

**DEPARTMENT OF ENERGY
NATIONAL NUCLEAR SECURITY ADMINISTRATION
OFFICE OF RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**



Department of Energy National Lab Jobs ACCESS Program

NOTICE OF FUNDING OPPORTUNITY ANNOUNCEMENT

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Section I - FUNDING OPPORTUNITY DESCRIPTION

SUMMARY

The enduring missions of the Department of Energy's National Nuclear Security Administration (DOE/NNSA) remain vital to the national security of the United States. The science, technology, engineering, and manufacturing capabilities resident within the nuclear security enterprise underpin NNSA's ability to conduct stockpile stewardship, solve the technical challenges of verifying treaty compliance, combat nuclear terrorism, detect, and counter proliferation, and guard against the threat posed by nuclear technological surprise. NNSA's ability to meet its many national security missions is dependent upon the ability to recruit, train, and retain its world class workforce.

As part of the strategy to address future workforce needs, DOE/NNSA has implemented multiple university programs to develop, recruit, and retain high-quality individuals. However, these programs do not address the needs of personnel in the skilled trades and crafts which are essential for the revitalization of the NNSA weapons production complex modernization efforts.

The DOE/NNSA announce interest in receiving applications for grants for the Department of Energy National Lab Jobs ACCESS Program. ACCESS is an acronym for – Apprenticeships for Complete and Committed Employment for Specialized Skills. This is a new pre-apprenticeship or apprenticeship program created under the National Defense Authorization Act for Fiscal Year 2020. As found in legislation language [Public Law 116-92 SEC 3122] the ACCESS Program is a pre-apprenticeship or apprenticeship program that:

- 1) leads to recognized postsecondary credentials for secondary school and postsecondary students.
- 2) is focused on skills and qualifications needed, as determined by the Secretary of Energy in consultation with the Directors of the National Laboratories, to meet the immediate and ongoing needs of traditional and emerging technician positions (including machinists and cybersecurity technicians) at the National Laboratories and covered facilities of the National Nuclear Security Administration; (a covered facility of the National Nuclear Security Administration means a national security laboratory or a nuclear weapons production facility as such terms are defined in section 4002 of the Atomic Energy Defense Act (50 U.S.C. 2501));
- 3) is established in consultation with a National Laboratory or covered facility of the National Nuclear Security Administration;
- 4) is registered with and approved by the Secretary of Labor or a State apprentice agency; and
- 5) ensures that participants in the pre-apprenticeship program or apprenticeship program do not displace paid employees.

OPPORTUNITIES

The DOE/NNSA manages 8 major facilities:

Three National Laboratories:

1. Lawrence Livermore National Laboratory
2. Los Alamos National Laboratory

3. Sandia National Laboratory (Sandia has 2 facilities in Albuquerque, NM and Livermore, CA)

Two Sites;

1. the Nevada National Security Site
2. the Savannah River Site

Three Production Plants;

1. Kansas City National Security Campus
2. Y12 National Security Campus
3. Pantex Plant

Each of these facilities has unique needs and requires a steady flow of personnel in skilled trades and technical fields to maintain a highly skilled technical workforce in multiple disciplines, many of which are amenable to apprenticeship programs. A partial list includes: machinists, welders, metal workers (sheet metal and iron), IT/cybersecurity professionals, advanced manufacturing machine operators, fissile material handlers, radiological control technicians, industrial hygienists, fire protection engineers, and many more.

The opportunities and points of contact at each site are provided here

Lawrence Livermore National Laboratory (Technical Contact: Beth McCormick, mccormick11@llnl.gov)

Lawrence Livermore National Laboratory (LLNL), located in Livermore, California is a multi-disciplinary laboratory that supports a broad set of National Security missions. There is a continuing need to recruit highly skilled employees that comes from diverse backgrounds, have outstanding technical skills, and are able to work on national security programs. These may change over time, so it is vital that winner will continuously communicate with the LLNL designated representative to maintain and respond to the critical needs of the laboratory.

LLNL would like to partner with our local community colleges to collaborate and commit to ongoing communication about workforce needs, job opportunities, for Engineering Technologists, Technicians and Machinists. The current job categories and average number of annual hires are:

- Technicians in areas such as electronics, computer support, mechanical, hazardous waste, and fabrication: 30-50
- Engineering Technologists: 20-30
- Machinists: 5-10

Los Alamos National Laboratory (Technical Contact: Nancy N. Sauer, nsauer@lanl.gov)

Los Alamos National laboratory (LANL), located in Los Alamos New Mexico, is a multi-disciplinary science and engineering laboratory that executes a broad set of national security programs in support of DOE/NNSA missions. The Laboratory is seeing dramatic expansion in a number of major R&D and manufacturing missions and there is an ongoing need to build our workforce to support these efforts. LANL has a continuing need to recruit highly skilled technical and support staff across the spectrum of R&D and operational efforts. LANL welcomes partnerships with organizations seeking to develop pipeline in a number of critical areas. Consistent engagement with the LANL designated representative on key areas of need is essential to maintain an accurate picture of current and emerging staffing needs. The anticipated number of annual hires by job category are:

- Laboratory Technicians: 500
- (including engineering and process technicians)
- Computer science & security professionals: 600
- Project management/control specialists: 200
- Environmental Health Safety specialists: 500
- Radiation Control Specialists: 100
- Pipefitters: 100
- Electricians: 100
- Ironworkers: 40
- Laborers: 80

Sandia National Laboratory (Sandia has 2 facilities in Albuquerque, NM and Livermore, CA) (Technical Contact: Mark Maes, mmaes@sandia.gov)

Sandia National Labs (SNL) delivers essential science and technology to resolve the nation's most challenging security issues. SNL operated and managed by National Technology and Engineering Solutions of Sandia (NTESS), a wholly owned subsidiary of Honeywell International, Inc. NTESS operates SNL as a contractor for the US Department of Energy's National Nuclear Security Administration and supports numerous federal, state, and local agencies, companies, and organizations. SNL's leading mission is to strengthen national security in their five major program portfolios: nuclear deterrence, global security, national security, energy and homeland security, and advanced science and technology. To fulfill their mission, it is crucial that SNL acquire the technical talent to meet their apprentice/technologist workforce demands is the following critical technical roles:

Trades over the next 5 years

- Mechanical HVAC: approximately 15-17 HVAC mechanics
- Electrical maintenance: approximately 20 electricians to fill breaker testing, and other electrical maintenance positions
- Structural maintenance: approximately 19 craft to fill the various positions

Talent Acquisition Broader Technician/Technologist Roles Annual average over 5 years

- Explosive Techs: approximately 30
- Mechanical - CAD Tech: approximately 30
- Electronic -CAD Tech: approximately 30
- Radiological Tech: approximately 15-20
- Fabrication/Microelectronics Tech: approximately 15-20

Nevada National Security Site (Technical Contact: Brent Baker, bakerba@nv.doe.gov)

The Nevada National Security Site (NNSS) is a unique outdoor, indoor, and underground experimentation and training user facility located in a remote, highly secure area of southern Nevada. As an integral component of the U.S. Nuclear Security Enterprise (NSE), the NNSS provides applied engineering innovation, high-hazard test and evaluation, and operating services for the U.S. Government and its allies. NNSS supports nearly all U.S. Department of Energy (DOE), National Nuclear Security Administration (NNSA) missions, including nuclear weapons stockpile stewardship, nuclear non-proliferation, counterterrorism, and incident response.

