

**DEPARTMENT OF LABOR**  
**Bureau of International Labor Affairs**

**Partnership to Reduce Child Labor and Forced Labor in Imported Agricultural Products**

**ANNOUNCEMENT TYPE:** New. Notice of Availability of Funds and Solicitation for Cooperative Agreement Applications.

**FUNDING OPPORTUNITY NUMBER:** SGA 12-04

**CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER:** Not applicable.

**TOTAL FUNDING AVAILABLE FOR AWARD:** \$ 5 million.

**NUMBER OF ANTICIPATED FUNDING AWARDS:** One or more.

**EXECUTIVE SUMMARY:** In 2012, the U.S. Department of Labor (USDOL), Bureau of International Labor Affairs (ILAB) will award up to \$5 million for one or more cooperative agreement(s) to support a project to pilot test specific elements of the U.S. Department of Agriculture (USDA) Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains (hereafter referred to as the USDA Guidelines), based on the recommendations of the Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products (hereinafter referred to as the Consultative Group).

**KEY DATES:**

**Issuance Date:** June 28, 2012

**Closing Date:** August 20, 2012

**Closing Time:** 5:00 PM EST

**Deadline for Submission of Technical Question:** July 27, 2012

**Date of Award:** No later than December 31, 2012

Applications will be accepted via electronic submission via [www.grants.gov](http://www.grants.gov) or by hardcopy (to include electronic copy/CD) hand delivered or mailed to the Grant Officer at the following address:

**USDOL/ Office of Procurement Services**

Attn: Brenda White, Grant Officer

200 Constitution Avenue NW, Room S-4307

Washington, DC 20210

Reference: SGA 12-04

**AGENCY CONTACTS:**

**Primary:** Brenda J. White, Grant Officer

**Email:** [white.brenda.j@dol.gov](mailto:white.brenda.j@dol.gov)

**Telephone:** 202.693.4570

**Alternate:** James Kinslow, Grant Officer

**Email:** [kinslow.james@dol.gov](mailto:kinslow.james@dol.gov)

**Telephone:** 202.693.4570

Technical questions received by e-mail will be posted on USDOL/ILAB's Web site at [www.dol.gov/ILAB/grants/main.htm](http://www.dol.gov/ILAB/grants/main.htm). A list of frequently asked questions (FAQs) about USDOL's Solicitations for Cooperative Agreements will be posted on USDOL/ILAB's Web site at <http://www.dol.gov/ILAB/grants/bkgrd.htm>.

## TABLE OF CONTENTS

I. FUNDING OPPORTUNITY DESCRIPTION .....	3
II. AWARD INFORMATION .....	6
III. ELIGIBILITY INFORMATION .....	7
IV. APPLICATION AND SUBMISSION INFORMATION .....	8
V. APPLICATION REVIEW INFORMATION .....	18
VI. AWARD ADMINISTRATION INFORMATION .....	20
VII. AGENCY CONTACTS .....	26
VIII. OTHER INFORMATION .....	26
APPENDICES .....	27

## LIST OF ACRONYMS

CCR	Central Contractor Registration
CFR	Code of Federal Regulations
CLMS	Child Labor Monitoring System
DUNS	Dun and Bradstreet Number
FOIA	Freedom of Information Act
GPRA	Government Performance and Results Act
HHS-PMS	Department of Health and Human Services-Payment Management System
IFAD	International Fund for Agricultural Development
ILAB	Bureau of International Labor Affairs
ILO	International Labor Organization
ILO-IPEC	ILO's International Program on the Elimination of Child Labor
IREWOC	Foundation for International Research on Working Children
MPG	Management Procedures and Guidelines
NGOs	Nongovernmental Organizations
NICRA	Negotiated Indirect Cost Rate Agreement
OCFT	Office of Child Labor, Forced Labor, and Human Trafficking
OMB	Office of Management and Budget
SF	Standard Form
TPIN	Trader Partnership Identification Number
UN	United Nations
UNICEF	United Nations Children's Fund
UNFPA	United Nations Population Fund
USAID	United States Agency for International Development
USDA	U.S. Department of Agriculture
USDOL	U.S. Department of Labor
VAT	Value Added Tax
SGA	Solicitation for Grant Applications
SOW	Scope of Work

\* Definitions used in this SGA can be found in Appendix A.

## I. FUNDING OPPORTUNITY DESCRIPTION

USDOL/ILAB announces its intent to award up to \$5 million for one or more cooperative agreement(s) to support a project to pilot test specific elements of the U.S. Department of Agriculture (USDA) Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains (hereafter referred to as the USDA Guidelines), based on the recommendations of the Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products (hereinafter referred to as the Consultative Group). The project must involve a partnership between a non-governmental organization (Grantee) and one or more company/ies (subgrantees/subcontractors). Projects funded under this solicitation must focus on efforts to reduce child labor in the supply chain of one agricultural product in one country, as well as forced labor if applicable. Applicants must propose agricultural products and geographic areas with known risks of child labor and of forced labor where applicable.

USDOL's Office of Child Labor, Forced Labor and Human Trafficking (OCFT) conducts and funds research, develops strategic partnerships, and funds an international technical cooperation program to eliminate worst forms of child labor, forced labor, and human trafficking internationally. To learn more about our work, please see <http://www.dol.gov/ilab/programs/ocft/>.

USDOL/ILAB is authorized to award and administer cooperative agreements for this purpose by the Consolidated Appropriations Act, 2012, P.L. 112-74 (2012). Cooperative agreements awarded under this solicitation will be managed by OCFT.

### A. Child Labor and Forced Labor in Agriculture: Contributing Factors and Root Causes

According to the International Labor Organization (ILO), an estimated 215 million were engaged in child labor in 2008, of which 115 million were estimated to be involved in hazardous work. The majority of the world's working children are found in Asia, followed by Sub-Saharan Africa, Latin America and the Caribbean, and other regions. The region with the highest incidence of child labor is Sub-Saharan Africa.<sup>1</sup>

Children become involved in child labor, including the worst forms of child labor, due to a variety of complex factors, such as: poverty; education system barriers; limited access to social and physical infrastructure (e.g., healthcare, roads, water, sanitation); legal and policy barriers; resource gaps; institutional barriers; informational gaps; demographic characteristics of children and/or their families; cultural and traditional practices; tenuous labor markets; weak child labor law enforcement; a lack of parent(s) or caregiver(s); and a lack of awareness of the importance of education and/or the hazards associated with child labor, including the worst forms of child labor.

Globally, approximately 60 percent of working children are engaged in the agricultural sector.<sup>1</sup> Children work in a variety of farm settings, including family farms, medium-scale enterprises, and large commercial plantations. More than 70 percent of the world's poor reside in rural areas.<sup>2</sup> The poverty of agricultural households is the most salient source of pressure leading to the supply of child labor along with agricultural industry demand for cheap, unskilled labor. Research has documented that production processes that require abundant unskilled labor can also create demand for child labor. During months that require concentrated work, such as planting and harvesting seasons, shortages in adult labor can increase the demand for child labor. These fundamental supply and demand factors are often reinforced by factors such as a lack of adequate access to education, lack of employable skills and employment opportunities for those who do receive education, exclusionary social attitudes based on caste or ethnicity, and cultural attitudes about work and education.

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<sup>1</sup> ILO, "Accelerating Action against Child Labor Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work," (2010); available from [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms\\_126752.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/documents/publication/wcms_126752.pdf).

<sup>2</sup> World Bank, "Poverty and Rural Development," (2012); available from <http://go.worldbank.org/J7YUCF9GV0>.

According to new estimates by the ILO, approximately 20.9 million people worldwide are in forced labor.<sup>3</sup> Until the 20<sup>th</sup> century, most forced labor in the world was rooted in traditional social stratification systems and patterns of discrimination related to conquest and colonialism. Certain groups have long been – and continue to be – more vulnerable to forced labor: certain tribal, caste, and religious groups as well as indigenous peoples continue to be exploited in higher proportions relative to their general populations. Today, with increasing numbers of people migrating worldwide in search of economic opportunities, patterns of forced labor are changing. Migrants seeking work in another country – or in another part of their own country – are vulnerable to employers, labor recruiters, and other intermediaries who seek to exploit their situations by offering false contract terms or other fraudulent schemes. Victims find themselves in dangerous or difficult labor conditions, owing debts they cannot repay. Such schemes have become increasingly common in a variety of industries including agriculture, construction, and small manufacturing work, as well as domestic labor.<sup>4</sup>

Agriculture has been noted as a sector that is particularly vulnerable to forced labor. Worksites may be located at remote rural locations, from which workers have no means to leave, and where forced labor can be imposed through violence and coercion, unobserved by the authorities. Casual and seasonal farm labor is mostly performed by migrants, who are at heightened risk for trafficking into forced labor. It is not uncommon for entire families to migrate for agricultural work, and for children to work alongside their parents instead of attending school. In the case of tenant farming and sharecropping, there is a risk that the terms of tenancy may lead to a cycle of debt bondage to the landlord that entraps an entire family in forced labor.

## **B. Mandate of the Consultative Group**

The Consultative Group was established by section 3205 of the Food, Conservation, and Energy Act of 2008 (Pub. L. 110–246 or “Farm Bill”). The Group was charged with developing “recommendations relating to a standard set of practices for independent, third party monitoring and verification for the production, processing, and distribution of agricultural products or commodities to reduce the likelihood that agricultural products or commodities imported into the United States are produced with the use of forced labor or child labor.”

As required by the Farm Bill, the Consultative Group is composed of a total of 13 members representing government, business and civil society. Secretary of Agriculture Thomas J. Vilsack named the members of the Consultative Group on September 23, 2009. The Consultative Group met in late 2009 and throughout 2010 to discuss how to interpret and implement its mandate. It held a public meeting on March 29, 2010 to provide an opportunity for public input.

In December 2010, the Consultative Group submitted its recommendations to the Secretary of Agriculture. The Secretary, in turn, published the USDA Guidelines in April 2011.

The USDA Guidelines set forth a set of elements that together comprise a comprehensive company program to reduce the likelihood of child labor or forced labor in agricultural supply chains. Since their publication, the USDA Guidelines have not yet been pilot tested in a specific supply chain. Such a test is needed in order to examine the applicability of the USDA Guidelines and identify the program’s strengths and areas for improvement. Lessons learned from a pilot test will be shared with the public in order to further disseminate the USDA Guidelines and encourage uptake by other companies and organizations. The USDA Guidelines as published in the Federal Register can be found in Appendix C.

Further information about the Consultative Group’s members and deliberations, as well as its recommendations and the USDA Guidelines, can be found at: <http://www.dol.gov/ILAB/programs/ocft/fcea.htm>.

