adjustments and the reason for the adjustment after awards are issued.
8. Corrections/Updates: Only the last on-time application will be considered for pre-review under the Application Disqualification Factors. See [Section III.3. Other, Application Disqualification Factors](#) and [Section IV.2. Application Submission Options](#).
9. Copies Required: Submit one complete copy of the application package electronically via Grants.gov.
Accepted Application Format: Use 8 ½" x 11" white paper with 1-inch margins. Include page numbers if possible.

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 Milestones;
- Plan for Oversight of Federal Award Funds and Activities;
- Program Performance Evaluation Plan;
- 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 Organization's 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 non-expired licenses (child placement license and any other required license according to state regulations) for all proposed states;
- 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 UACs served). ORR and OGM will contact awardees through this SNOFO to obtain leases that were not submitted as part of the application; and
- Any other information the applicant deems relevant and necessary.

PAGE LIMITATIONS AND CONTENT FOR ALL SUBMISSION FORMATS:

Electronic Application Submission

1. Submission: Only through Grants.gov. No applications will be accepted through facsimile or email.
2. File Upload: Upload only two files, excluding Standard Forms and OMB-approved forms:
 - File One: Entire Project Description, Budget, and Budget Justification.
 - File Two: All documents required in the Appendices.
3. File Naming: Follow Grants.gov naming conventions. Limit file names to 50 characters. <https://www.grants.gov/applicants/submitting-utf-8-special-characters>.
4. Suggested File Format: PDF format for both files. ACF recommends applicants merge documents electronically using Adobe Acrobat Reader or PDF converter software compatible with Grants.gov.
5. Other supported File Formats:
 - Adobe PDF (.pdf)
 - Microsoft Word (.doc or .docx)
 - Microsoft Excel (.xls or .xlsx)
 - Microsoft PowerPoint (.ppt)
 - Image Formats (.JPG, .GIF, .TIFF, .BMP)

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.

1. No Encryption or Password Protection: Do not encrypt or password-protect files. Inaccessible files will not be reviewed.

Paper Application Submission

1. Exemption Requirement: Obtain an exemption to submit a paper application. Follow the [ACF Policy for Requesting an Exemption from Required Electronic Application Submission](#).
2. Application Requirements: Download the forms package associated with the NOFO's synopsis on Grants.gov under the Package Tab.
3. Submission Package: Submit one original and two copies of the complete application, including all SFs and OMB-approved forms. The original must have original signatures. All pages must be one-sided and sequentially numbered. Submit all copies in a single package. Clearly label with the NOFO title and Funding Opportunity Number. For applicants submitting more than one application, each application must be submitted in a separate package.

Required Forms, Assurances, and Certifications

Please 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 <i>Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)</i> 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 award.	Submission of the certification is required for all applicants.
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	Required for all applications when applying for a non-construction project.

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	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.	
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 award.	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.
Child placement license and any other required license according to state regulations for each state proposed in application	Referenced in <i>Section III.3. Other, ORR Disqualification Factor</i> and <i>Section IV.2. The Project Description, Additional</i>	Submission is due by the application due date in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .

Forms/Assurances/Certifications	Submission Requirement	Notes/Description
	<i>Eligibility Documentation.</i>	

Additional Required Assurances and Certifications

Mandatory Grant Disclosures

All applicants must submit any information related to violations of federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the federal award. See Mandatory Disclosures, 45 CFR § 75.113 (or, starting October 1, 2025, [2 CFR 200.113](#)). Send written disclosures 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, sex, and religion;
- Be non-stigmatizing toward any individuals (staff, sponsors, foster parents);
- 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, and non-stigmatizing by design and in operation.

Submission of an application for this award further constitutes an assurance that any sub-recipient(s) and/or contractor(s) directly engaged in the care and custody of UAC will do as follows:

- Train all staff on preventing and responding to harassment and discrimination per [ORR Staff Code of Conduct](#).
- Be non-stigmatizing toward any individuals (staff, sponsors, foster parents, etc.), including 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, and non-stigmatizing by design and in operation.

Proprietary Information and Personally Identifiable Information (PII)

In your application, you may identify salary or other proprietary information or personally identifiable information. We will remove this information from applications before they go to reviewers.