The workforce at NNSS is as varied as their mission, and includes construction, maintenance, business operations, science and technology, and other skillsets and professions. There is a continuing need to recruit highly skilled employees that comes from diverse backgrounds, have outstanding technical skills, and are able to work on national security programs. These may change over time, so continuous communications with the NNSS designated representative to maintain and respond to the critical needs of the site is vital. The current job categories and average number of annual hires are:

- Radiological Controls Technician: 6
- Construction Technician: 10
- Environmental Waste Technician: 6
- IT Support Specialist: 8
- Safeguard and Security Specialist: 8
- Project Controls Specialist: 8
- Wireman: 20
- Machinist/Welder: 10
- Metal Worker: 10
- Plumber/Pipefitter: 10

Savannah River Site (Technical Contact: Bryan Bennett, bryan.bennett@srnl.doe.gov)

No information available at the time of publication, please contact Bryan Bennet for more information.

Kansas City National Security Campus (Technical Contact: Joe Hegeman, JHegeman@kcncsc.doe.gov)

In Kansas City, Honeywell Federal Manufacturing & Technologies (FM&T) manages and operates the U.S. Department of Energy/National Nuclear Security Administration's (NNSA) Kansas City National Security Campus. This state-of-the-art engineering, manufacturing, and sourcing facility produces a wide array of intricate components to deliver trusted national security products and government services primarily for the NNSA. Honeywell FM&T's culture of integrity, commitment and continuous improvement enables them to deliver responsive, collaborative, and innovative management and technology services and products that translate into cutting edge solutions to complex national security issues. The current job categories and average number of annual hires are:

- Inspector Electrical-Mechanical Physical Test: 20
- Assembler-Adjustor, Specialist: 20
- Application Development Specialist: 12
- Systems Administrator: 12
- Toolmaker: 10
- Engineering Technician: 10
- Transportation Technician: 7
- General Machinist: 7
- Cyber Security Analyst: 5
- Quality Technician: 5

Pantex Plant (Technical Contact: Amanda Hurley, amanda.hurley@pxy12.doe.gov)

Y12 National Security Campus (Technical Contact: Amanda Hurley, amanda.hurley@pxy12.doe.gov)

Consolidated Nuclear Security (CNS), located in both Amarillo, Texas and Oak Ridge, Tennessee, operates the Pantex Plant and Y-12 National Security Complex in support of the National Nuclear Security Administration. The NNSA Production Office (NPO) consists of Pantex Plant and Y-12 National Security Complex. Pantex, near Amarillo, Texas, is charged with maintaining the safety, security, and effectiveness of the nation's nuclear weapons stockpile. Work performed at Pantex includes support of the nuclear weapons life extension programs; nuclear weapons dismantlement; the development, testing and fabrication of high explosive components; and interim storage and surveillance of plutonium pits. Y-12, in Oak Ridge, Tennessee, is the nation's only source of enriched uranium nuclear weapons components and provides enriched uranium for the U.S. Navy. It excels in materials science and precision manufacturing and stores enriched uranium. Y-12 supports efforts to reduce nuclear proliferation risk and performs work for other government agencies. Pantex and Y-12 are operated by Consolidated Nuclear Security, LLC. There is a continuing need to recruit highly skilled employees at all levels with a wide variety of technical and diverse backgrounds to join a team dedicated to global security and innovation. The current job categories and average number of hires are:

- Laboratory Technicians: 25
- Chemical Operators: 70
- Production Technicians: 70
- Radiological Control Technicians: 25
- Industrial Hygiene Technicians: 10
- IT End User Support: 10

Section II - AWARD INFORMATION

A. TYPE OF AWARD INSTRUMENT

DOE/NNSA anticipates awarding grants under this funding opportunity announcement.

B. ESTIMATED FUNDING

Approximately \$5,000,000 is expected to be available for new awards under this announcement.

C. MAXIMUM AND MINIMUM AWARD SIZE

Ceiling (i.e., the maximum amount for an individual award made under this announcement):

\$ 500,000 per 24-month period for up to 5 years.

Floor (i.e., the minimum amount for an individual award made under this announcement):

\$ 100,000 per year

D. EXPECTED NUMBER OF AWARDS

DOE/NNSA anticipates making 4 - 10 awards under this announcement depending on the size of the awards and the number of meritorious applications submitted. DOE/NNSA reserves the right to fund, in whole or in part, any, all, or none of the applications, or make fewer awards than would be possible at the grand-total level at its sole discretion.

E. ANTICIPATED AWARD SIZE

DOE/NNSA expects to fund up to \$500,000 per 24-month period for up to 5 years.

F. PERIOD OF PERFORMANCE

DOE/NNSA anticipates making awards with a project period of up to five years.

G. TYPE OF APPLICATION

DOE/NNSA will accept new grant applications under this FOA.

Section III - ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

Applicants must be U.S. owned and based entities. Any individual person, whether a prime recipient or subrecipient, receiving funding support or benefiting from a grant under this announcement must be a U.S. Person. A U.S. Person is defined as an individual that is a citizen of the United States or an alien lawfully admitted for permanent residence.

Applicants must adhere to the eligibility standards found in legislation language below [Public Law 116-92 SEC 3122]

An eligible entity is a workforce intermediary or an eligibly sponsor of a pre-apprenticeship program or apprenticeship program that:

(1) demonstrates experience in implementing and providing career planning and career pathways toward pre-apprenticeship programs or apprenticeship programs;

(2)(A) has a relationship with a National Laboratory or covered facility of the National Nuclear Security Administration;

(B) has knowledge of the technician workforce needs of the laboratory or facility and the associated security requirements of the laboratory or facility; and

(C) is eligible to enter into an agreement with the laboratory or facility that would be paid for in part or entirely from grant funds received under this section;

(3) demonstrates the ability to recruit and support individuals who plan to work in relevant technician positions upon the successful completion of the pre-apprenticeship program or apprenticeship program;

(4) provides students who complete the pre-apprenticeship program or apprenticeship program with, or prepares such students for obtaining, a recognized postsecondary credential;

(5) uses related instruction that is specifically aligned with the needs of the laboratory or facility and utilizes workplace learning advisors and on-the-job training to the greatest extent possible; and

(6) demonstrates successful outcomes connecting graduates of the pre-apprenticeship program or apprenticeship program to careers relevant to the program.