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<sup>3</sup> ILO, “Global Estimate of Forced Labour: Results and Methodology,” (2012); available from [http://www.ilo.org/global/publications/books/WCMS\\_182004/lang--it/index.htm](http://www.ilo.org/global/publications/books/WCMS_182004/lang--it/index.htm)

<sup>4</sup> ILO, *A Global Alliance Against Forced Labour: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work*, Geneva, 2005; available from [http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS\\_081882/lang--en/index.htm](http://www.ilo.org/global/publications/ilo-bookstore/order-online/books/WCMS_081882/lang--en/index.htm).

### C. Scope of Work

Applicants must present a strategy to address the Project Focus, Expected Outcomes and Major Program Components described below.

**Project Focus:** The project focus is to design and pilot test a comprehensive, sustainable program for one or more companies that implements all elements of the USDA Guidelines.

**Expected Outcomes:** The project has three expected outcomes: (1) a comprehensive program for one or more companies that will be sustained beyond the duration of DOL funding; (2) an overall decrease in child labor (and forced labor if applicable) in the particular agricultural supply chain chosen for the project; and (3) lessons learned, recommendations and guidance that will be available to companies and non-governmental organizations on effective implementation of the USDA Guidelines, in order to encourage their use by other companies and organizations.

Applicants' proposals must (1) demonstrate a thorough understanding of USDA Guidelines published by the Consultative Group in the April 12, 2011 Federal Register. (See <http://www.dol.gov/ilab/programs/ocft/pdf/FRN-re-Consultative-Group-41211.pdf>); (2) demonstrate in-depth knowledge of child labor/forced labor in the target country and industry; and (3) promote sustainability and long-term progress toward a significant reduction in child labor (and forced labor, if applicable) in the company's or companies' (subcontractors'/subgrantees') supply chain(s). Issues of sustainability should be incorporated at all stages of a project; including design, staffing, implementation, and evaluation. Sustainability will be linked to project impact and the ability of local stakeholders to continue successful efforts initiated by the USDOL-funded project after the project has ended. Applicants should work to build the capacity of key individuals and/or organization(s) that can potentially contribute to long-term sustainability.

### D. Major Project Components

All proposals responding to this solicitation must address the following project components:

#### 1. Establishment and piloting of a program for one or more companies to reduce child labor (and forced labor where applicable) in one agricultural supply chain in one country

Applicants must propose a strategy to develop and implement a comprehensive program for one or more companies that incorporates all of the following elements of the USDA Guidelines, as published by the Consultative Group in the April 12, 2011 Federal Register (See <http://www.dol.gov/ilab/programs/ocft/pdf/FRN-re-Consultative-Group-41211.pdf>).

- Establishment of company **standards** on child labor and forced labor
- **Mapping supply chains** and **risk assessment** of child labor and forced labor.
- **Communication** with stakeholders about program elements and processes.
- **Monitoring** of workplaces throughout the supply chain to identify any instances of child labor and forced labor.
- **Remediation** services for those persons identified as engaged in of child labor and forced labor.
- **Reporting** of information about the program to the public.
- **Independent third-party review** of program implementation, to include **both independent third-party monitoring and independent third-party verification**.
- Periodic **review** of progress against goals of the company program.

In describing the strategy for implementing each of these elements, Applicants must refer to the USDA Guidelines and utilize the kinds of approaches described therein, as applicable and appropriate. Applicants must focus on the supply chain of one agricultural product in one country. Applicants must propose the specific agricultural product and country to be the focus of the project. At a minimum, the project must focus efforts on the producer level of the supply chain, as well as other levels as appropriate. The proposed agricultural products and geographic areas must have known risks of child and/or forced labor. USDOL encourages Applicants to propose countries where systems and/or programs are in place to identify and provide services to children in exploitive child labor and

victims of forced labor as applicable. Such systems could include various types of government or non-governmental organization programs, such as community-level Child Labor Monitoring Systems (CLMS), programs that provide educational, psychosocial and other services to children withdrawn from child labor and/or livelihood support services to the families of such children, and programs that provide support to persons rescued from forced labor. Applicants must describe in detail the reasons for targeting the particular agricultural product and country, including the known risks of child labor and/or forced labor and the systems and programs that exist in the country to address these problems.

In particular, as part of the **mapping supply chains** and **risk assessment** and/or **remediation** element(s) of the project, Applicants must seek appropriate partnerships and linkages with international and/or local organizations that have experience and expertise in direct service provision to child laborers, children at high-risk of entering child labor, and to forced labor victims as appropriate. The nature of such partnerships will depend on the specific implementing environment. Applicants should consider partnerships that aim to prevent children's involvement in child labor and/or provide services to children found in child labor through educational services, livelihood services, youth employment initiatives, linkages with existing social protection programs or other existing programs, or other project interventions. Applicants should also consider, as appropriate, partnerships that aim to prevent forced labor and/or provide services to persons identified in forced labor such as those listed above.

## **2. Documentation of lessons learned and recommendations for future application of the USDA Guidelines**

A key deliverable of the project is a report detailing lessons learned from the establishment and pilot implementation of the company's or companies' program(s), as well as recommendations for companies establishing programs under the USDA Guidelines in the future. The report shall document and analyze the challenges, successes and lessons learned in implementing each element of the program, and provide concrete guidance for companies and organizations wishing to implement the Guidelines in their own supply chains.

## **3. Supporting research, evaluation and collection of reliable data on child labor and forced labor**

The **supply chain mapping and risk assessment** component of the project must include a baseline survey of child labor and, if applicable, forced labor, in the company's or companies' (subgrantees'/subcontractors') supply chain(s) in the country, carried out by a reputable independent organization. The baseline survey is different from the independent third-party review mentioned above. The baseline will provide data on the number of individuals engaged in child labor (and forced labor as applicable) in the target supply chain. The independent third-party review will use the baseline data and will serve as an ongoing monitoring and verification mechanism. The baseline survey must be conducted after award. This survey must also be performed again at the end of the project to test, validate and document the change in child labor/forced labor that has occurred. At the conclusion of both studies, reports must be produced analyzing the survey information. (See Section VI on Award Administration.)

Applicants must confirm a commitment to collaborate with USDOL External Monitoring and Evaluation Experts to carry out up to two implementation evaluations after award. For more information on implementation evaluations, please see Section VI on Award Administration Information.

## **4. Promoting transparency and accountability**

Given that transparency and accountability are key components of the U.S. Global Development Policy and long-term sustainability of efforts to combat child labor and forced labor, Applicants should explain how their proposed projects will promote transparency and accountability, including by the holding of public meetings to present project results to key stakeholders, including teachers, children and parents. Applicants are encouraged to use innovative tools and participatory approaches to ensure transparency and accountability.<sup>5</sup>

## **II. AWARD INFORMATION**

Through this announcement, USDOL/ILAB expects to award up to \$5 million for one or more cooperative agreement(s) to support a project to pilot test specific elements of the USDA Guidelines based on the

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<sup>5</sup> U.S. Government, *Fact Sheet: U.S. Global Development Policy*, September 22, 2010; available from <http://www.whitehouse.gov/the-press-office/2010/09/22/fact-sheet-us-global-development-policy>.

recommendations of the Consultative Group. The duration of the projects funded by this solicitation can be up to four years. The start date of program activities will be negotiated upon award of an individual cooperative agreement(s), but will be no later than December 31, 2012. Applicants must respond to the scope of work outlined in this SGA. Current USDOL/ILAB grantees are eligible to submit applications in response to this SGA. See Section VI.C on Reporting for more information on USDOL/ILAB's involvement with the recipient(s) of the cooperative agreement(s).

### **III. ELIGIBILITY INFORMATION**

#### **A. Eligible Applicants**

Any commercial, international, educational, or non-profit organization(s), including any faith-based, community-based, or public international organization(s) capable of carrying out the full scope of work described herein is eligible to apply. Applicants must apply as part of a partnership with one or more subgrantees/subcontractors. Any company involved in the production, processing and/or distribution of agricultural products or commodities, or a company that uses such products or commodities as inputs into further processed goods is an eligible subgrantee/subcontractor. Lack of past experience with USDOL cooperative agreements, grants, or contracts does not bar eligibility or selection under this solicitation.

As noted above, the project must involve a partnership between a commercial, international, educational, or non-profit organization(s), including any faith-based, community-based, or public international organization(s) (Grantee) and one or more company/ies (subgrantees/subcontractors). Applicants should demonstrate experience relevant to this SGA. This could include experience related to international children's issues, labor issues, and company supply chain compliance programs.

Applicants and proposed subgrantees or subcontractors must comply with all applicable audit requirements, including those established in OMB Circular A-133.

Applicants must address their organization's existing presence and/or ability to start up project activities in the target country as soon as the cooperative agreement is awarded. (see Section IV, B, 1, c. Project Design Narrative. Part d.)

The following Applicants (including subgrantee(s)/subcontractor(s)) will not be considered:

- Foreign governments and entities that are agencies of, or operated by or for, a foreign state or government.
- Organizations designated by the U.S. Government to be associated with terrorism or that have been debarred or suspended will not be considered.
- Applicants charging a fee (profit) associated with a project funded by USDOL under this award.

#### **B. Cost Sharing or Matching**

No cost share is required (including in-kind contributions or matching fund contributions). However, USDOL welcomes applications that include cost share. Applicants that propose cost share must indicate the nature; source(s) of funds and/or in-kind contributions; the amount/estimated value in U.S. dollars; and the proposed project activities to be performed with these resources. They must also explain how these activities will complement and enhance project objectives. After award, cost share will be incorporated into the cooperative agreement. Grantees will be required to report on these funds in their quarterly SF-425 and are liable for the full amount of these funds during the life of the cooperative agreement.

Cost sharing from subgrantees and/or subcontractors must not be directed to the Applicant or its employees for their benefit and may only be used to support the work of the project or defray its costs. Applicants may not make the award of a subgrant or subcontract contingent upon a subgrantee or subcontractor agreeing to provide matching funds.

### **C. Other**

USDOL's Office of Procurement Services will screen all applications for responsiveness. If deemed non-responsive, the office will send a letter to the Applicant, indicating the reason for the determination of non-responsiveness and explaining that the technical review panel will be unable to evaluate the application. The letter will indicate which document was missing from the application, if the application was deemed non-responsive due to being incomplete.