If you have an exemption for a paper submission, you can protect salary information and any proprietary information by placing that information only in the original application. You can remove the information from the copies, keeping summary information.

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 based on 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 NOFO.

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 grant 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

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 grant recipient and subrecipient organization(s) describe the locations covered by all organizations anticipated to receive funding from the grant 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 NOFO.

Care providers are required to be licensed (child placement license and/or any other required license according to state regulations) by a state licensing agency to provide residential, group home, or foster care services for dependent children. You are required to submit documentation of current state licensure to provide residential, group home, or foster care services for children with the application. **Failure to submit documentation of a care provider license for each proposed location within the application submission will disqualify the application from review and from funding under this SNOFO. You must provide a copy of non-expired licenses for all proposed locations.**

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 foster care and/or group home programs 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 foster and/or group homes, 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 delivery for foster and/or group homes is sensitive to the religious preferences, language, sex, and special needs of UAC.
- Applicants must describe experience and proficiency in implementing a behavioral management plan for foster and/or group homes, 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 foster and/or group homes, 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 UAC Program](#).

- Applicants must design developmentally appropriate programs for foster and/or group homes that address the specialized and individual needs of all UAC, focusing on the unique vulnerabilities and trauma of the UAC 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 UAC to eligible sponsors.
- Applicants must describe their process to recruit and train foster parents utilizing their state's licensing requirements for foster parent certification and, if applicable, the Model Approach to Partnership in Parenting or equivalent training curriculum.
- 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 foster and/or group home care indicated in [Section I. Program Description, Program Requirements](#).
- Applicants must describe each facility's/foster home's access 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 is 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, rest rooms, outside recreation areas, isolation/quarantine room, and living space).
- Applicant must describe how educational, clinical, and case management services will be delivered to UAC in group home and/or foster care placements.
- Applicants must describe how the facility(ies) meets all relevant zoning, licensing, fire, safety, and health codes required to operate group and or foster care homes and facilities. Applicants must provide detailed information regarding the type of state licensure (child placement license and any other required license according to state regulations), including 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 UAC-required service 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 or county 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 information. Applicants must delineate real properties proposed 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 UAC.

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, for example 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 your 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).
- Copy or description of your organization's fiscal control and accountability procedures.
- Evidence that your team's experience (including any partnering organizations) have relevant experience with administering, developing, implementing, managing, and evaluating similar projects.
- Information on compliance with federal/state/local government standards.
- Job descriptions for each vacant key position.

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, relevant licensure, history, organizational mission and goals; and lists of all federal-, state-, or local-funded grants 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 UAC, international, or domestic children, or their experience providing trauma-informed related services to children with 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, Key Personnel, and Other Required Staffing](#).
- Applicants must describe a plan to implement ORR's sexual abuse and harassment policies, including, but not limited to, appropriate screening of new hires, developing internal policy documents, and training staff.
- As required by state licensing, applicants must provide a detailed plan for completing background checks for applicable staff, contractors, volunteers, and all adults who reside in or operate foster homes.

- 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, foster parent, volunteer training plan that meets all relevant licensing requirements and ORR policies; the plan must include elements specific to working with the UAC 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 such as ORR's Official System of Record (also known as the UAC Portal).
- Applicants must provide a copy of a management letter/summary report in lieu of full audit reports; 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 must ensure proper oversight. The regulation that governs this oversight is [45 CFR part 75](#) (or, starting October 1, 2025, [2 CFR part 200](#)). It includes standards for:

- 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. 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 resulting information will be used to inform improvement of funded activities; and any processes that support the overall data quality of the performance process measurements and outcomes.

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., assigned 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 foster and/or group home care.
- 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 those UAC with potential sponsors. Applicants must describe measures that effectively track performance in this area.
- Applicants must address how it will monitor the progress of individual cases and include a clear structured timeline with regard to working with each UAC on safe and timely release.
- Applicants must provide an effective plan for developing and maintaining internal structure, control, and accountability through programmatic means for LTFC and/or group homes.
- 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 UAC 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 UAC 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 UAC 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 (also known as the UAC Portal).

Protection of Sensitive and/or Confidential Information

Provide a description of how protected personally identifiable information 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\(e\)](#) (or, starting October 1, 2025, [2 CFR 200.303\(e\)](#)).