Prioritization

In selecting eligible entities to receive grants under this FOA, DOE/NNSA may prioritize an eligible entity that—

(1) is a member of an industry or sector partnership;

(2) provides related instruction for a pre-apprenticeship program or apprenticeship program through—

(A) a local educational agency, a secondary school, a provider of adult education, an area career and technical education school, or an institution of higher education (such as a community college) that includes basic science, technology, and mathematics education in the related instruction; or

(B) an apprenticeship program that was registered with the Department of Labor or a State apprenticeship agency before the date on which the eligible entity applies for the grant;

(3) works with the Secretary of Defense, the Secretary of Veterans Affairs, or veterans organizations to transition members of the Armed Forces and veterans to pre-apprenticeship programs or apprenticeship programs in a relevant sector;

(4) plans to use the grant to carry out the pre-apprenticeship program or apprenticeship program with an entity that receives State funding or is operated by a State agency; and

(5) plans to use the grant to carry out the pre-apprenticeship program or apprenticeship program for—

(A) young adults ages 16 to 29, inclusive; or PUBLIC LAW 116–92—DEC. 20, 2019 133 STAT. 1955

(B) individuals with barriers to employment.

In making grants under this section, DOE/NNSA may consider regional diversity.

B. COST SHARING

The non-Federal share of the cost of a pre-apprenticeship program or apprenticeship program carried out using a grant under this FOA shall be not less than 25 percent of the total cost of the program.

C. OTHER ELIGIBILITY REQUIREMENTS

An eligible entity may not submit, either individually or as part of a joint application, more than one application to this announcement.

All types of domestic applicants are eligible to apply except the following are neither eligible to submit applications under the FOA nor to be proposed as subrecipients under another organization's application:

DOE/NNSA National Laboratories

Non-DOE/NNSA Federally Funded Research and Development Centers

Other Federal Agencies

An authoritative list of all Federally Funded Research and Development Centers (FFRDCs) may be found at <https://www.nsf.gov/statistics/ffrdclist/>

Section IV - APPLICATION AND SUBMISSION INFORMATION

A. ADDRESS TO REQUEST APPLICATION PACKAGE

Application forms and instructions are available at Grants.gov. To access these materials, go to <http://www.grants.gov>, select "APPLICANTS", then select "Apply for Grants," and then select "Get Application Package" button. Enter the funding opportunity number (DE-FOA-0002681). Under the PACKAGE tab, select "Apply" under the Actions column, and under **Option: 1 Apply Now Using Workspace**, select the **Login to Apply Now** button. Follow the prompts in Workspace to complete the application package. You are encouraged to review the Applicant FAQs in Grants.gov as you prepare and submit your application.

B. LETTER OF INTENT AND PRE-APPLICATION

1. LETTER OF INTENT

A Letter of Intent (LOI) is requested, but not required (highly recommended), and should be submitted by June 23, 2022.

The LOI is to help in planning the review and the selection of potential reviewers for the application. For this purpose, the LOI must include the following:

- A cover sheet containing the name and mailing address of the sponsoring institution; the planned title of the application; the name, e-mail address, and telephone number of the Program Director, additional Senior Investigator(s), and Senior/Key personnel expected to be involved in the planned application.
- A one-page abstract of the proposed program.
- List of names and institutional affiliations of the Program Director and key personnel, including collaborators and consultants on the proposed project.

The LOI should be submitted as a single file and emailed to terri.stone@nnsa.doe.gov by the due date listed above.

2. PRE-APPLICATION

Pre-applications are not required.

C. CONTENT AND FORM OF APPLICATION

You must complete the mandatory forms and any applicable optional forms (e.g., SF-LLL- Disclosure of Lobbying Activities) in accordance with the instructions on the forms and the additional instructions below. Files that are attached to the forms must be in Adobe Portable Document Format (PDF) unless otherwise specified in this announcement.

1. SF 424 - APPLICATION FOR FEDERAL ASSISTANCE

Complete this form first to populate data in other forms. Complete all required fields in accordance with the pop-up instructions on the form. The list of certifications and assurances referenced in Field 21 can be found on

the DOE Financial Assistance Forms Page at <http://energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms> under Certifications and Assurances.

2. PROJECT/PERFORMANCE SITE LOCATION(S)

Indicate the primary site where the work will be performed. If a portion of the project will be performed at any other site(s), identify the site location(s) in the blocks provided.

Note that the Project/Performance Site Congressional District is entered in the format of the 2-digit state code followed by a dash and a 3-digit Congressional district code, for example VA-001. Hover over this field for additional instructions.

Use the Next Site button to expand the form to add additional Project/Performance Site Locations.

3. PROJECT SUMMARY/ABSTRACT FILE

The project summary/abstract must contain a summary of the proposed activity suitable for dissemination to the public. It should be a self-contained document that identifies:

- the name of the applicant,
- the project director,
- the project title,
- the objectives of the project,
- a description of the project, including methods to be employed, the potential impact of the project (i.e., benefits, outcomes), and major contributors (for collaborative projects), and
- the milestones of the project listed by year.

This document must not include any proprietary or sensitive business information as the Department may make it available to the public if an award is made. The project summary must not exceed two (2) pages when printed using standard 8.5" by 11" paper with 1" margins (top, bottom, left and right) [select single or double spaced] with font no smaller than 11 points. Save this information in a file named "Summary.pdf," and click on "Add Optional Other Attachment" to attach.

See sample template in Attachment B – Project Summary Information Sheet.

4. PROJECT NARRATIVE AND APPENDICES - MANDATORY OTHER ATTACHMENT

Project Narrative

The project narrative must not exceed 20 pages, including cover page, table of contents, charts, graphs, maps, photographs, and other pictorial presentations, when printed using standard 8.5" by 11" paper with 1-inch margins (top, bottom, left, and right) single spaced. EVALUATORS WILL REVIEW ONLY THE NUMBER OF PAGES SPECIFIED IN THE PRECEDING SENTENCE. The font must not be smaller than 11 points. Do not include any Internet addresses (URLs) that provide information necessary to review the application. See Part VIII.D for instructions on how to mark proprietary application information. Save the information in a single file named "Project.pdf," and click on "Add Mandatory Other Attachment" to attach.

See sample template in Attachment C – Project Narrative Summary Sample. The project narrative must include:

Cover Page comprised of the following:

- FOA number
- Application Title
- Type of organization, U.S. owned and based?
- Name of Lead Institution
- Name, email address, and telephone number of organizations business point of contact of Grants office point of contact
- Name, mailing address, telephone number, and email address of Lead Project Director
- Name(s) of any institutional partners (subawardees)
- Name(s) and email addresses of any DOE/NNSA National Laboratory/Plant/Site personnel collaborating on the project.

Project Objectives. This section should provide a clear, concise statement of the specific objectives/aims of the proposed project. Which site(s) (and/or trades/disciplines) are you supporting and how are they being supported.

Merit Review Criterion Discussion. The section should be formatted to address each of the merit review criterion listed in Section V. A. Provide sufficient information so that reviewers will be able to evaluate the application in accordance with these merit review criteria. DOE/NNSA WILL EVALUATE AND CONSIDER ONLY THOSE APPLICATIONS THAT ADDRESS SEPARATELY EACH OF THE MERIT REVIEW CRITERION AND SUB-CRITERION.

Diversity Equity and Inclusion: Include a discussion of activities and structure of the program that will enhance diversity, equity, and inclusion under the award.