Applications will be considered non-responsive and will be rejected for any one of the following reasons:

1. Failure to submit application by [Grants.gov](http://Grants.gov) or hard copy via the U.S. Postal Service or other delivery service, such as Federal Express, DHL, or UPS;
2. Failure to include the required DUNS number(s) or proof of OMB exemption(s) from the DUNS number requirement;
3. Failure to submit both a completed Technical Proposal and a completed Cost Proposal;
4. Failure to include all of the required documents and annexes in the Technical Proposal and Cost Proposal;
5. Submission of an application with budget beyond maximum amount available, \$5 million for the target country;
6. Failure to include all required audit report(s) and failure to include most recent single audit or to demonstrate compliance with single audit submission timeframes established in OMB Circular A-133 for applications from U.S.-based non-profit organizations that are subject to the Single Audit Act. For Applicants that are foreign-based or for-profit organizations, failure to submit the most current independent financial audit will result in an application being considered non-responsive and rejected;
7. Inclusion of an audit report(s) that reflects adverse opinions;
8. Failure to designate key personnel candidates or not including résumés and signed letters of commitment for key personnel candidates; and
9. Failure to timely submit an application.

## **IV. APPLICATION AND SUBMISSION INFORMATION**

### **A. Address to Request Application Package**

The SGA application package and any future amendments can be downloaded and viewed from [Grants.gov](http://Grants.gov) by referencing Funding Opportunity Number 12-04. In order to view the SGA and submit applications on [Grants.gov](http://Grants.gov), Applicants must download free Pure Edge Viewer software, available from [http://www.grants.gov/Applicants/apply\\_for\\_grants.jsp](http://www.grants.gov/Applicants/apply_for_grants.jsp). The full-text version of and the SGA is also available on USDOL/ILAB's Web site, <http://www.dol.gov/ILAB/grants/main.htm>. All necessary information, including required forms, needed to apply for cooperative agreement funding is included in this SGA.

### **B. Content and Form of Application Submission**

During the preparation of their applications and in developing project interventions, USDOL expects Applicants to work with key stakeholders and organizations on efforts to address child/forced labor and their root causes including: international organizations; NGOs; national steering and advisory committees on child labor, forced labor and education; faith-based organizations and community development associations; trade unions; employers' and teachers' organizations; and children engaged in child labor and members of their households. USDOL encourages Applicants to establish public-private partnerships, soliciting assistance from non-Federal third parties who support the goals of this solicitation.

Applicants must also coordinate with and seek to build upon previous USDOL-funded activities in the country, as well as current child labor and/or forced labor-related initiatives carried out by other organizations. Applicants must coordinate with projects funded by relevant U.S. Government agencies.

Applications must consist of two separate parts (1) a Technical Proposal and (2) a Cost Proposal, if either is missing, the application will be considered non-responsive and will be rejected. Unless specified as "optional" or "as applicable," all documents identified in this section must be included in the application package to be



considered complete and responsive. Applicants' Technical and Cost Proposals must address the entire scope of work outlined in the SGA. Applications must be organized as outlined below. All parts of the application (including required or additional supporting documents) must be written in English. All pages of the application must be numbered. Any additional documentation submitted that is not required or specifically requested under this SGA will not be considered.

## **1. Technical Proposal**

Applicants must prepare a technical proposal as Part I of the application. The Technical Proposal must address the Applicant's technical capacity to plan and implement the proposed project in accordance with the provisions of this solicitation. The Technical Proposal must respond to all of the requirements in the SOW. The Technical Proposal must contain all of the documents outlined below unless marked as "optional" or "as applicable". Applications must be no more than 35 (8-1/2" x 11" with 1" margins), single-sided, double-spaced pages. Font size should be no less than 11-point Times New Roman. The Abstract, Table of Contents and required annexes to the Technical Proposal do not count toward the page limit.

### **a. Abstract**

The Abstract must not exceed two pages and must include: project title; name of the Applicant; proposed subgrantee(s) or subcontractor(s); summary of the proposed project design and key project activities; funding amount requested from USDOL (up to \$5 million); and total dollar value of cost share (if applicable).

### **b. Table of Contents**

The Table of Contents must list all required documents and include their corresponding page numbers.

### **c. Project Design Narrative**

The Project Design Narrative must describe in detail the Applicant's response to the Scope of Work. The Project Design Narrative must contain the following sections:

#### **(1) Background**

This section must not exceed three pages. Applicants must describe the child labor situation – and forced labor situation as applicable - in the target country, region and industry and identify existing policies and programs, coordination, and enforcement efforts to address this situation, along with significant gaps and opportunities for the project to address. This section should also describe key aspects of the implementing environment that contribute to child labor and, if applicable, forced labor.

#### **(2) Project Design and Strategy**

Applicants must outline a project strategy that fully responds to the SOW and addresses the major gaps discussed in Section I on Funding Opportunity as well as those identified by the Applicants, Background and Problem Statement. Applicants must also justify their selected strategy and explain how it will fill identified gaps and contribute to reducing child labor in the target supply chain, as well as forced labor as applicable.

#### **(3) Organizational Capacity**

This section must describe the qualifications of the proposed Applicant and proposed subgrantee(s) and/or subcontractor(s) to implement the project.

International and U.S. Government Grant and/or Contract Experience

Applicants must highlight any experience they may have with implementing projects relevant to international children's issues, labor issues, and company supply chain compliance programs.

#### **(4) Country Presence**

Applicants must address their organization's existing presence and/or ability to start up project activities in the target country as soon as the cooperative agreement is awarded. Applicants may demonstrate such presence or ability to start project activities by describing the partner company's (subgrantee/subcontractor) established

presence or existing relationship with entities or partners in the target supply chain that have stated their commitment to participate in project activities. The ability and commitment of such entities or partners in the company's supply chain to quickly begin implementation must be demonstrated by at least one letter of commitment from such an entity or partner. Applicants should also discuss their ability to work directly with relevant government agencies and NGOs, including local organizations and community based organizations, and their experience working with these stakeholders.

### **(5) Fiscal Oversight**

Applicants must provide a narrative description and evidence that their organization has a sound financial system in place to effectively manage the funds requested under this solicitation.

### **(6) Key Personnel**

Applicants must identify no less than two key personnel candidates to fulfill the functions listed below and deemed essential to the successful operation of the project and completion of all proposed activities and deliverables. USDOL requires two positions as key personnel: a Project Director, who must allocate 100% of his/her time to the project and be employed by the Grantee, and one or more Company Project Representative(s) (one per participating company), who must allocate a minimum of 30% of his/her time to the project. Each Company Project Representative must be employed by a company that is a subgrantee or subcontractor on the project. Applicants must address candidates' level of competence, past experience relevant to this solicitation, and qualifications to perform the requirements outlined in the SOW. Key personnel must have a minimum of five years of professional experience related to the functions listed below. Fluency in English is required, and when applicable, relevant national languages is recommended.

USDOL encourages Applicants to propose staffing strategies that aim to develop the capacity of national and/or local partners over the course of the project.

Key personnel positions must not be combined. Proposed key personnel candidates must sign letters indicating their commitment to serve on the project for a stated term of service and their availability to commence work within 45 days of cooperative agreement award. USDOL encourages Applicants to hire national/local staff for key personnel positions. The Grantee must assume full responsibility for ensuring that all key personnel have a clear and thorough understanding of USDOL policies, procedures, and requirements and that all documents submitted to USDOL are in fluent English. The application will be considered non-responsive and rejected if any key personnel candidates are not designated. Applicants must propose candidates with qualifications to successfully implement the proposed strategy. Qualifications and requirements for individual positions are as follows:

#### **Project Director:**

- Minimum of five years experience in project management, supervision, administration, and implementation of cooperative agreement and contracts requirements (including meeting deadlines, achieving targets, and overseeing the preparation and submission of required reports).
- Experience in a leadership role in implementing development projects relevant to this solicitation, such as international children's issues, labor issues, and company supply chain compliance programs.
- General knowledge of data collection and project monitoring and evaluations.
- Ability to establish and maintain systems for project operations, including the Performance Monitoring Plan required by USDOL and other monitoring and evaluation requirements.
- Ability to maintain working relationships with all project stakeholders, including coalition building and partnership promotion.
- Must be employed by the Grantee (not subgrantee /subcontractor).

#### **Company Project Representative(s):**

- Minimum of three years experience in the area of company supply chain compliance programs.
- Ability to maintain working relationships with all project stakeholders, including coalition building and partnership promotion.

- Ability to meet deadlines, achieve targets, and provide all required inputs to deliverables.
- Must be employed by a company subgrantee/subcontractor.

### Other Professional Personnel

Applicants must identify any other professional program personnel deemed necessary to carry out the proposed strategy and provide justification for including these individuals.

### Project Management Plan

Applicants must discuss their project management plan. This plan must correspond with Annex E and Annex D of the Applicant's Technical Proposal. It must also include a narrative description of the structure of the project's management team, key personnel roles and responsibilities and the lines of authority between key personnel and other project staff.

#### d. Annexes

##### (1) Annex A: Logic Model

The logic model must include inputs, outputs, outcomes, and may also consider assumptions and external factors that may influence the project. The Logic Model must be no longer than two pages. The logic model will be refined and finalized in consultation with USDOL after award, as well as a Performance Monitoring Plan building on the Logic Model. Examples of logic models can be found at: The University of Wisconsin Extension (<http://www.uwex.edu/ces/pdande/evaluation/evallogicmodel.html>) and The Kellogg Foundation (<http://www.wkkf.org/knowledge-center/resources/2006/02/WK-Kellogg-Foundation-Logic-Model-Development-Guide.aspx>).

##### (2) Annex B: Work Plan

The work plan must identify major project activities, deadlines for completing these activities, and person(s) or institution(s) responsible for completing these activities. The work plan must correspond to activities identified in the logic model and the project design narrative. Applicants may choose the most appropriate format of the work plan.

##### (3) Annex C: Past Performance Table(s)

The past performance table(s) must list grants, cooperative agreements, and/or contracts with USDOL, other Federal agencies, and other donors that are relevant to this solicitation within the past five years of beginning with issuance date of the SGA. Information must be presented in the following table. Applicants may list no more than six references/projects.

Name of Applicant/ Subgrantee/ Subcontractor	Agency/ Donor/ Organization	Agency/ Donor/ Contact Information (Name, telephone, fax, e-mail)	Name of the Project and Instrument/Agreement Number	Funding Amount (in USD)	Country of Implementation and Period of Performance	Brief Summary of Work Performed and Accomplishments

##### (4) Annex D: Project Management Organization Chart

The project management organization chart must provide a visual depiction of the project's management structure and lines of authority among all key personnel, other professional personnel, and other project staff being proposed.

## **(5) Annex E: Personnel Descriptions, Résumés, and Letters of Commitment**

This annex must contain personnel descriptions (outlining roles and responsibilities) and résumés for all key personnel and other professional personnel being proposed by the Applicant. It must also include signed letters of commitment from all proposed key personnel. Each résumé must include:

- Educational background, including highest education level attained;
- Work experience covering at least the last five years of employment to the present, including such information as the employer name, position title, clearly defined duties, and dates of employment;
- Salary information for at least the last five years of employment to the present;
- Special experience, capabilities, or qualifications related to the candidate's ability to implement the proposed strategy and perform effectively in the proposed position; and
- English language skills (speaking, listening, reading, writing) and foreign language skills, if any.