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 both 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 to the proposed project. 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 to be 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 successful applicant is awarded the grant.

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 also entered on the Budget Information Standard Form, 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 Standard Form.

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 matching or cost sharing 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: *The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2022 and Consolidated Appropriations Act, 2022, (Division H, Title II, Sec. 202), limits the salary amount that may be awarded and charged to ACF grants and cooperative agreements. Award funds issued under this NOFO may not be used to pay the salary of an individual at a rate in excess of Executive Level II. The Executive Level II salary of the "Rates of Pay for the Executive Schedule" which can be found at <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.

For the first budget period only, 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

Start-up Costs: All applicants must identify one-time costs, i.e., start-up costs, that are necessary to operationalize the facility(ies), foster home(s), and/or group home(s). 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 UAC services: The applicant must identify and provide any current sources of federal funding received from any government grant or contracting division to provide services to the UAC Program. This includes direct awards, as well as subrecipient/subcontractor awards from a directly funded recipient, to provide services to the UAC 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 grant 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 1V.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 the SCA and implementing regulations found in

title [29 of CFR Part 4](#). Please note specific requirements at [29 CFR § 4.6\(b\)\(2\)](#). The 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 grant 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 UAC 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 UAC needs, transfer to a residential facility within the ORR network may be necessary. 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 UAC 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 UAC applicant proposes to serve annually.

To create your line-item budget and justification, see detailed instructions on our website: <https://www.acf.hhs.gov/grants/prepare-budget>.

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 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

You are required to submit your application online through [Grants.gov](https://www.grants.gov).

Get registered

Grants.gov

You must also have an active account with [Grants.gov](https://www.grants.gov). You can see step-by-step instructions at the Grants.gov [Quick Start Guide for Applicants](#).

Grants.gov provides 24/7 support. You can call 1-800-518-4726 or email support@grants.gov.

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

Issues with Federal Systems

If you experience a systems issue with Grants.gov or SAM.gov, please refer to the [ACF Policy for Applicants Experiencing Federal Systems Issues](#) for complete guidance.

Exemptions for Paper Submissions

We need to give you an exemption before you can apply on paper. See the [ACF Policy for Requesting an Exemption from Required Electronic Application Submission \[PDF\]](#). Once we have approved your exemption, download your forms package under the Package tab in Grants.gov.

Follow the requirements in [Section IV.2. Content and Form of Application Submission, Paper Application Submission](#).

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)

You must have an active account with SAM.gov. This includes having a UEI.

To register, go to [SAM.gov Entity Registration](#) and click Get Started. From the same page, you can also click on the Entity Registration Checklist for the information you will need to register.

When you register or update your SAM.gov registration, you must agree to the [financial assistance general certifications and representations](#). You must agree to those for financial assistance specifically, as opposed to contracts, because the two sets of agreements are different. You will have to maintain your registration throughout the life of any award.

If you need help, you can call 1-866-606-8220 or live chat with the Federal Service Desk.

IV.4. Submission Dates and Times

11/17/2025

Due Dates for Applications

11/17/2025

Explanation of Due Dates

Electronic Applications

Electronic submissions are due by 11:59 pm ET on the due date.

Applications that fail the Grants.gov validation check will not be received or acknowledged by ACF.

Mailed Paper Applications

If you receive an exemption from electronic submission, the due time 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](#).

Grants.gov creates a date and time record when it receives the application. If you submit the same application more than once, we will accept only the last on-time submission.

The grants management officer may extend an application due date based on emergency situations such as documented natural disasters or a verifiable widespread disruption of electric or mail service.

Acknowledgement of Received Application

Acknowledgement from ACF of receipt of a paper application:

ACF will not acknowledge 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.”](#) No action is needed.

IV.6. Funding Restrictions

We do not allow the following costs under this notice of funding opportunity (NOFO):

Construction.

Purchase of real property.

Major renovation.

No funds under this award may be used to fund, sponsor, promote, assist, or support the so-called “transition” of a child from one sex to another.