Project Management Plan: Outline the method of interaction with the lab/site/plant that will be used to ensure the program recruits and trains the people/skills that are needed. Describe how the program leads to recognized post-secondary credentials for secondary school and post-secondary students. Describe how program participants will be connected with job opportunities within the National Security Enterprise. Describe measures to ensure that participants in the pre-apprenticeship program or apprenticeship program do not displace paid employees.

Relevance and Outcomes/Impacts: This section should explain the relevance of the effort to the objectives in the program announcement and the expected outcomes and/or impacts. The justification for the proposed project should include a clear statement of the importance of the project in terms of the utility of the outcomes and the target community of beneficiaries. Explain how will training be conducted for each of the trades. Outline how the proposed program is going to impact the critical skills needed within the National Security Enterprise.

Roles of Senior/key personnel: Describe the roles and the work to be performed by each senior/key personnel, and if subawardees, business agreements between the applicant and subawardee, and how the various efforts will be integrated and managed.

Multiple Program Directors (PD): The applicant, whether a single organization or team/partnership/consortium, must indicate if the project will include multiple PDs. This decision is solely the responsibility of the applicant. If multiple PDs will be designated, the application must identify the Contact PD/Project Coordinator and provide a "Coordination and Management Plan" that describes the organization

structure of the project as it pertains to the designation of multiple PDs. This plan should, at a minimum, include:

- process for making decisions on technical direction;
- intellectual property issues;
- communication plans;
- procedures for resolving conflicts; and
- PDs' roles and administrative and technical responsibilities for the project.

Facilities And Other Resources: Identify the facilities (e.g., laboratory, machine shop, simulation facility, etc.) to be used at each performance site listed and, if appropriate, indicate their capacities, pertinent capabilities, relative proximity, and extent of availability to the project. Describe only those resources that are directly applicable to the proposed work. Provide any information describing the other resources available to the project such as machine and electronics shops.

Equipment: List important items of equipment already available for this project and, if appropriate, note the location and pertinent capabilities of each. If you are proposing to acquire equipment, describe comparable equipment, if any, already at your organization and explain why it cannot be used.

Bibliography And References, If Applicable: Provide a bibliography for any references cited in the Project Narrative section. This section must include only bibliographic citations.

Appendices (not included in the project narrative page count)

Appendix 1 – Biographical Sketch

Provide a biographical sketch for the project director and each senior/key person listed in Section A on the Budget form, including the sub-applicant senior/key persons. Provide the biographical sketch information as an appendix to your project narrative. Do not attach a separate file. The biographical information for each person must not exceed 2 pages when printed on 8.5" by 11" paper with 1-inch margins (top, bottom, left, and right) {single spaced} with font not smaller than 11 point and must include:

Education and Training: Undergraduate, graduate, and postdoctoral training, provide institution, major/area, degree, and year.

Professional Experience: Beginning with the current position list, in chronological order, professional positions with a brief description.

Synergistic Activities: List no more than 5 professional and scholarly activities related to the effort proposed.

Appendix 2 - Current and Pending Support:

Provide a list of all current and pending support (both Federal and non-Federal) including non-monetary compensation and its source for the Project Director and senior/key persons, **including subrecipients**, for

ongoing projects and pending applications. For each organization providing support, show the total award amount for the entire award period (including indirect costs) and the number of person-months per year to be devoted to the project by the senior/key person. Concurrent submission of an application to other organizations for simultaneous consideration will not prejudice its review.

Appendix 3 - Identification of Potential Conflicts of Interest or Bias in Selection of Reviewers:

Provide the following information in this section:

- Collaborators and Co-editors: List in alphabetical order all persons, including their current organizational affiliation, who are, or who have been, collaborators or co-authors with you on a research project, book or book article, report, abstract, or paper during the 48 months preceding the submission of this application. Also, list any individuals who are currently, or have been, co-editors with you on a special issue of a journal, compendium, or conference proceedings during the 24 months preceding the submission of this application. If there are no collaborators or co-editors to report, state "None."

Appendix 4 – DOE/NNSA Laboratory Letter

Provide a letter from the national laboratory or covered facility of the NNSA you will be collaborating with on the project, identifying the relationship with the national laboratory or covered facility. The letter should outline the commitment from the national laboratory or covered facility to the ongoing communication about workforce needs, job opportunities, and placement and be signed by the laboratory or covered facility site office contracting officer.

Appendix 5 – Meets Eligibility Requirements of Public Law 116-92 SEC 3122

Discuss how applicant meets the following eligibility criteria found in Public Law 116-92 SEC 3122:

(1) demonstrates experience in implementing and providing career planning and career pathways toward pre-apprenticeship programs or apprenticeship programs;

(2)(A) has a relationship with a National Laboratory or covered facility of the National Nuclear Security Administration;

(B) has knowledge of the technician workforce needs of the laboratory or facility and the associated security requirements of the laboratory or facility; and

(C) is eligible to enter into an agreement with the laboratory or facility that would be paid for in part or entirely from grant funds received;

(3) demonstrates the ability to recruit and support individuals who plan to work in relevant technician positions upon the successful completion of the pre-apprenticeship program or apprenticeship program;

(4) provides students who complete the pre-apprenticeship program or apprenticeship program with, or prepares such students for obtaining, a recognized postsecondary credential;

(5) uses related instruction that is specifically aligned with the needs of the laboratory or facility and utilizes workplace learning advisors and on-the-job training to the greatest extent possible; an

(6) demonstrates successful outcomes connecting graduates of the pre-apprenticeship program or apprenticeship program to careers relevant to the program.

5. BUDGET

SF424 and Related Budget and Information

SF424 and SF424A Budget Form in Grants.gov Workspace [MANDATORY for Prime Applicant and Sub-Applicants (see Note below)]

The SF424A Budget Form is part of the Application Package that must be completed in Grants.gov Workspace. The special instructions for completing this form follow:

Applicant must complete a separate budget for each year of support requested. The form will generate a cumulative budget for the total project period. Applicant must complete all the mandatory information on the form before the NEXT PERIOD button is activated. Applicant may request funds under any of the categories listed as long as the item and amount are necessary to perform the proposed work, meet all the criteria for allowability under the applicable Federal cost principles, and are not prohibited by the funding restrictions in this announcement (See Section IV.H). Categories in the Budget include:

Section A: Personnel

Section B: Fringe Benefits

Section C: Travel

Section D: Equipment

Section E: Supplies

Section F: Contractual

Section G: Construction

Section H: Other

Section I: Total Direct and Indirect Costs

Section J: Indirect Charges

Applicant can hover over the specific fields within the form to view instructions for completing the fields.