## **(6) Annex F: Audit Report(s)**

This annex must contain the audit report(s) of the Applicant and any proposed subgrantees and/or subcontractors (as applicable). It must include a cover sheet to the audit attachments listing all proposed subgrantees and/or subcontractors. The following audit attachments are required, depending on the organization's status: (1) for Applicants from U.S.-based non-profit organizations and all proposed U.S.-based, non-profit, subgrantees and/or subcontractors that are subject to the Single Audit Act, include the most recent single audit and demonstrate compliance with single audit submission timeframes established in OMB Circular A-133; and (2) for Applicants and all proposed subgrantees and/or subcontractors that are for-profit or foreign-based organizations, they must submit the most current independent financial audit.

## **2. Cost Proposal**

Applicants must prepare a cost proposal as Part II of the application. Applicants must describe their financial capacity to plan and implement the proposed strategy in accordance with the provisions of this solicitation. The cost proposal must reflect consistency between the proposed costs and the work to be performed as outlined in the project design narrative of the Applicant's technical proposal. The cost proposal must contain the following: (1) an SF-424 Supplemental Key Contacts Information; (2) an SF-424 Application for Federal Assistance; (3) an SF-424A Budget Information; (4) a detailed outputs-based budget and an accompanying budget narrative; (5) an indirect cost form and supporting documentation; and (6) cost sharing information if applicable.

### **a. Dun and Bradstreet Number(s)**

Applicants must include their unexpired Dun and Bradstreet/ DUNS number in the organizational unit section of Block 8 of the Standard Form (SF)-424. Applicants proposing subgrantees or subcontractors must submit each organization's DUNS number as an attachment to the Cost Proposal.

Organizations that do not have a DUNS number can receive a DUNS number at no cost by calling the dedicated toll-free number request line at 1-866-705-5711 or by using the web-based form available at <http://fedgov.dnb.com/webform>. Registration is brief and can be completed immediately when requested by phone, or within 1-2 business days when requested through the webform.

Applicants must be registered with the Central Contractor Registration (CCR). A DUNS number is required to register with CCR. Online registration for CCR is available through the CCR home page <https://www.bpn.gov/ccr/default.aspx>. Completing and submitting the registration takes approximately one hour to complete and your CCR registration will take 3-5 business days to process.

For all U.S. organizations, an Employer Identification Number (EIN) is also required. The EIN is issued by the Internal Revenue Service and may take an additional 2-5 weeks to become active. <http://www.irs.gov/businesses/small/article/0,,id=98350,00.html>

After registration, Applicants will receive a confirmation number. The Point of Contact listed by the organization will receive a Confidential Trader Partnership Identification Number (TPIN) via mail. For any questions regarding registration, please contact the CCR Assistance Center at 1-888-227-2423.

## b. Required Standard Forms

**(1) SF-424 Supplemental Key Contacts Information:** This form must include name, position title, address, telephone and fax numbers, e-mail address, and other relevant information for the Applicant's designated key contact person.

**(2) SF-424 Application for Federal Assistance:** This form must reflect the entire amount of funds being requested under this solicitation and if applicable, the amount of any cost sharing proposed by the Applicant must be shown in Section 18.b. All applicable DUNS Numbers must be listed in Block 8 (and as an attachment for each subgrantee or subcontractor, as applicable)

**(3) SF-424A Budget Information (Non-Construction Programs):** This form must include all costs for proposed activities. If applicable, in line 6, Applicants must include construction activities that are: 1) over \$5,000; and/or 2) for the construction of a permanent structure (latrines, wells) reported on the SF-424.

## c. Outputs-Based Budget

The output-based budget (including USDOL funds and any cost sharing funds reported on the SF-424 and SF-424A) must comply with Federal cost principles. This budget will become part of the cooperative agreement in the event of award. The budget submitted with the application must include all necessary and sufficient funds. Any costs omitted by the Applicant may not be allowed to be included after award. If anticipated funding from another contract, grant, or award fails to materialize, USDOL will not provide additional funding to cover these costs. Applicants' cost proposal must not depend on other contracts, grants, or awards to implement the Applicant's proposed strategy. USDOL will not provide any additional funding to cover unanticipated costs. A sample of outputs-based budget can be found at <http://www.dol.gov/ILAB/grants/main.htm>.

The detailed Outputs-Based Budget must:

- Show how the budget reflects project goals and design in a cost-effective way.
- Link to the activities, objectives, and outputs reflected in the project design narrative, work plan, and logic model.
- Allocate the largest proportion of project resources to direct intervention rather than direct and indirect administrative costs. Applicants must provide a breakdown of total administrative costs into direct and indirect administrative costs. The Grant Officer reserves the right to negotiate project and administrative cost levels before award.
- Include sufficient funds to finance appropriate in-country and international travel.
- Allocate funds for travel by the Project Director and/or other key personnel to meet annually with USDOL officials in Washington, D.C. or another site determined by USDOL.
- Budget for the Project Director and/or another key personnel staff member to travel to Washington, D.C. for a post-award meeting, which will be held within two months of award (i.e., after December 31, 2012).
- Allocate sufficient funds to monitor and collect data for reporting to DOL against the targets set in the Performance Monitoring Plan and other monitoring and evaluation requirements.
- Allocate at least \$70,000 total for support to the external interim and final implementation evaluations. Resources permitting, USDOL will directly contract the external evaluators to design and implement the evaluations. The project will be responsible for certain support costs to each evaluation such as providing ground transportation for the external evaluator, hosting an evaluation stakeholders meeting, and in-country transportation and accommodation costs for staff and other stakeholder's participation in the workshop.
- Allocate a total minimum of \$250,000 for conducting a baseline survey, a follow-up survey, and reports analyzing the survey information (see Section XI on Award Administration Information).
- Include costs for audits or attestation engagements as direct or indirect costs, whichever is appropriate, in accordance with the cost allocation procedures approved by the U.S. Federal cognizant agency.
- Include a contingency provision, calculated at five percent of the project's total direct costs to address circumstances affecting specific budget lines related to (1) inflation affecting specific project costs; (2) UN System or foreign government-mandated salary scale or benefits revisions; and (3) exchange rate fluctuations. However, USDOL also recognizes that certain unforeseen circumstances may arise and result in a need for exceptions to these uses of contingency provision funds and a need for budget modifications or

time extensions. These include (1) changes in a country's security environment; (2) natural disasters; (3) civil or political unrest/upheavals or government transitions; or (4) delays related to loss of or damage to project property.

- Include a justification for any proposed housing costs, housing allowances, and/or personal living expenses in the budget narrative, which is described below.

#### **d. Budget Narrative**

The cost proposal must include a budget narrative that corresponds to the outputs-based budget. The budget narrative must include a detailed justification, broken down by line item, of all of the Applicant's costs included in the outputs-based budget.

#### **e. Indirect Cost Information**

**(1) Indirect Cost Form for the Applicant (including one for each proposed subgrantee and subcontractor, as applicable):** The cost proposal must also contain information on the Applicant's indirect costs, using the form provided on USDOL/ILAB's Web site at <http://www.dol.gov/ilab/grants/bkgrd.htm>.

**(2) Indirect Cost Supporting Documentation (including one for each proposed subgrantee and subcontractor, as applicable):** The cost proposal must include a current, approved Negotiated Indirect Cost Rate Agreement (NICRA) or a Certificate of Direct Costs if no indirect costs are claimed.

#### **f. Survey on Ensuring Equal Opportunity for Applicants (Optional)**

All Applicants are requested, but not required, to complete and include the Survey on Ensuring Equal Opportunity for Applicants (OMB No. 1890-0014) in their applications; this form is provided on USDOL/ILAB's Web site at: <http://www.dol.gov/ilab/grants/bkgrd.htm>.

### **C. Submission Dates and Times**

All applications must be received by the closing date and time on cover page of this announcement.

### **D. Funding Restrictions**

USDOL/ILAB highlights the following restrictions, unallowable activities, and specific prohibitions, as identified in OMB Circular A-122, 29 CFR Part 95, 29 CFR Part 98, and other USDOL/ILAB policy, for all USDOL-funded technical cooperation projects. Applicants' Technical and Cost Proposals must be developed in accordance with the provisions outlined below. If any Applicant has questions about these or other restrictions, please e-mail Brenda White and/or James Kinslow.

#### **1. Pre-award Costs**

Cooperative agreement funds may not be encumbered/obligated by a Grantee before the period of performance. Pre-award costs, including costs associated with the preparation of an application submitted in response to this SGA, are not reimbursable under the cooperative agreement.

#### **2. Direct Cash Transfers to Communities, Parents, or Children**

USDOL/ILAB does not allow for direct cash transfers to target beneficiaries. Grantees may not provide direct cash transfers to communities, parents, or children. Purchase of incidental items is allowable if necessary for direct beneficiaries' participation in project activities and as a means of promoting sustainable reduction of child labor and/or forced labor among the target group. These beneficiary support costs could include direct costs such as uniforms, tool kits for livelihood interventions, school supplies, books, provision of tuition, or transportation costs. If approved by USDOL, the Grantee or its subgrantee(s) or subcontractor(s) must purchase or directly pay for these items in the form of vouchers or payment to the service provider, as opposed to handing cash directly to project beneficiaries or other individuals. This ensures that the money is used for its intended purpose and is not diverted or lost. Applicants may propose microfinance interventions or linkages to existing microfinance programs.

If an Applicant proposes the provision of beneficiary support costs, it must specify: (1) why these activities and interventions are necessary and how they will contribute to the overall project goals; and (2) how the disbursement of funds will be administered in order to maximize efficiency and minimize the risk of misuse. The Applicant must also address how beneficiary support costs will be made sustainable once the project is completed.

### **3. Construction**

Funds for construction must be clearly specified in the budget. Any activities that lead to the creation of real property (i.e., a new classroom, an addition to an existing building, wells, and latrines) that is of a permanent nature must be classified under construction expenses. Expenses in support of construction cannot be classified as supplies, and should be budgeted under the construction line item. In general, USDOL expects construction to be limited to improving existing infrastructure and facilities of schools and/or other learning environments in the project's target communities. In order to ensure sustainability, USDOL encourages Applicants to secure forms of cost sharing from communities and local organizations when proposing construction activities.