ACF does not allow funds awarded under this NOFO to support any costs related to diversity, equity, and inclusion (DEI) activities, including research in support of such initiatives, and any other initiatives that discriminate on the basis of race, color, religion, sex, national origin or another protected characteristic. This also includes any diversity, equity, inclusion, and accessibility (DEIA) initiatives, and any discriminatory equity ideology in violation of a Federal anti-discrimination law. The definition of “discriminatory equity ideology” is in Section 2(b) of Executive Order 14190 of January 29, 2025, which can be found here: [2025-02232.pdf](#)

For guidance on some types of costs that we restrict or do not allow, see General Provisions for Selected Items of Costs of the Uniform Guidance, [45 CFR part 75](#) (or, starting October 1, 2025, [2 CFR part 200](#)).

IV.7. Other Submission Requirements

Submit paper applications to the following address.

Submission by Mail

Anita
White
Administration for Children and Families
Office of Grants Management
Attn: HHS-2023-ACF-ORR-0162
Mary E. Switzer Building
330 C. Street, SW.
Washington
DC
20201

V. Application Review Information

V.1. Criteria

A panel reviews all applications that pass the initial review. The panel members use the criteria in this section. The required elements of the project description and budget justification may be found in [Section IV.2. The Project Description](#) of this funding opportunity.

Our reviewers typically are not federal employees. See [Section IV.2. Proprietary Information and Personally Identifiable Information \(PII\)](#).

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 foster and/or group homes, with the exception of any required

service(s) to which the applicant has expressed a religious objection to providing. (0-4 points)

- Clear description of the overall program design for foster and/or group home facility(ies) and a plan for the 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 timeframes required for the provisions of services. (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 native language and special needs of UAC. (0-3 points)
- Detailed plan to identify and address the specialized needs of the UAC population, including severe trauma, 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 for foster and/or group homes will be developed and implemented as required in [Section I. Program Description, Program Requirements, Rules/Behavior Management](#). 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 plan takes into consideration the range of ages, and maturity levels of the UAC. (0-4 points)
- Detailed plan on how the applicant will identify, assess, and release UAC with eligible domestic sponsors in a timely manner. The plan identifies the applicant's ability to facilitate safe and timely release of UAC including, but not limited to, identifying sponsor(s), evaluating the suitability of the sponsor, and verifying sponsor's identity and relationship to the UAC 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 capacity of the applicant and, if applicable, subrecipient(s) to develop and manage a UAC 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 and subrecipient's, if applicable, key staff having sufficient and relevant experience, knowledge, and capability to implement and manage LTFC services. (0-5 points)
- Detailed supporting documentation and description of experience in providing appropriate 7-day case management services for foster and/or group homes (e.g., ISPs). Documentation must evidence the applicant's experience providing case management services to the UAC population, including international and/or domestic children. (0-3 points)
- Clear and comprehensive organizational structure of the proposed program for either foster and/or group home 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 Requirements, Key Personnel, Other Required Staffing](#). (0-5 points)

- Detailed plan to screen, hire, and train staff to meet state licensing and ORR requirements. Training must address elements specific to working with the UAC 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 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 UAC 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 UAC (e.g., staff, contractors, volunteers, and adults residing in foster homes). (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 foster and/or group homes 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)/foster homes and/or group homes. The description must include information about sleeping arrangements, food preparation, kitchen and dining area, office space, restrooms, outside recreation areas, designated personal telephone call space, and living space. (0-2 points)
- Documentation of facility(ies)/foster homes' and/or group homes' accessibility to immigration court, airports, fire and police services, and the local community. Documentation that each facility(ies) foster homes and/or group homes has met all relevant zoning, fire, safety, and health codes required to operate a residential based social service program. (0-2 points)
- Documentation identifying the type of state licensure, including information on capacity, age/sex permitted, and allowable length of stay. 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. (0-2 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 leased documentation provided in accordance with [Section IV.2. The Project Description, Approach, 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 (e.g., local health department), religious and community organizations, and state licensing offices' recommendations for serving UAC. (0-2 points)

PROGRAM PERFORMANCE EVALUATION PLAN

Maximum Points: 15

The application will be reviewed for evidence of 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 foster homes and/or group homes. (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 UAC with potential sponsors. 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, 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 (also known as the UAC Portal) and to upload all appropriate UAC forms and file information within the timeframes indicated in [Section I. Program Description, Program Requirements, Important Timeframes](#). (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:

1. Accurate and detailed budget and budget justification noting line-item expenses with specific detail for the understanding per-item costs for the applicant to include a budget for each proposed facility 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)
2. Documentation of costs that are reasonable, allocable, 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)

3. 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)
4. 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)

BONUS POINTS -1

Maximum Points: 5

An applicant proposing to provide LTFC services will receive bonus points for submitting a plan to recruit foster parents who are able to serve UAC males between the ages of 15-17 years. Each submission will be reviewed for completeness based on the following: 1) documentation of geographic areas of recruitment; 2) identification of potential barriers in recruitment of foster families willing to serve males between the ages of 15-17; 3) detailed outline of ability to address barriers for the recruitment of families able to serve males between the ages of 15-17; and 4) minimum number of beds for males ages 15-17 must make up at least 20 percent of total proposed capacity. All four aspects must be addressed to receive the five bonus points.

BONUS POINTS - 2

Maximum Points: 5

An applicant will receive bonus points for submitting a plan to recruit foster parents who are able to serve UAC who have significant emotional, behavioral, medical, and/or developmental needs (i.e., therapeutic foster parents). The submission will be reviewed for completeness based on the following: 1) plan for recruiting foster families who can meet this need; 2) detailed description of training that will be provided to the foster parents; 3) detailed description of the applicant's ability to provide extensive support to the foster families, which may include additional support staff and community resources that are specific to the needs of this vulnerable population; and 4) minimum number of therapeutic beds must make up at least 20 percent of total proposed capacity. All four aspects must be addressed to receive the five bonus points.

Ten points will be awarded to applicants who meet the criteria for all required areas listed under each bonus point category.

V.2. Review and Selection Process

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 within 30 federal business days from the closing date of this NOFO.

Merit Review Results

When making funding decisions, we consider:

- Merit review results. They are key in making decisions but are not the only factor.
- Organizations serving emerging, unserved, or under-served populations.
- The larger portfolio of agency-funded projects by considering geographic distribution.
- The applicant's past performance.

- The application’s compliance with this NOFO’s prohibition on using funds awarded under this NOFO to support any costs related to:
 - Diversity, equity, and inclusion (DEI) activities, including research in support of such initiatives,
 - Any other initiatives that discriminate on the basis of race, color, religion, sex, national origin or another protected characteristic, and
 - Any diversity, equity, inclusion, and accessibility (DEIA) initiatives, and any discriminatory equity ideology in violation of a Federal anti-discrimination law. The definition of “discriminatory equity ideology” is in Section 2(b) of Executive Order 14190 of January 29, 2025, which can be found here: [2025-02232.pdf](#)

ACF may:

- Fund applications in whole or in part.
- Fund applications at lower amount than requested.
- Decide not to allow a prime recipient to subaward if they are not able to properly monitor and manage subrecipients properly.
- Choose not to fund applicants with management or financial problems.
- Choose to fund no applications under this NOFO.

We may decide not to fund a project with high start-up costs or unreasonably high operating costs.

Risk Review

Before making an award, we review the risk that you will mismanage federal funds or fail to complete the project objectives. We need to make sure you’ve handled any past federal awards well and demonstrated sound business practice. We use Sam.gov [Responsibility/Qualification](#) to check this history for all awards likely to be over \$250,000.

If we find a significant risk, we may choose not to fund your application or to place specific conditions on the award.

For more details, see [45 CFR 75.205](#) (or, starting October 1, 2025, [2 CFR 200.206](#)).

Approved but Unfunded Applications

We may designate your application as “approved but unfunded” if it was successful but there was not sufficient funding to make an award. You may receive funding if additional funds become available within the fiscal year.

V.3. Anticipated Announcement and Federal Award Dates

Award announcements and the application disposition will be provided to applicants at a later date. We 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

If you are successful, we will email or transmit through our award systems a Notice of Award (NoA) to your authorized official. We will email you if your application is disqualified or unsuccessful.

The NoA is the only official award document. The NoA tells you about the amount of the award, important dates, and the terms and conditions you need to follow. Until you receive the NoA, you have not received an award. Project costs that you incur before you receive a NoA are at risk.