6. BUDGET JUSTIFICATION FILE

You must justify the costs proposed in each Object Class Category/Cost Classification category (e.g., identify personnel categories and the estimated costs for each person or category; provide a list of equipment and cost of each item; identify proposed subaward/consultant work and cost of each subaward/consultant; describe purpose of proposed travel, number of travelers, and number of travel days; list general categories of supplies and amount for each category; and provide any other information you wish to support your budget). Provide the name of your cognizant/oversight agency, if you have one, and the name and phone number of the individual responsible for negotiating your indirect rates. **If you have a Negotiated Rate Agreement with Government Approved Indirect Rates and Cost Allocations Agreement, include a copy. If cost sharing is required, you must have a letter from each third-party contributing cost sharing (i.e., a party other than the organization submitting the application) stating that the third party is committed to providing a specific minimum dollar amount of cost sharing.** In the budget justification, identify the following information for each third-party contributing cost sharing: (1) the name of the organization; (2) the proposed dollar amount to be provided; (3) the amount as a percentage of the total project cost; and (4) the proposed cost sharing - cash, services, or property. By submitting your application, you are providing assurance that you have signed letters of commitment. Successful applicants will be required to submit these signed letters of commitments. Save the budget justification information in a single file named "Budget.pdf," and click on "Add Optional Other Attachment" to attach.

7. SF-LLL DISCLOSURE OF LOBBYING ACTIVITIES

If applicable, complete SF- LLL. Applicability: If any funds other than Federal appropriated 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 the grant/cooperative agreement, you must complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying."

8. SUB-APPLICATION SUBMITTAL INSTRUCTIONS

If sub-applicants will participate in this award, the following information must be submitted with your application package.

- Application for Federal Assistance SF 424 (mandatory).
- Budget SF-424A (mandatory)
- Budget Justification (mandatory).
- Indirect Cost Rate Agreement (mandatory).
- Grants.gov Lobbying Form/Certification Regarding Lobbying (mandatory).
- Disclosure of Lobbying Activities (if applicable).

D. SUBMISSIONS FROM SUCCESSFUL APPLICANTS

If selected for award, DOE/NNSA reserves the right to request additional or clarifying information for any reason deemed necessary, including, but not limited to:

- Indirect cost information

- Other budget information

- Name and phone number of the Designated Responsible Employee for complying with national policies prohibiting discrimination (See 10 CFR 1040.5)

- Commitment Letter from Third Parties Contributing to Cost Sharing, if applicable

E. SUBMISSION DATES AND TIMES

1. LETTER OF INTENT DUE DATE

A Letter of Intent is requested, but not required (highly recommended), and should be submitted by June 23, 2022.

2. APPLICATION DUE DATE

Applications should be received by July 7, 2022, not later than 11:59:59 PM Eastern Time. You are encouraged to transmit your application well before the deadline. The Grants.gov Helpdesk is available for extended periods, please check their website for the Helpdesk hours of operation. **APPLICATIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED OR CONSIDERED FOR AWARD.**

F. INTERGOVERNMENTAL REVIEW

This program is not subject to Executive Order 12372 - Intergovernmental Review of Federal Programs.

G. FUNDING RESTRICTIONS (DECEMBER 2014)

Funding for all awards and future budget periods are contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority.

Cost Principles. Costs must be allowable, allocable, and reasonable in accordance with the applicable Federal cost principles referenced in 2 CFR part 200 as amended by 2 CFR part 910 [DOE Financial Assistance Regulation]. The cost principles for commercial organization are in FAR Part 31.

Pre-award Costs. Recipients may charge to an award resulting from this announcement pre-award costs that were incurred within the ninety (90) calendar day period immediately preceding the effective date of the award, if the costs are allowable in accordance with the applicable Federal cost principles referenced in 2 CFR part 200 as amended by 2 CFR part 910 [DOE Financial Assistance Regulation]. Recipients must obtain the prior approval of the contracting officer for any pre-award costs that are for periods greater than this 90-day calendar period.

Pre-award costs are incurred at the applicant's risk. DOE/NNSA is under no obligation to reimburse such costs if for any reason the applicant does not receive an award or if the award is made for a lesser amount than the applicant expected.

H. OTHER SUBMISSION AND REGISTRATION REQUIREMENTS

1. WHERE TO SUBMIT

Applications must be submitted through Grants.gov to be considered for award. Applicants cannot submit an application through Grants.gov unless they are registered. Remember all applicants must update their SAM registration annually. The validation process in Grants.gov will reject the submission of any application if the SAM registration is not active. If you have any questions about your registration, you should contact the Grants.gov Help desk at 1-800-518-4726 to verify that you are still registered in Grants.gov.

2. REGISTRATION PROCESS

ONE TIME REGISTRATION PROCESS

You must COMPLETE the one-time registration process (all steps) before you can submit your first application through Grants.gov (See http://www.grants.gov/applicants/get_registered.jsp). We recommend that you start this process at least six weeks before the application due date. It may take 44 days or more to complete the entire process. See the Grants.gov web page for Registering as an Organization at <http://www.grants.gov/web/grants/applicants/organization-registration.html> to guide you through the process. [IMPORTANT: During the SAM registration process, you will be asked to designate an E-Business Point of Contact (EBIZ POC). The EBIZ POC must obtain a special password called "Marketing Partner Identification Number" (MPIN). The EBIZ POC will need the MPIN to complete the Grants.gov registration process.] When you have completed the Grants.gov registration process, you should call the Grants.gov Helpdesk at 1-800-518-4726 to verify that you have completed the final step.

3. APPLICATION RECEIPT NOTICES

After an application is submitted, the Authorized Organization Representative (AOR) will receive a series of four e-mails. It is extremely important that the AOR watch for and save each of the emails. It may take up to two (2) business days from application submission to receipt of email Number 2. The titles of the four e-mails are:

Number 1 - Grants.gov Submission Receipt Number

Number 2 - Grants.gov Submission Validation Receipt for Application Number

Number 3 - Grants.gov Grantor Agency Retrieval Receipt for Application Number

Number 4 - Grants.gov Agency Tracking Number Assignment for Application Number

Section V - APPLICATION REVIEW INFORMATION

A. CRITERIA

1. INITIAL REVIEW CRITERIA

APPLICATION AWARD ELIGIBILITY

Prior to a comprehensive merit evaluation, DOE/NNSA will perform an initial compliance review to determine that the application meets the following criteria:

- (1) the applicant is eligible for an award;
- (2) the information required by the funding opportunity announcement has been submitted; and
- (3) the proposed project is responsive to the objectives of the funding opportunity announcement.

Applications that fail to pass the initial review will not be forwarded for merit review and will be eliminated from further consideration.

2. MERIT REVIEW CRITERIA

All applications passing the initial compliance review will be subjected to a merit review and will be evaluated against the following criteria. All of equal importance.

- **SIGNIFICANCE:** The extent to which the proposal, if successfully carried out, will make an important contribution to the needs of the NNSA's trade and craft workforce. The method of interaction with the lab/site/plant that will be used to ensure the program recruits and trains the people/skills that are needed.
- **APPROACH:** The extent to which the grantee, as proposed, meets the intent of a successful apprenticeship or pre-apprenticeship program. The concept, methods, management strategy, and roles and relationships are properly established or developed, well-integrated, and appropriate. The quality (size and diversity) of the recruiting pool for apprentice candidates. Is there an organized and systematic form of instruction? Does the program recruit and train candidates that provide the specialized skills that are needed at the NNSA sites? Cooperation with NNSA sites. Program flexibility in adapting to future needs.
- **FEASIBILITY:** The likelihood that the proposed apprenticeship or pre-apprenticeship program will be successfully accomplished by the staff, given their experience and expertise, past accomplishments, resources available or proposed, institutional commitment, and developed or proposed partnerships. Qualifications and experience of the management team. Reasonableness and appropriateness of the proposed budget.