### **4. Housing and Personal Living Expenses**

USDOL funds may only be used to pay for housing costs, housing allowances, and personal living expenses (e.g., dependents' allowance) of project staff if they (1) are separately accounted for as direct costs of the project necessary for the performance of the project and (2) receive prior approval from USDOL. In accordance with federal cost principles, housing and personal living expenses may not be counted as fringe benefits or indirect costs. Housing and other personal expenses are costs that are appropriately the responsibility of individual employees, including local coordinators, whether they are residing in the United States or abroad. In general, housing costs, housing allowances, and personal living expenses will only be authorized under the cooperative agreement if deemed necessary for the performance of the project, in particular, in cases of extraordinary costs of living attributable to unique circumstances affecting a local economy

### **5. Subgrants and Subcontracts**

Subgrants and subcontracts awarded after the cooperative agreement is signed, and not proposed in the application, must be awarded through a formal competitive bidding process in accordance with 29 CFR 95.40-48. Subgrants and subcontracts are subject to audit, in accordance with the requirements of 29 CFR 95.26.

### **6. Lobbying and Fundraising**

Funds provided by USDOL for project expenditures under cooperative agreements may not be used with the intent to influence a member of the U.S. Congress, a member of any U.S. Congressional staff, or any Federal, State, or local government official in the United States (hereinafter "government official(s)"), to favor, adopt, or oppose, by vote or otherwise, any U.S. legislation, law, ratification, policy, or appropriation, or to influence in any way the outcome of a political election in the United States, or to contribute to any political party or campaign in the United States, or for activities carried on for the purpose of supporting or knowingly preparing for such efforts. This includes awareness-raising and advocacy activities that include fundraising for, or lobbying of, U.S. Federal, State, or local governments. (See OMB Circular A-122, as codified at 2 CFR Part 230). This does not include communications for the purpose of providing information about the Grantees and their programs or activities, in response to a request by any government official, or for consideration or action on the merits of a Federally sponsored agreement or relevant regulatory matter by a government official.

Applicants classified under the Internal Revenue Code as a 501(c)(4) entity [See 26 U.S.C. 501(c)(4)] may not engage in any lobbying activities. According to the Lobbying Disclosure Act of 1995, as codified at 2 U.S.C. 1611, an organization, as described in Section 501(c)(4) of the Internal Revenue Code of 1986, that engages in lobbying activities directed toward the U.S. Government is not eligible for the receipt of Federal funds constituting an award, grant, cooperative agreement, or loan.

### **7. Funds to Host Country Governments**

USDOL funds awarded under cooperative agreements are not intended to duplicate existing foreign government efforts or substitute for activities that are the responsibility of such governments. Therefore, Grantees may not provide any of the funds obligated under this cooperative agreement to a foreign government or entities that are agencies of, or operated by or for a foreign state or government, ministries, officials, or political parties, except

that where the Grantee has conducted a competitive process to select the awardee and has determined that no other entity in the country is able to provide services or undertake project activities. In such case, the Grantee may award subcontracts to foreign government agencies or entities that are agencies of or operated by or for a foreign state or government, ministries, officials, or political parties. In such cases, Grantees must receive prior USDOL approval before awarding the subcontract.

## **8. Miscellaneous Prohibitions**

USDOL funds may not be used to provide for:

- The purchase of land;
- The procurement of goods or services for personal use by the Grantee's employees;
- Entertainment, including amusement, diversion, and social activities and any costs directly associated with entertainment (such as tickets, meals, lodging, rentals, transportation, and gratuities). Costs of training or meetings and conferences, when the primary purpose is the dissemination of technical information including reasonable costs of meals and refreshments, transportation, rental of facilities and other incidentals are allowable. Costs related to child labor educational activities, such as street plays and theater, are allowable; and
- Alcoholic beverages.

## **9. Prostitution, Forced Labor, and Trafficking**

The U.S. Government is opposed to prostitution and related activities, which are inherently harmful and dehumanizing and contribute to the phenomenon of trafficking in persons. U.S. Grantees and their subgrantees and subcontractors, cannot use funds provided by USDOL to lobby for, promote or advocate the legalization or regulation of prostitution as a legitimate form of work. Foreign-based Grantees and their subgrantees and subcontractors that receive funds provided by USDOL for projects to combat trafficking in persons cannot lobby for, promote or advocate the legalization or regulation of prostitution as a legitimate form of work while acting as a subgrantee or subcontractor on a USDOL-funded project. Further, U.S. Grantees and their subgrantees and subcontractors cannot engage in "severe forms of trafficking in persons" during the period of time the award is in effect, nor use forced labor in the performance of an award or subawards under the award, as these terms are defined by 2 CFR Part 175 and the Trafficking Victims Protection Act of 2000 (22 USC 7102). It is the responsibility of the Grantee to ensure its subgrantees and subcontractors meet these criteria. This provision must be included in any applicable subgrant and subcontract that the Grantee awards using USDOL funds and the Grantee will obtain a written declaration to that effect from the subgrantee or subcontractor concerned. Also, Applicants will be required to adhere to the requirements at 2 CFR Part 175 relating to trafficking in persons, which will be included in the cooperative agreement.

## **10. Inherently Religious Activities**

The U.S. Government is generally prohibited from providing direct financial assistance for inherently religious activities as per the Religious Freedom Restoration Act of 1993 (RFRA). It is the legal responsibility of Grantee to ensure compliance with RFRA. The Grantee(s) may work with and subgrant to or subcontract with religious institutions; however, Federal funds provided under a USDOL-awarded cooperative agreement may not be used for religious instruction, worship, prayer, proselytizing, other inherently religious activities, or the purchase of religious materials. Neutral, non-religious criteria that neither favor nor disfavor religion will be employed in the selection of Grantees and must be employed by Grantees in the selection of subgrantees or subcontractors. This provision must be included in all subgrants and subcontracts issued under the cooperative agreement.

Any inherently religious activities conducted by the Grantee must be clearly separated in time or physical space from activities funded by USDOL. Grantees must separately account for and segregate from Federal and matching funds (neither of which may be used to fund inherently religious activities), any non-Federal and non-matching funds (or allocable portion of those funds) used for such inherently religious activities. Additionally, direct beneficiaries of the project must have a clear understanding that their enrollment in a USDOL-funded project is not conditioned on their participation in any religious activities and a decision to not participate in any inherently religious activity will in no way impact, or result in any negative consequences to, their project standing. For additional guidance, please consult USDOL's Center for Faith-Based and Community Initiatives' Web site at



<http://www.dol.gov/cfbci>. A Grantee should consult USDOL for prior approval if it is unclear if project activities are allowable.

## **11. Terrorism**

Applicants are bound by U.S. Executive Orders and U.S. law that prohibit transactions with and the provision of resources and support to individuals and organizations associated with terrorism. It is the legal responsibility of the Grantee to ensure compliance with these Executive Orders and laws. USDOL policy seeks to ensure that no USDOL funds directly or indirectly used to provide support to individuals or entities associated with terrorism. Applicants responding to this solicitation and Grantees subsequently awarded funding by USDOL under this SGA must check <http://www.treas.gov/offices/enforcement/ofac/sdn/t11sdn.pdf> to assess information available on parties that are excluded from receiving Federal financial and non-financial assistance and benefits. In the event of award, this provision must be included in all applicable subgrants and subcontracts issued under the cooperative agreement.

## **12. Value Added Tax (VAT)**

Applicants should discuss the possibility of obtaining customs and VAT exemptions with host government officials during the preparation of their application. While host governments are encouraged not to apply customs or VAT taxes to USDOL-funded projects, some host governments may nevertheless choose to assess such taxes. When preparing their budgets, Applicants should account for such costs, since USDOL cannot provide assistance in this regard. If these costs are omitted, a Grantee may not be allowed to include them after award.

## **E. Other Submission Requirements**

Applications may be submitted in hard copy or electronically via [Grants.gov](http://Grants.gov). Applications submitted by other means, including e-mail, telegram, or facsimile (FAX) will be not be accepted.

### **1. Electronic Submission**

Applicants electing to submit electronically must submit one electronic copy of the complete application via [Grants.gov](http://Grants.gov). Applicants submitting via [Grants.gov](http://Grants.gov) are responsible for ensuring that their application is received by [Grants.gov](http://Grants.gov) by the deadline.

Applicants submitting their application electronically through [Grants.gov](http://Grants.gov) should note the following submission instructions (1) an individual with authority to legally bind the Applicant must be responsible for submitting the application on [Grants.gov](http://Grants.gov); (2) applications submitted through [Grants.gov](http://Grants.gov) do not need to be signed manually; the form will automatically affix an electronic signature for the authorized person identified, and (3) when submitting on [Grants.gov](http://Grants.gov), Applicants must save all attachments as a .doc, .pdf, .txt, or .xls file. If submitted in any other format, the application bears the risk that compatibility or other issues will prevent USDOL from considering the application. USDOL will attempt to open the document, but will not take any “corrective” measures in the event of issues with opening. In such cases, the non-conforming application will not be considered for funding.

To avoid unexpected delays that could result in the rejection of an application, Applicants should immediately initiate and complete the registration steps at [http://www.grants.gov/Applicants/get\\_registered.jsp](http://www.grants.gov/Applicants/get_registered.jsp) as registration can take multiple days to complete. Applicants should consult the [Grants.gov](http://Grants.gov) Web site’s Frequently Asked Questions and Applicant User Guide, available at [http://www.grants.gov/help/general\\_faqs.jsp](http://www.grants.gov/help/general_faqs.jsp), and <http://www.grants.gov/assets/ApplicantUserGuide.pdf>. Within two business days of application submission, Grants.gov will send the Applicant two email messages to provide the status of application progress through the system. The first email, almost immediate, will confirm receipt of the application by [Grants.gov](http://Grants.gov). The second email will indicate the application has both been successfully submitted and successfully validated or has been rejected due to errors. Only applications that have been successfully submitted and successfully validated will be considered. It is the sole responsibility of the Applicant to ensure a timely submission, therefore sufficient time should be allotted for submission (two business days), and if necessary, additional time to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). It is important to note that if sufficient time is not allotted and a rejection notice is received after the due date and time, the application will not be considered.

Applicants can contact the [Grants.gov](http://Grants.gov) Contact Center at 1-800-518-4726 or [support@grants.gov](mailto:support@grants.gov) to obtain assistance with any problems related to using [Grants.gov](http://Grants.gov), including difficulties downloading the application package; software compatibility questions; and questions on how to assemble electronic application packages. USDOL bears no responsibility for data errors resulting from transmission or conversion processes.

## 2. Hardcopy Submissions

Applicants electing to submit hard copies must submit one (1) blue ink-signed original, complete application, plus one (1) copy of the application, along with a CD that includes the Technical and Cost Proposals saved as .doc, .pdf, .txt, or .xls files. Hard copy applications must be delivered to the address on the cover page of this announcement. Applicants are advised to submit their applications in advance of the deadline. Applications may be hand delivered or submitted via the U.S. Postal Service or non-U.S. Postal Service delivery services, such as Federal Express or UPS. Regardless of the type of delivery service selected, Applicants bear the responsibility for timely submission. The application package must be received at the designated place by the date and time specified or it will be considered non-responsive and will be rejected.