VI.2. Administrative and National Policy Requirements

Administrative and National Policy Requirements

There are important rules you'll need to follow if you get an award. You must follow:

- All terms and conditions in the Notice of Award, including the [ACF Standard Terms and Conditions](#) and, if applicable, any program-specific terms and conditions. We incorporate this NOFO by reference.
- The rules listed in [45 CFR part 75](#), Uniform Administrative Requirements, Cost Principles, and Audit Requirements for HHS Awards in effect at the time of award and any updates, or any superseding regulations.
 - Effective October 1, 2024, HHS adopted the following superseding provisions:
 - [2 CFR 200.1](#), Definitions, Modified Total Direct Cost.
 - [2 CFR 200.1](#), Definitions, Equipment.
 - [2 CFR 200.1](#), Definitions, Supplies.
 - [2 CFR 200.313\(e\)](#), Equipment, Disposition.
 - [2 CFR 200.314\(a\)](#), Supplies.
 - [2 CFR 200.320](#), Procurement Methods
 - [2 CFR 200.333](#), Fixed amount subawards.
 - [2 CFR 200.344](#), Closeout.
 - [2 CFR 200.414\(f\)](#), Indirect (F&A) costs.
 - [2 CFR 200.501](#), Audit requirements.
 - Effective October 1, 2025, HHS will adopt the remaining 2 CFR part 200 provisions, and the HHS-specific modifications located in 2 CFR part 300.
- The [HHS Grants Policy Statement \[PDF\]](#) (GPS). This document has terms and conditions tied to your award. If there are any exceptions to the GPS, they'll be listed in your Notice of Award.
- All federal statutes and regulations relevant to federal financial assistance, including those highlighted in the [HHS Administrative and National Policy Requirements \[PDF\]](#) and the [ACF Administrative and National Policy Requirements](#).
- [45 CFR Part 87 Appendix B, Equal Treatment for Faith-Based Organizations](#). This appendix explains the obligations of and protections for faith-based organizations applying for grants.

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 ACF's [Administrative and National Policy Requirements](#).

Service Contract Act (SCA)

This award is also subject to the provisions of the SCA and its implementing regulations at [29 CFR Part 4](#), including the SCA labor standards clauses found at [Appendix A](#), which set forth obligations under the SCA wage determinations for the localities in which Residential (Long Term Foster Care) Services for Unaccompanied Alien Children and may be performed and may be found at [SAM.gov's 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 DOL's [Service Contract Act](#) website. This award is also subject to Executive Order 13706, Establishing Paid Sick Leave for Federal Contractors, and its implementing regulations at 29 CFR Part 13 ([Appendix B](#)). For additional information, visit DOL's website for [Minimum Wage](#) and [Paid Sick Leave](#) requirements.

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 UAC Program

- Further Consolidated Appropriations Act, 2024, Pub. L. No. 118-47 (Mar. 23, 2024).
- Homeland Security Act of 2002 (HSA), Pub. L. No. 107-296 (Nov. 25, 2002).
- William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (TVPRA), Pub. L. No. 110-457 (Dec. 23, 2008).
- Unaccompanied Children Program Foundational Rule, 45 C.F.R Part 410 (Jul. 1, 2024).
- HHS IFR: Standards To Prevent, Detect, and Respond to Sexual Abuse and Sexual Harassment Involving Unaccompanied Children, 45 C.F.R. Part 411.
- HHS IFR: Investigations of Child Abuse and Neglect, 45 CFR Part 412.
- Stipulated Settlement Agreement, *Flores v. Reno*, No. 85-4544-RJK (Px) (C.D. Cal. Jan. 17, 1997). (as applicable to ORR).
- Joint Stipulation of Dismissal Without Prejudice, *J.D. v. Azar*, No. 1:17-cv-02122 (D.D.C. Sep. 29, 2020), ECF No. 168. (as applicable)
- Order Granting Final Approval of Settlement Agreement and Certifying the Settlement Classes, *Ms. L. v. US Immigration and Enforcement*, No. 3:18-cv-00428 (S.D. Cal. Dec. 11, 2023), ECF No. 727.

- Order re Defendants’ Motion to Dismiss, Plaintiffs’ Motion for Declaratory Judgment, and Parties’ Cross-Motions for Final Judgment, *Lucas R. v. Becerra*, No. 2:28-cv-05741 (C.D. Cal. Sep. 16, 2024), ECF No. 447.