Note that external peer reviewers are selected with regards to both their expertise and the absence of conflict-of-interest issues. Both Federal and non-Federal reviewers may be used, and submission of an application constitutes agreement that this is acceptable to the investigator(s) and the submitting institution.

The merit of a proposed project, as determined through the merit review process, is more important to the Government than the estimated costs; however, the Government will not make award where the costs are deemed to outweigh the benefits of a proposed project. The cost-effectiveness of the application will be considered when comparing applications with differing funding requirements.

3. OTHER SELECTION FACTORS

Program Policy Factors

The selection official will consider the following program policy factors in the selection process: Defense Program relevance, program priorities, balance between the number of grants and the funding distribution, and diversity of approach or complementary efforts. The selection official will also consider the priority factors listed in Section III.

REPORTING OF MATTERS RELATED TO RECIPIENT INTEGRITY AND PERFORMANCE (DECEMBER 2015)

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

The applicant, at its option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM.

DOE/NNSA will consider any written comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.205 - Federal awarding agency review of risk posed by applicants.

B. REVIEW AND SELECTION PROCESS

1. MERIT REVIEW

APPLICATIONS SUBJECT TO MERIT REVIEW

Applications that pass the initial compliance review will be subjected to a merit review in accordance with the guidance provided in the "Department of Energy Merit Review Guide for Financial Assistance." This guide is available at <http://energy.gov/management/office-management/operational-management/financial-assistance> under Financial Assistance Policy and Guidance.

2. SELECTION

SELECTION OFFICIAL CONSIDERATION

The Selection Official will consider the availability of funds, program priorities, program policy factors, and the merit review results.

3. DISCUSSIONS AND AWARD

GOVERNMENT DISCUSSIONS WITH APPLICANT (DECEMBER 2014)

The Government may enter into discussions with a selected applicant for any reason deemed necessary, including but not limited to: (1) the budget is not appropriate or reasonable for the requirement; (2) only a portion of the application is selected for award; (3) the Government needs additional information to determine that the recipient is capable of complying with the requirements in 2 CFR part 200 as amended by 2 CFR part 910 [DOE Financial Assistance Regulation]; and/or (4) special terms and conditions are required. Failure to resolve satisfactorily the issues identified by the Government will preclude award to the applicant.

C. ANTICIPATED NOTICE OF SELECTION AND AWARD DATES

DOE/NNSA anticipates notifying applicants selected for award around October 2022 and making awards around December 2022.

Section VI - AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

1. NOTICE OF SELECTION

SELECTED APPLICANTS NOTIFICATION

DOE will notify applicants selected for award. This notice of selection is not an authorization to begin performance.

NON-SELECTED NOTIFICATION

Organizations whose applications have not been selected will be advised as promptly as possible. This notice will explain why the application was not selected.

2. NOTICE OF AWARD

NOTICE OF AWARD (DECEMBER 2014)

An Assistance Agreement issued by the contracting officer is the authorizing award document. It normally includes either as an attachment or by reference: (1) Special Terms and Conditions; (2) Applicable program regulations, if any; (3) Application as approved by DOE; (4) 2 CFR part 200 as amended by 2 CFR part 910 [DOE Financial Assistance Regulation]; (5) National Policy Assurances To Be Incorporated As Award Terms; (6) Budget Summary; and (7) Federal Assistance Reporting Checklist, which identifies the reporting requirements.

For grants and cooperative agreements made to universities, non-profits, and other entities subject to Title 2 CFR, awards made under this funding opportunity should include the government-wide Research Terms and Conditions. A new version of the Terms and Conditions based on the changes to 2 CFR 200 is not yet available. Once the Terms and Conditions become available, they will be located at <http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp>. If an award is made under this funding opportunity before the Terms and Conditions are posted, alternative Terms and Conditions may be included in the award.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. ADMINISTRATIVE REQUIREMENTS (DECEMBER 2014)

The administrative requirements for DOE grants and cooperative agreements are contained in 2 CFR part 200 as amended by 2 CFR part 910 [DOE Financial Assistance Regulation] (See: <http://www.eCFR.gov>). For grants and cooperative agreements made to universities, non-profits, and other entities subject to Title 2 CFR, awards made under this funding opportunity will include the government-wide Research Terms and Conditions. A new version of these Terms and Conditions based on the changes to 2 CFR 200 is not yet available. Once they become available, they will be located at <http://www.nsf.gov/bfa/dias/policy/rtc/index.jsp>

If an award is made under this funding opportunity before the Terms and Conditions are posted, alternative Terms and Conditions may be included in the award.

UEI AND SAM REQUIREMENTS

Additional administrative requirements for DOE grants and cooperative agreements are contained in 2 CFR, Part 25 (See: <http://www.eCFR.gov>). Prime awardees must keep their data at the System for Award Management (SAM) current at <http://www.sam.gov> current SAM is the government-wide system that replaced the CCR. If you had an active registration in the CCR, you have an active registration in SAM. Subawardees at all tiers must obtain UEI (Unique Entity Identifier) numbers and provide the UEI to the prime awardee before the subaward can be issued.

SUBAWARD AND EXECUTIVE REPORTING

Additional administrative requirements necessary for DOE grants and cooperative agreements to comply with the Federal Funding and Transparency Act of 2006 (FFATA) are contained in 2 CFR, Part 170. (See: <http://www.eCFR.gov>). Prime awardees must register with the new FSRS database and report the required data on their first tier subawardees. Prime awardees must report the executive compensation for their own executives as part of their registration profile in the System for Award Management (SAM).

FOREIGN NATIONAL ACCESS TO DOE SITES

All applicants that ultimately enter an award resulting from this FOA will be subject to the following requirement concerning foreign national involvement. Upon DOE's request, Recipients must provide information to facilitate DOE's responsibilities associated with foreign national access to DOE sites, information, technologies, and equipment. A foreign national is defined as any person who was born outside the jurisdiction of the United States, is a citizen of a foreign government, and has not been naturalized under U.S. law. If the Recipient, contractors, or vendors under the award, anticipate utilizing a foreign national person in the performance of an award, the Recipient is responsible for providing to the Grants Officer specific information of the foreign national(s) to satisfy compliance with all of the requirements for access approval.

2. SPECIAL TERMS AND CONDITIONS AND NATIONAL POLICY REQUIREMENTS (DECEMBER 2014)

The DOE Special Terms and Conditions for Use in Most Grants and Cooperative Agreements are located at <http://energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms> under Award Terms.

The National Policy Assurances To Be Incorporated As Award Terms are located at <http://www.nsf.gov/bfa/dias/policy/rtc/appc.pdf>

Intellectual Property Provisions. The standard DOE financial assistance intellectual property provisions applicable to the various types of recipients are located at:

<http://energy.gov/gc/standard-intellectual-property-ip-provisions-financial-assistance-awards>

Lobbying Restrictions. By accepting funds under this award, you agree that none of the funds obligated on the award shall be expended, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913. This restriction is in addition to those prescribed elsewhere in statute and regulation.