Any application received at the Procurement Services Center after the deadline will not be considered unless it is received before the award is made and:

1. It is determined by the Government that the late receipt was due solely to mishandling by the Government after receipt at USDOL at the address indicated; and/or
2. It was sent by registered or certified mail not later than the fifth calendar day before the deadline; or
3. It was sent by U.S. Postal Service Express Mail Next Day Service-Post Office to Addressee, no later than 5:00 p.m. at the place of mailing two (2) working days, excluding weekends and Federal holidays, before the deadline.

The only acceptable evidence to establish the date of mailing of a late application sent by registered or certified mail is the U.S. Postal Service postmark on the envelope or wrapper and on the original receipt from the U.S. Postal Service. The only acceptable evidence to establish the date of mailing of a late application sent by U.S. Postal Service Express Mail Next Day Service-Post Office to Addressee is the date entered by the Post Office clerk on the "Express Mail Next Day Service-Post Office to Addressee" label and the postmark on the envelope or wrapper on the original receipt from the U.S. Postal Service. For Applications submitted through other delivery services such as Federal Express or UPS, the only acceptable evidence to establish the date of the mailing is the tracking number, which contains detailed information about the mailing.

If the postmark is not legible, an application received after the above closing time and date will be treated as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression (not a postage meter machine impression) that is readily identifiable without further action as having been applied and affixed by an employee of the U.S. Postal Service on the date of mailing. Therefore, Applicants should request that the postal clerk place a legible hand cancellation "bull's-eye" postmark on both the receipt and the envelope or wrapper.

Confirmation of receipt can be obtained from Brenda White and James Kinslow (see cover page for contact information). Note: Please be advised that U.S. mail delivery in the Washington D.C. area can be slow and erratic due to security concerns. Applicants must consider this when preparing to meet the application deadline.

## V. APPLICATION REVIEW INFORMATION

### A. Criteria

The criteria outlined below will be used to evaluate applications submitted in response to this solicitation on the basis of 100 points. In addition to the specific criteria in Section IV, Applicants will be evaluated on the following:

#### **Project Design and Budget (60 points)**

Applicants will be evaluated and rated on (1) the overall quality, effectiveness, relevance, and clarity of their proposed project design and strategy and output-based budget; (2) the extent to which it responds to all of the requirements outlined in the SGA; (3) how cost effective and realistic the proposed costs are for achieving the

proposed strategy; and (4) the extent to which the proposed strategy will promote long-term sustainability of efforts to reduce child labor, and forced labor as applicable, in the target supply chain.

### **Organizational Capacity (20 points)**

Applicants will be evaluated and rated on their demonstrated capacity to implement a project of similar type, funding amount, and complexity. Applicants may be rated on their past performance over the past five years with implementing grants, cooperative agreements, and/or contracts relevant to this SGA. USDOL may contact the organizations listed in the Applicant's past performance table. Past performance will be rated by the following factors:

1. Demonstrated capacity to manage projects of similar type, funding amount, and complexity.
2. Demonstrated ability to meet its project targets under past or current projects funded by USDOL or other donors;
3. Quality and timeliness of submitted grant, cooperative agreement, and/or contract deliverables to USDOL and/or other donors;
4. Demonstrated experience in providing quality technical, administrative, and financial oversight to subgrantees and subcontractors as applicable.
5. Performance of the Applicant's key personnel on current and past projects with USDOL and/or other donors.
6. Demonstrated ability to effectively manage project personnel, including whether the Applicant has a history of replacing key personnel with similarly qualified staff, and the timeliness of replacing key personnel, as necessary.
7. Demonstrated ability to work with key stakeholders such as government bodies and civil society organizations.

### **Personnel and Project Management Plan (20 points)**

Applicants will be evaluated and rated on (1) the quality and clarity of their project management plan, and (2) the quality, relevant experience and demonstrated effectiveness of proposed staffing for implementing the proposed strategy.

## **B. Review and Selection Process**

Each complete and responsive application will be objectively evaluated by a technical review panel against the criteria described in this SGA. Applicants are advised that panel recommendations to the Grant Officer are advisory in nature. The Grant Officer may elect to select a Grantee on the basis of the initial application submission or the Grant Officer may establish a competitive or technically acceptable range from which a Grantee will be selected. If deemed appropriate, the Grant Officer may call for the preparation and receipt of final revisions of applications, following which the evaluation process described above, may be repeated, in whole or in part, to consider such revisions. The Grant Officer will make final selection determinations based on panel findings and consideration of factors that represent the greatest advantage to the Federal Government, including cost, the availability of funds, and the Applicant's past performance on Federal awards. USDOL reserves the right to (1) solicit information from Federal sources and/or non-Federal sources about the Applicant's past performance on any awards—including evaluations, audits, attestation engagements, and questionnaires; (2) assess the Applicant's past performance on awards with respect to its potential effect on grant implementation; and (3) consider this information as part of its selection process. If USDOL does not receive technically acceptable applications in response to this solicitation, it reserves the right to terminate the competition and not make any award. The Grant Officer's determinations for awards under this solicitation are final.

Applicants should note that the selection of an organization as a potential cooperative agreement recipient does not constitute approval of the cooperative agreement application as submitted in response to this solicitation. Before the actual cooperative agreement is awarded, USDOL may enter into discussions with one or more selected Applicants for any reason deemed necessary, including negotiating components of the project design/strategy; budget; project duration; staffing; funding levels; and financial and administrative systems in place to support implementation of the cooperative agreement (including relevant issues raised in submitted audit report(s)). If negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to terminate the

negotiation and decline to fund the application. In the actual cooperative agreement, USDOL reserves the right to place special provisions on Grantees, such as in cases where USDOL has concerns about their application, including in their audit report(s). USDOL also reserves the right to negotiate program components further after award during the project design consolidation phase.

### **C. Anticipated Announcement and Award Dates**

Designation decisions will be made within 45 days after the deadline for submission of applications, where possible. USDOL is not obligated to make any awards as result of this solicitation, and only the Grant Officer can bind USDOL to the provision of funds under this solicitation. Unless specifically provided in the cooperative agreement, USDOL's acceptance of a proposal and/or award of Federal funds does not waive any cooperative agreement requirements and/or procedures.

## **VI. AWARD ADMINISTRATION INFORMATION**

### **A. Award Notices**

The Grant Officer will notify Applicants of designation results as follows:

Designation Letter: The designation letter signed by the Grant Officer serves as official notice of an Applicant's designation as Grantee. The designation letter will be accompanied by a cooperative agreement and USDOL/OCFT's most current Management Procedures and Guidelines (MPG). The MPG provides general management procedures and guidelines for Grant and Cooperative Agreements in areas that may not be explicitly detailed in the solicitation.

Non-Designation Letter: Applicants not designated will be notified formally of the non-designation. Applicants not designated must formally request a debriefing if they would like to be provided with the basic reasons for the determination.

Notification of designation by a person or entity other than the Grant Officer is not valid.

### **B. Administrative and National Policy Requirements**

#### **1. General Requirements**

Grantees are subject to the terms outlined in this solicitation, the cooperative agreement, and the MPGs are all in the implementation of projects awarded under this solicitation. They are also subject to applicable U.S. Federal laws (including provisions of appropriations laws) and regulations, Executive Orders, applicable OMB Circulars and USDOL policies. If, during project implementation, a Grantee is found in violation of any of the foregoing, the terms of the cooperative agreement awarded under this solicitation may be modified by USDOL; costs may be disallowed and recovered; the cooperative agreement may be terminated; and USDOL may take other action permitted by law. Determinations of allowable costs will be made in accordance with the applicable U.S. Federal cost principles.

#### **2. Project Audits and External Auditing Arrangements**

U.S.-based non-profit Grantees whose total annual expenditure of Federal awards is more than \$500,000 must have an organization-wide audit conducted in accordance with 29 CFR Parts 96 and 99, which codify the requirements of the Single Audit Act and OMB Circular A-133, and must comply with the timeframes established in those regulations for the submission of their audits to the Federal Audit Clearinghouse. Grantees must send a copy of each single audit conducted within the timeframe of the USDOL-funded project to their assigned USDOL Grant Officer's Technical Representative (GOTR) at the time it is submitted to the Federal Audit Clearinghouse.

In accordance with 29 CFR Parts 96 and 99, USDOL has contracted with an independent external auditor to conduct project-specific attestation engagements at USDOL's expense to supplement the coverage provided by the annual audits that Grantees are required to arrange, which are referenced in the preceding paragraph. All Grantees, including foreign-based and private for-profit Grantees, are subject to attestation engagements during the life of

the cooperative agreement. Such an attestation engagement will be conducted in accordance with U.S. Government Auditing Standards, which includes auditors' opinions on (1) compliance with USDOL regulations and the provisions of the cooperative agreement and (2) the accuracy and reliability of the Grantee's financial and performance reports.

### 3. Administrative Standards and Provisions

Cooperative agreements awarded under this solicitation are subject to the administrative standards and provisions that pertain to USDOL, and any other applicable standards that come into effect during the term of the cooperative agreement. Title 29 of the CFR is available from the U.S. Government Printing Office, at <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=5e421ad42692a3a28f382a9aba659b2b&rgn=div5&view=text&node=29:1.1.1.1.39&idno=29>.

Copies of all regulations referenced in this solicitation are available at no cost, online, at <http://www.dol.gov>.

- 29 CFR Part 2 Subpart D – Equal Treatment in Department of Labor Programs for Religious Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.
- 29 CFR Part 31 – Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964.
- 29 CFR Part 32 – Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance.
- 29 CFR Part 33 – Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Labor.
- 29 CFR Part 35 – Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- 29 CFR Part 36 – Federal Standards for Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- 29 CFR Part 93 – New Restrictions on Lobbying.
- 29 CFR Part 94 – Federal Standards for Government-wide Requirements for Drug-Free Workplace (Financial Assistance).
- 29 CFR Part 95 – Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and other Non-Profit Organizations, and with Commercial Organizations, For-Profit Organizations, Foreign Governments, Organizations Under the Jurisdiction of Foreign Governments and International Organizations.
- 29 CFR Part 96 – Federal Standards for Audit of Federally Funded Grants, Contracts and Other Agreements.
- 29 CFR Part 98 – Federal Standards for Government-wide Debarment and Suspension (Non-procurement).
- 29 CFR Part 99 – Federal Standards for Audits of States, Local Governments, and Non-Profit Organizations.