VI.3. Reporting

Performance Progress Reports:

Quarterly

Reporting Requirements

As a recipient, you will have to submit performance progress and financial reports. To learn more about reporting, see [Reporting at the ACF website](#).

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 UAC Reporting](#).

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

Joseph

Clark

Administration for Children and Families

Office of Refugee Resettlement

Division of Grants Management

Mary E. Switzer Building

330 C Street, SW.

Washington

DC

20201

UCBGrants@acf.hhs.gov

<https://www.acf.hhs.gov/orr/grants/ucb>

Office of Grants Management Contact

Anita

White

Administration for Children and Families

Office of Grants Management

Mary E. Switzer Building
330 C Street, SW.
Washington
DC
20201

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 <https://www.grants.gov/accessibility-compliance>
Code of Federal Regulations (CFR) <http://www.ecfr.gov/>
United States Code (U.S.C.) <http://uscode.house.gov/>
ORR UAC 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

Make sure that you have everything you need to apply.

What to Submit	Where Found	When to Submit
SF-424 - Application for Federal Assistance	Referenced in <i>Section IV.2.Required Forms, Assurances, and Certifications</i> . 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 <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .

What to Submit	Where Found	When to Submit
Unique Entity Identifier (UEI) and System for Award Management (SAM) registration.	Referenced in <i>Section IV.3. Unique Entity Identifier (UEI) and System for Award Management (SAM)</i> 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 <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . 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 <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Certification Regarding Lobbying (Grants.gov Lobbying Form)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due with the application package or prior to award.
SF-424A - Budget Information - Non-Construction Programs and SF-424B - Assurances - Non-Construction Programs	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . 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 <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
SF-Project/Performance Site Location(s) (SF-P/PSL)	Referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . This form is available in the NOFO's forms package at www.Grants.gov .	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .

What to Submit	Where Found	When to Submit
SF-LLL - Disclosure of Lobbying Activities	"Disclosure Form to Report Lobbying" is referenced in <i>Section IV.2. Required Forms, Assurances, and Certifications</i> . 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 award.
Table of Contents	Referenced in <i>Section IV.2. The Project Description</i> .	Submit with the application by the due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Project Summary	Referenced in <i>Section IV.2. The Project Description</i> . The Project Summary is limited to one single-spaced page.	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Proof of Non-Profit Status	Referenced in <i>Section IV.2. The Project Description, Legal Status of Applicant Entity</i> .	Proof of non-profit status should be submitted with the application package by the application due date and time listed in the <i>Overview</i> and <i>Section IV.4.</i> of the NOFO. If it is not available at the time of application submission, it must be submitted prior to award.
Mandatory Grant Disclosure	Requirement, submission instructions, and mailing addresses are found in the "Mandatory Grant Disclosure" in <i>Section IV.2. Required Forms, Assurances and Certifications</i> .	If applicable, concurrent submission to the Administration for Children and Families and to the Office of the Inspector General is required.
The Project Budget and Budget Justification	Referenced in <i>Section IV.2. The Project Budget and Budget Justification</i> .	Submission is required in addition to submission of SF-424A and / or SF-424C. Submission is required with the application package by the due

What to Submit	Where Found	When to Submit
		date in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Indirect Cost Rate Agreement (IDR)	Referenced in <i>Section IV.2. The Project Budget and Budget Justification</i>. 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 <i>Overview</i> and <i>Section IV.4. Submission Dates and Times</i>, it may be submitted prior award.
The Project Description	Referenced in <i>Section IV.2. The Project Description</i> .	Submission is due by the application due date found in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Child placement license and any other required license according to state regulations for each state proposed in application	Referenced in <i>Section III.3. Other, ORR Disqualification Factor</i> and <i>Section IV.2. The Project Description, Additional Eligibility Documentation</i> .	Submission is due by the application due date in the <i>Overview</i> and in <i>Section IV.4. Submission Dates and Times</i> .
Child placement license and any other required license according to state regulations for each state proposed in application		

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

Employee class (OPM Classification for Occupational Groups and Families)	Role	Monetary wage- fringe benefits (General Schedule Grade Range)
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
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

(I)

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 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.