CORPORATE FELONY CONVICTION AND FEDERAL TAX LIABILITY REPRESENTATIONS (MARCH 2014)

In submitting an application in response to this FOA the Applicant represents that:

(1) It is not a corporation that has been convicted of a felony criminal violation under any Federal law within the preceding 24 months; and

(2) It is not a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

For purposes of these representations the following definition applies:

A Corporation includes any entity that has filed articles of incorporation in any of the 50 states, the District of Columbia, or the various territories of the United States [but not foreign corporations]. It includes both for-profit and non-profit organizations.

NONDISCLOSURE AND CONFIDENTIALITY AGREEMENTS REPRESENTATIONS (JUNE 2015)

In submitting an application in response to this FOA the Applicant represents that:

(1) It does not and will not require its employees or contractors to sign internal nondisclosure or confidentiality agreements or statements prohibiting or otherwise restricting its employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement representative of a federal department or agency authorized to receive such information.

(2) It does not and will not use any Federal funds to implement or enforce any nondisclosure and/or confidentiality policy, form, or agreement it uses unless it contains the following provisions:

a. “These provisions are consistent with and do not supersede, conflict with, or otherwise alter the employee obligations, rights, or liabilities created by existing statute or Executive order relating to (1) classified information, (2) communications to Congress, (3) the reporting to an Inspector General of a violation of any law, rule, or regulation, or mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety, or (4) any other whistleblower protection. The definitions, requirements, obligations, rights, sanctions, and liabilities created by controlling Executive orders and statutory provisions are incorporated into this agreement and are controlling.”

b. The limitation above shall not contravene requirements applicable to Standard Form 312, Form 4414, or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

Notwithstanding provision listed in paragraph (a), a nondisclosure or confidentiality policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure or confidentiality forms

shall also make it clear that they do not bar disclosures to Congress, or to an authorized official of an executive agency or the Department of Justice, that are essential to reporting a substantial violation of law.

C. REPORTING

Reporting requirements are identified on the Federal Assistance Reporting Checklist, DOE F 4600.2, attached to the award agreement. The checklist is available at: <http://energy.gov/management/office-management/operational-management/financial-assistance/financial-assistance-forms> under Award Forms.

Section VII - QUESTIONS/AGENCY CONTACTS

A. QUESTIONS

Questions regarding the content of the announcement must be submitted through the FedConnect portal. You must register with FedConnect to respond as an interested party to submit questions, and to view responses to questions. It is recommended that you register as soon after release of the FOA as possible to have the benefit of all responses. DOE/NNSA will try to respond to a question within 3 business days unless a similar question and answer have already been posted on the website. For instructions on registering for FedConnect, refer to the website: www.fedconnect.net.

Questions relating to the Grants.gov registration process, system requirements, how an application form works, or the submittal process must be directed to Grants.gov at 1-800-518-4726 or support@grants.gov.

B. AGENCY CONTACT

Kristee Hall, Grants Officer
kristee.hall@nnsa.doe.gov

Section VIII - OTHER INFORMATION

A. MODIFICATIONS

Notices of any modifications to this announcement will be posted on Grants.gov and the FedConnect portal. You can receive an email when a modification or an announcement message is posted by registering with FedConnect as an interested party for this FOA. It is recommended that you register as soon after release of the FOA as possible to ensure you receive timely notice of any modifications or other announcements.

B. GOVERNMENT RIGHT TO REJECT OR NEGOTIATE

DOE/NNSA reserves the right, without qualification, to reject any or all applications received in response to this announcement and to select any application, in whole or in part, as a basis for negotiation and/or award.

C. COMMITMENT OF PUBLIC FUNDS

The Contracting Officer is the only individual who can make awards or commit the Government to the expenditure of public funds. A commitment by other than the Contracting Officer, either explicit or implied, is invalid.

Funding for all awards and future budget periods are contingent upon the availability of funds appropriated by Congress for the purpose of this program and the availability of future-year budget authority.

D. PROPRIETARY APPLICATION INFORMATION

Patentable ideas, trade secrets, proprietary or confidential commercial or financial information, disclosure of which may harm the applicant, should be included in an application only when such information is necessary to convey an understanding of the proposed project. The use and disclosure of such data may be restricted, provided the applicant includes the following legend on the first page of the project narrative and specifies the pages of the application which are to be restricted:

"The data contained in pages [] of this application have been submitted in confidence and contain trade secrets or proprietary information, and such data shall be used or disclosed only for evaluation purposes, provided that if this applicant receives an award as a result of or in connection with the submission of this application, DOE/NNSA shall have the right to use or disclose the data herein to the extent provided in the award. This restriction does not limit the government's right to use or disclose data obtained without restriction from any source, including the applicant."

To protect such data, each line or paragraph on the pages containing such data must be specifically identified and marked with a legend similar to the following:

"The following contains proprietary information that (name of applicant) requests not be released to persons outside the Government, except for purposes of review and evaluation."

E. EVALUATION AND ADMINISTRATION BY NON-FEDERAL PERSONNEL

In conducting the merit review evaluation, the Government may seek the advice of qualified non-Federal personnel as reviewers. The Government may also use non-Federal personnel to conduct routine,

nondiscretionary administrative activities. The applicant, by submitting its application, consents to the use of non-Federal reviewers/administrators. Non-Federal reviewers must sign conflict of interest and non-disclosure agreements prior to reviewing an application. Non-Federal personnel conducting administrative activities must sign a non-disclosure agreement.

F. INTELLECTUAL PROPERTY DEVELOPED UNDER THIS PROGRAM

Patent Rights. The government will have certain statutory rights in an invention that is conceived or first actually reduced to practice under a DOE award. 42 U.S.C. 5908 provides that title to such inventions vests in the United States, except where 35 U.S.C. 202 provides otherwise for nonprofit organizations or small business firms. However, the Secretary of Energy may waive all or any part of the rights of the United States subject to certain conditions. (See "Notice of Right to Request Patent Waiver" in paragraph G below.)

Rights in Technical Data. Normally, the government has unlimited rights in technical data created under a DOE agreement. Delivery or third-party licensing of proprietary software or data developed solely at private expense will not normally be required except as specifically negotiated in a particular agreement to satisfy DOE's own needs or to ensure the commercialization of technology developed under a DOE agreement.

PROGRAM COVERED UNDER SPECIAL PROTECTED DATA (DECEMBER 2014)

Special Protected Data Statutes. This program is covered by a special protected data statute. The provisions of the statute provide for the protection from public disclosure, for a period of up to [] years from the development of the information, of data that would be trade secret, or commercial or financial information that is privileged or confidential, if the information had been obtained from a non-Federal party. Generally, the provision entitled, Rights in Data Programs Covered Under Special Protected Data Statutes (Item 4 under 2 CFR 910 Appendix A to Subpart D), would apply to an award made under this announcement. This provision will identify data or categories of data first produced in the performance of the award that will be made available to the public, notwithstanding the statutory authority to withhold data from public dissemination and will also identify data that will be recognized by the parties as protected data.