Copies of OMB Circulars referenced in this document can be found at:

- OMB Circular A-122 – Cost Principles for Non-Profit Organizations  
[http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/2005/083105\\_a122.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/omb/fedreg/2005/083105_a122.pdf)
- OMB Circular A-133 – Audits of States, Local Governments, and Non-Profit Organizations  
[http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133\\_revised\\_2007.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/a133/a133_revised_2007.pdf)
- OMB Circular A-21 – Principles for Determining Costs Applicable to Grants, Contracts, and Other Agreements with Educational Institutions  
[http://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a021/a21\\_2004.pdf](http://www.whitehouse.gov/sites/default/files/omb/assets/omb/circulars/a021/a21_2004.pdf)
- OMB Circular A-110 - Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations  
[http://www.whitehouse.gov/omb/circulars\\_a110/](http://www.whitehouse.gov/omb/circulars_a110/)

### 4. Transparency

USDOL is committed to conducting a transparent grant award process and publicizing information about program outcomes. Posting grant applications on public websites is a means of promoting and sharing innovative ideas. For this grant competition, we will publish the Abstracts required by Section V. and selected information from the SF-424 for all applications on the Department's public website or similar publicly accessible location. Additionally, we will publish a version of the Technical Proposal required by Section V., for all those applications that are

awarded grants, on the Department's website or a similar location. Except for the Abstract, none of the Attachments to the Technical Proposal described in Section V. will be published. The Technical Proposals and Abstracts will not be published until after the grants are awarded. In addition, information about grant progress and results may also be made publicly available.

USDOL recognizes that grant applications sometimes contain information that an applicant may consider proprietary or business confidential information, or may contain personally identifiable information. Proprietary or business confidential information is information that is not usually disclosed outside your organization and disclosing this information is likely to cause you substantial competitive harm.

Personally identifiable information is any information that can be used to distinguish or trace an individual's identity, such as name, social security number, date and place of birth, mother's maiden name, or biometric records; and any other information that is linked or linkable to an individual, such as medical, educational, financial, and employment information.<sup>6</sup>

Abstracts will be published in the form originally submitted, without any redactions. Applicants should not include any proprietary or confidential business information or personally identifiable information in this summary. In the event that an applicant submits proprietary or confidential business information or personally identifiable information, USDOL is not liable for the posting of this information contained in the Abstract. The submission of the grant application constitutes a waiver of the Applicant's objection to the posting of any proprietary or confidential business information contained in the Abstract. Additionally, the Applicant is responsible for obtaining all authorizations from relevant parties for publishing all personally identifiable information contained within the Abstract. In the event the Abstract contains proprietary or confidential business or personally identifiable information, the Applicant is presumed to have obtained all necessary authorizations to provide this information and may be liable for any improper release of this information.

By submission of this grant application, the Applicant agrees to indemnify and hold harmless the United States, the U.S. Department of Labor, its officers, employees, and agents against any liability or for any loss or damages arising from this application. By such submission of this grant application, the Applicant further acknowledges having the authority to execute this release of liability.

In order to ensure that proprietary or confidential business information or personally identifiable information is properly protected from disclosure when USDOL posts the winning Technical Proposals, Applicants whose Technical Proposals will be posted will be asked to submit a second redacted version of their Technical Proposal, with any proprietary or confidential business information and personally identifiable information redacted. All non-public information about the Applicant's and consortium members' staff (if applicable) should be removed as well.

USDOL will contact the Applicants whose Technical Proposals will be published by letter or email, and provide further directions about how and when to submit the redacted version of the Technical Proposal. Submission of a redacted version of the Technical Proposal will constitute permission by the Applicant for USDOL to make the redacted version publicly available. USDOL will also assume that by submitting the redacted version of the Technical Proposal, the Applicant has obtained the agreement of all persons and entities whose proprietary, confidential business information, or personally identifiable information is contained in the Technical Proposal about what material to redact. If an Applicant fails to provide a redacted version of the Technical Proposal by the deadline established by USDOL, USDOL will publish the original Technical Proposal in full, after redacting only personally identifiable information. (Note that the original, unredacted version of the Technical Proposal will remain part of the complete application package, including an applicant's proprietary and confidential business information and any personally identifiable information.)

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<sup>6</sup> Office of Management and Budget, *OMB Memorandum 07-16 and 06-19. GAO Report 08-536, Privacy: Alternatives Exist for Enhancing Protection of Personally Identifiable Information*, May 2008; available from <http://www.gao.gov/new.items/d08536.pdf>.

Applicants are encouraged to maximize the grant application information that will be publicly disclosed, and to exercise restraint and redact only information that clearly is proprietary, confidential commercial/business information, or capable of identifying a person. The redaction of entire pages or sections of the Technical Proposal is not appropriate, and will not be allowed, unless the entire portion merits such protection. Should a dispute arise about whether redactions are appropriate, USDOL will follow the procedures outlined in the Department's Freedom of Information Act (FOIA) regulations (29 CFR Part 70).

Redacted information in grant applications will be protected by USDOL from public disclosure in accordance with federal law, including the Trade Secrets Act (18 U.S.C. § 1905), FOIA, and the Privacy Act (5 U.S.C. § 552a). If USDOL receives a FOIA request for your application, the procedures in USDOL's FOIA regulations for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. 29 CFR § 70.26. Consequently, it is possible that application of FOIA rules may result in release of information in response to a FOIA request that an applicant redacted in its "redacted copy."

## **5. Transparency Act Requirements**

Applicants must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by section 6202 of Pub. Law 110-252) as follows:

- All Applicants, except for those excepted from the Transparency Act under sub-paragraphs 1, 2, and 3 below, must ensure that they have the necessary processes and systems in place to comply with the sub-award and executive total compensation reporting requirements of the Transparency Act, should they receive funding.
- Upon award, Grantees will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, which can be found at the following website: <http://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>

The following types of awards are not subject to the Federal Funding Accountability and Transparency Act:

- (1) Federal awards to individuals who apply for or receive Federal awards as natural persons (i.e., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- (2) Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- (3) Federal awards, if the required reporting would disclose classified information.

## **C. Reporting**

For the purposes of this solicitation and cooperative agreement awards, the Grantee will be the sole-entity (1) to act as the primary point of contact with USDOL to receive and respond to all inquiries, communications and orders under the project; (2) with authority to withdraw or draw down funds through the Department of Health and Human Services-Payment Management System (HHS-PMS); (3) responsible for submitting to USDOL all deliverables, including all technical and financial reports related to the project; (4) that may request or agree to a revision or amendment of the cooperative agreement or the Project Document; and (5) responsible for working with USDOL to close out the project. Each Grantee must comply with all applicable Federal regulations and is individually subject to audit. Grantee(s) must comply with the following post-award requirements:

### **1. Subgrant/Subcontract Agreement**

Within 60 days of signing the cooperative agreement, the Grantee must provide either a written subgrant or subcontract agreement with the company (subgrantee/subcontractor), acceptable to USDOL, or an explanation as to why that company will not be participating in the cooperative agreement. USDOL reserves the right to re-evaluate the award of the cooperative agreement in light of any such change in an entity's status and may terminate the award if deemed appropriate.

## **2. Performance Monitoring Plan (PMP)**

Grantees must submit a draft PMP to USDOL within 3 months of award. The PMP and logic model will be finalized in consultation with USDOL. The PMP must be based on the project's Logic Model and serves three primary functions: 1) to delineate the data collection process; 2) to ensure data comparability; and 3) to guide data analysis. A PMP, therefore, must contain the following information:

- Definition of each indicator and unit of measurement;
- Description of each indicator data source;
- Method of data collection or calculation;
- Frequency and schedule of data collection;
- Institution(s) or person(s) responsible for ensuring data availability;
- Type or frequency of data analysis and person/institution responsible for data analysis; and
- Cost of data collection.

## **3. Baseline and Follow-up Surveys**

All Grantees must budget and plan for the implementation of a post-award baseline survey at the start of implementation that collects data on child labor, and forced labor as applicable, in the target supply chain. The survey must be carried out by an independent research organization. The survey must cover working conditions, living conditions and children's participation in education in the project's target areas. Information from the project's baseline survey must be used to refine project design and activities, including the identification and development of and/or linkages to relevant services for child laborers and/or adults removed from forced labor. Baseline data should be used to contribute to the measurement of project outcomes, and inform management decisions through the period of project performance. Grantees may use information gathered by a baseline survey to adjust project goals, outcomes, and services as appropriate. Post-award, USDOL will provide additional technical information to help inform the design of the baseline, including examples of survey questionnaires and minimum data collection requirements. USDOL must approve the survey methodology before it is carried out. An analysis of the results of the survey must be submitted to USDOL for approval.

In addition to a baseline survey, Grantees must budget for, conduct, and analyze a follow-up (end line) survey towards the end of the project. The survey should be conducted at least 4-6 months prior to the end of project implementation and must be carried out by an independent research organization. The follow-up survey should be a modified repetition of the baseline survey that should allow the Grantee to determine certain outcomes and possible impacts of the project interventions and determine the working and educational status of children and changes in other areas such as attitudes towards child labor. The results of the survey will not be able to directly attribute the identified outcomes and impacts to the project, but will help understand the changes surrounding child labor that occurred in the area during the life of the project. An analysis of the results of the follow-up survey in relation to the baseline must be submitted to USDOL for approval prior to the end of the project.

## **4. Interim and Final Implementation Evaluations**

USDOL also requires projects to undergo external implementation evaluations, usually one at an interim point in the project and a second no later than three months before the project's end to assess the degree to which a project is meeting (in the case of an interim evaluation) or has met (for final evaluations) its goals and objectives. USDOL will award a contract(s), independent of this SGA, to an external evaluator to complete these interim and final evaluations.

While the external evaluators will design and implement the evaluations, Grantees will be required to provide input into the evaluation Terms of Reference and assist in the planning and finalization of the evaluator's itinerary. In-country fieldwork for these evaluations typically lasts two weeks and there is a stakeholder workshop at the end of the two-weeks. The Project Director will be the main point of contact for the external evaluators. Grantees should ensure that staff time is allocated for supporting the above activities.



## **5. Performance Monitoring**

Projects will support USDOL's FY 2011-2016 Strategic Plan (Performance Goals ILAB 1.6 – Improve worker rights and livelihoods for vulnerable populations) and ILAB's performance outcome goal 3 to reduce the prevalence of the worst forms of child labor and forced labor.

In general, Grantees are required to budget for, collect and report data as part of their performance reporting requirement to USDOL. USDOL will use this data to meet its reporting obligations under the Government Performance and Results Act (GPRA). Grantees are required to report on a set of indicators every six months, which includes USDOL common indicators and sub-indicators as well as project-specific indicators. After award, USDOL and the Grantee(s) will determine which indicators the project will report on. The USDOL common indicators include: (1) number of direct beneficiary children provided education or vocational training services; (2) number of households receiving livelihood services; and (3) evidence of increased country capacity to address child labor and forced labor as a result of USDOL interventions. For more information on USDOL common indicators and sub-indicators, please see Appendix B.