G. NOTICE OF RIGHT TO REQUEST PATENT WAIVER

Applicants may request a waiver of all or any part of the rights of the United States in inventions conceived or first actually reduced to practice in performance of an agreement as a result of this announcement, in advance of or within 30 days after the effective date of the award. Even if such advance waiver is not requested or the request is denied, the recipient will have a continuing right under the award to request a waiver of the rights of the United States in identified inventions, i.e., individual inventions conceived or first actually reduced to practice in performance of the award. Any patent waiver that may be granted is subject to certain terms and conditions in 10 CFR 784 see <http://www.energy.gov/gc/services/technology-transfer-and-procurement/office-assistant-general-counsel-technology-transf-1> for further information. Domestic small businesses and domestic nonprofit organizations will receive the patent rights clause at 37 CFR 401.14, i.e., the implementation of the Bayh-Dole Act. This clause permits domestic small business and domestic nonprofit organizations to retain title to subject inventions. Therefore, small businesses and nonprofit organizations do not need to request a waiver.

H. NOTICE REGARDING ELIGIBLE/INELIGIBLE ACTIVITIES

Eligible activities under this program include those which describe and promote the understanding of scientific and technical aspects of specific energy technologies, but not those which encourage or support political

activities such as the collection and dissemination of information related to potential, planned, or pending legislation.

I. CONFERENCE SPENDING (FEBRUARY 2015)

The recipient shall not expend any funds on a conference not directly and programmatically related to the purpose for which the grant or cooperative agreement was awarded that would defray the cost to the United States Government of a conference held by any Executive branch department, agency, board, commission, or office for which the cost to the United States Government would otherwise exceed \$20,000, thereby circumventing the required notification by the head of any such Executive Branch department, agency, board, commission, or office to the Inspector General (or senior ethics official for any entity without an Inspector General), of the date, location, and number of employees attending such conference.

Section IX - APPENDICES/REFERENCE MATERIAL

APPENDICES/REFERENCE MATERIAL

DATA MANAGEMENT PLAN GUIDANCE (SEPT 2015)

A Data Management Plan (“DMP”) explains how data generated in the course of the research or work performed under an assistance award will be shared and preserved or, when justified, explains why data sharing or preservation is not possible or scientifically appropriate.

DMP Requirements

In order for a DMP to be considered acceptable, the DMP must address the following:

At a minimum, the DMP must describe how data sharing and preservation will enable validation of the results from the proposed work, or how results could be validated if data are not shared or preserved.

The DMP must provide a plan for making all research data displayed in publications resulting from the proposed work digitally accessible at the time of publication. This includes data that are displayed in charts, figures, images, etc. In addition, the underlying digital research data used to generate the displayed data should be made as accessible as possible in accordance with the principles stated above. This requirement could be met by including the data as supplementary information to the published article, or through other means. The published article should indicate how these data can be accessed.

The DMP should consult and reference available information about data management resources to be used in the course of the proposed research work. In particular, a DMP that explicitly or implicitly commits data management resources at a facility beyond what is conventionally made available to approved users should be accompanied by written approval from that facility. In determining the resources available for data management at DOE User Facilities, researchers should consult the published description of data management resources and practices at that facility and reference it in the DMP. Information about other DOE facilities can be found in the additional guidance from the sponsoring program.

The DMP must protect confidentiality, personal privacy, Personally Identifiable Information, and U.S. national, homeland, and economic security; recognize proprietary interests, business confidential information, and intellectual property rights; avoid significant negative impact on innovation, and U.S. competitiveness; and otherwise, be consistent with all laws (e.g., export control laws), and DOE regulations, orders, and policies.

Data Determination for a DMP

The Program Director should determine which data should be the subject of the DMP and, in the DMP, propose which data should be shared and/or preserved in accordance with the DMP Requirements noted above.

For data that will be generated through the course of the proposed research/work, the Program Director should indicate what types of data should be protected from immediate public disclosure by DOE (referred to as “protected data”) and what types of data that DOE should be able to release immediately. Similarly, for data developed outside of the proposed research work at private expense that will be used in the course of the proposed research work, the Program Director should indicate whether that type of data will be subject to public

release or kept confidential (referred to as “limited rights data”). Any use of limited rights data or labeling of data as “protected data” must be consistent with the DMP Requirements noted above.

Suggested Elements for a DMP

The following list of elements for a DMP provides suggestions regarding the data management planning process and the structure of the DMP:

Data Types and Sources: A brief, high-level description of the data to be generated or used through the course of the proposed research work and which of these are considered digital research data necessary to validate the research findings or results.

Content and Format: A statement of plans for data and metadata content and format including, where applicable, a description of documentation plans, annotation of relevant software, and the rationale for the selection of appropriate standards. Existing, accepted community standards should be used where possible. Where community standards are missing or inadequate, the DMP could propose alternate strategies for facilitating sharing, and should advise the sponsoring program of any need to develop or generalize standards.

Sharing and Preservation: A description of the plans for data sharing and preservation. This should include, when appropriate: the anticipated means for sharing and the rationale for any restrictions on who may access the data and under what conditions; a timeline for sharing and preservation that addresses both the minimum length of time the data will be available and any anticipated delay to data access after research findings are published; any special requirements for data sharing, for example, proprietary software needed to access or interpret data, applicable policies, provisions, and licenses for re-use and re-distribution, and for the production of derivatives, including guidance for how data and data products should be cited; any resources and capabilities (equipment, connections, systems, software, expertise, etc.) requested in the research proposal that are needed to meet the stated goals for sharing and preservation (this could reference the relevant section of the associated research proposal and budget request); and whether/where the data will be preserved after direct project funding ends and any plans for the transfer of responsibilities for sharing and preservation.

Protection: A statement of plans, where appropriate and necessary, to protect confidentiality, personal privacy, Personally Identifiable Information, and U.S. national, homeland, and economic security; recognize proprietary interests, business confidential information, and intellectual property rights; and avoid significant negative impact on innovation, and U.S. competitiveness.

Rationale: A discussion of the rationale or justification for the proposed data management plan including, for example, the potential impact of the data within the immediate field and in other fields, and any broader societal impact.

Additional Guidance

In determining which data should be shared and preserved, researchers must consider the data needed to validate research findings as described in the DMP Requirements and are encouraged to consider the potential benefits of their data to their own fields of research, fields other than their own, and society at large.

DMPs should reflect relevant standards and community best practices and make use of community accepted repositories whenever practicable.

Costs associated with the project description/scope of work and resources articulated in a DMP may be included in the proposed research budget as permitted by the applicable cost principles.

To improve the discoverability of and attribution for datasets created and used in the course of research, DOE encourages the citation of publicly available datasets within the reference section of publications, and the identification of datasets with persistent identifiers such as Digital Object Identifiers (DOIs). In most cases, DOE can provide DOIs free of charge for data resulting from DOE-funded research through its Office of Scientific and Technical Information (OSTI) DataID Service.