## **6. Sustainability Strategy**

Grantees must refine and submit to USDOL within seven months their strategy for promoting sustainability of efforts to combat child labor and forced labor as applicable beyond the life of the project. The role of the company or companies (subgrantees/subcontractors) should be central to sustainability of the efforts, but the strategy should also incorporate building local capacity as a means to promote sustainability. Grantees' strategies should explain how sustainability will be achieved by the end of the project according to the project's specific objectives.

Although Grantees generally cannot award subgrants or subcontracts to government entities, to the extent possible, Grantees should consider partnering with other individuals and/or organizations through these mechanisms. Such partnerships may be used to promote sustainability by strengthening the capacity of such organizations in areas including: administrative and financial management, technical assistance, project management, advocacy and awareness-raising on child labor and forced labor issues.

## **7. Reporting and Deliverables**

Grantees must submit copies of all required reports and deliverables to USDOL by the specified due dates, unless otherwise indicated. More information on the reports and deliverables and exact timeframes for their completion will be included in the cooperative agreement and the MPGs that are distributed to Grantees before signing the cooperative agreement with USDOL.

## **8. Technical Progress and Financial Reports**

Grantees must submit narrative technical progress reports to USDOL on a semi-annual basis by April 30 and October 30 of each year during the cooperative agreement period. However, USDOL reserves the right to require up to four technical progress reports a year. Technical progress report formats are in the MPG, which is distributed to Grantees after award. Grantees must also submit an electronic financial report (SF-425) to USDOL on a quarterly basis through the E-Grants system. The SF-425 must be submitted no more than 30 days after the end of each quarter, i.e., January 30; April 30; July 30; and October 30. In addition, USDOL encourages Grantees to submit a semi-annual update to USDOL of the project's detailed Outputs-Based Budget or a Financial Status Report that provides information on total allocations, expenditures, commitment of balances, and project balance by budget categories identified in the SF-424A.

## **9. Final Report**

Grantees must submit final technical and financial reports no later than 90 days after the project completion date. These stand-alone reports must provide a complete and comprehensive summary of the progress and achievements made during the life of the project. This report is distinct from the analytical report produced by the project to summarize lessons learned, recommendations and guidance for future implementers of the Guidelines.

## VII. AGENCY CONTACTS

**Primary:** Brenda J. White, Grant Officer  
**Email:** [White.brenda.j@dol.gov](mailto:White.brenda.j@dol.gov)  
**Telephone:** 202.693.4570

**Alternate:** James Kinslow, Grant Officer  
**Email:** [Kinslow.james@dol.gov](mailto:Kinslow.james@dol.gov)  
**Telephone:** 202.693.4570

## VIII. OTHER INFORMATION

### A. Office of Management and Budget Information Collection

This SGA requests information from Applicants. This collection of information is approved under 1225-0086 OMB Information Collection No 1225-0086 (expires November 30, 2012). According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for the grant application is estimated to average 40 hours per response. These estimates include time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information, and drafting the proposal. Each recipient who receives a grant award notice will be required to submit semi-annual technical progress reports to ILAB. Each report will take approximately 10 hours to prepare. Any comments about the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, should be directed to the USDOL/ILAB-OCFT, attention: Malaika Jeter (e-mail: [jeter.malaika@dol.gov](mailto:jeter.malaika@dol.gov)); or to the USDOL Office of Procurement Services, attention: Brenda White and James Kinslow.

This information is being collected for the purpose of awarding a cooperative agreement. The information collected through this SGA will be used by the USDOL to ensure that cooperative agreements are awarded to the Applicants best suited to perform the functions of these cooperative agreements. Submission of this information is required in order for the Applicant to be considered for award of a cooperative agreement.

### B. Privacy Act and Freedom of Information Act

Any information submitted in response to this solicitation will be subject to the provisions of the Privacy Act and the Freedom of Information Act, as appropriate.

## APPENDICES

### APPENDIX A: DEFINITIONS

“**Acceptable work**,” while not specifically defined in the ILO Conventions, is work that is performed by children who are of legal working age, in accordance with national legislation and international standards, namely ILO Conventions 182 and 138; that is non-hazardous; non-exploitative; and does not prevent a child from receiving the full benefit of an education. For example, “acceptable work” would generally include light work that is compatible with national minimum age legislation and education laws.

“**Agricultural Products**.” For the purposes of the Consultative Group, the World Trade Organization definition of agricultural products was used. This includes goods in chapters 1-24 of the Harmonized System, other than fish, as well as a few additional products outside of those chapters, including raw cotton, raw wool, hides, skins, proteins and essential oils.

A “**Child**” or “**children**” are individuals under the age of 18 years. For the purposes of this solicitation, this term also includes older children (“youth”) who are under the age of 18 years.

“**Child labor**” is defined in the Farm Bill as “the worst forms of child labor as defined in International Labor [Organization] Convention 182, the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, done at Geneva on June 17, 1999.” This definition is also codified in U.S. Law in the Trade and Development Act, (19 USC 2467(6)).

According to International Labor Organization (ILO) Convention 182, the worst forms of child labor are comprised of: “a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labor, including forced or compulsory recruitment of children for use in armed conflict; b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.” ILO Recommendation 190 on Convention 182 provides guidance on the conditions that should be considered when determining types of work that are referred to in Article 3(d) of ILO Convention 182 (commonly known as “hazardous work”):

- Work which exposes children to physical, psychological, or sexual abuse;
- Work underground, under water, at dangerous heights or in confined spaces;
- Work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

ILO Recommendation No. 190 goes on to state in Paragraph 4 that, “[f]or the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers’ and employers’ organizations concerned, authorize employment or work from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.”

“**Child labor monitoring system (CLMS)**” involves the identification, referral, protection, and prevention of child labor through the development of a coordinated multi-sector monitoring and referral process that aims to cover all children living in a given geographical area.

Progress in developing a CLMS can be demonstrated if one or several of the following systems has been established:

- A comprehensive plan and/or pilot program to develop and establish national, local or sector specific CLMS.
- A CLMS covering various forms of child labor at the national level;
- A CLMS covering various forms of child labor at the local level;
- A CLMS in any formal or informal sector, urban or rural; or

A comprehensive and credible CLMS includes the following characteristics:

- The system is focused on the child at work and/or in school;
- It involves all relevant partners in the field, including labor inspectors if appropriate;
- It uses regular, repeated observations to identify children in the workplace and determine risks to which they are exposed;
- It refers identified children to the most appropriate alternative to ensure that they are withdrawn from child labor;
- It verifies whether the children have actually been removed and/or shifted from child labor to an appropriate situation (school or other);
- It tracks these children after their removal, to ensure that they have satisfactory alternatives; and
- It keeps records on the extent and nature of child labor and the schooling of identified child workers.

**“Children at high-risk of entering child labor”** refers to children who experience a set of conditions or circumstances (family environment or situation, proximity to economic activities prone to employ children, etc.) under which the child lives or to which the child is exposed that make it more likely that the child will be employed in child labor (e.g. siblings of working children). The definition of high-risk should be defined by the project and used in the baseline survey.

**“Company”** An entity involved in the production, processing and distribution of agricultural products or commodities; or an entity which uses such products or commodities as inputs into further processed goods.

**“Cooperative agreement”** an award instrument where substantial involvement is anticipated between the donor (USDOL) and the Grantee during the performance of project activities. The level of monitoring and accountability required by USDOL under a cooperative agreement is less than what is required under a contract, but more than what is required under a regular grant.

**“Cost Sharing”** means any method by which the Grantee accomplishes the work of the grant, or work that supports or enhances the goals of the grant, with funds or other things of value, obtained from the Grantee and/or non-Federal third parties. These methods may include “matching funds” and “in-kind contributions.”

**“Educational services”** refers to formal or non-formal education:

1. **Formal education services** refer to education provided and/or recognized by the government. Formal education may include government schools, private schools, religious schools, etc. The support of formal education may involve the provision of goods and/or services including direct costs such as school fees and teaching and learning materials and indirect costs such as school uniforms, transportation costs, etc. These goods and/or services are intended to ensure that the child will attend and stay in school.

2. **Non-formal Education services** refer to education provided by any organization or body outside of the formal school system. This education may include literacy, mainstreaming education, accelerated learning, community-based education, bridge courses, remedial education, life skills, etc. Non-formal education services may lead to mainstreaming into formal education or equivalent school certificates.

3. **Vocational services** refer to education and/or training related to a specific vocation, trade or occupation. Vocational education is differentiated from formal or non-formal education and should not be counted under formal and non-formal education services.

**“Forced child labor”** A situation in which a child, as defined above, is working in forced labor, as defined below.

**“Forced labor”** Section 3205 of the Farm Bill defines forced labor as “all work or service (A) that is exacted from any individual under menace of any penalty for nonperformance of the work or service, and for which the work or service is not offered voluntarily; or the work or service is performed as a result of coercion, debt bondage, or involuntary servitude (as those terms are defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); and (B) by 1 or more individuals who, at the time of performing the work or service, were being subjected to a severe form of trafficking in persons (as that term is defined in that section).” This definition is derived from ILO Convention 29 (Forced Labor). For ease of use, the above-referenced definitions are included here.

The term “coercion” means threats of serious harm to or physical restraint against any person; any scheme, plan, or pattern intended to cause a person to believe that failure to perform an act would result in serious harm to or physical restraint against any person; or the abuse or threatened abuse of the legal process. The term “debt bondage” means the status or condition of a debtor arising from a pledge by the debtor of his or her personal services or of those of a person under his or her control as a security for debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined. The term “involuntary servitude” includes a condition of servitude induced by means of any scheme, plan, or pattern intended to cause a person to believe that, if the person did not enter into or continue in such condition, that person or another person would suffer serious harm or physical restraint. The term “severe forms of trafficking in persons” means sex trafficking in which a 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; or 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.

**“Hazardous work”** The worst forms of child labor referred to in Article 3(d) of Convention 182 are known as “hazardous work.” According to ILO Convention 182, hazardous work “shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards...” As this suggests, forms of work identified as “hazardous” for children [Article 3(d)] may vary from country to country. ILO Recommendation No. 190, which accompanies ILO Convention 182, gives additional guidance on identifying “hazardous work.” ILO Recommendation No. 190 states in Section II, Paragraph 3 that, “[i]n determining the types of work referred to under Article 3(d) of the Convention [ILO Convention 182], and in identifying where they exist, consideration should be given, inter alia to:

- a. work which exposes children to physical, psychological, or sexual abuse;
- b. work underground, under water, at dangerous heights or in confined spaces;
- c. work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- d. work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- e. work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.”

ILO Recommendation No. 190 goes on to state in Paragraph 4 that, “[f]or the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers’ and employers’ organizations concerned, authorize employment or work as from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.”

**“Independent Third Party Monitoring”** The process of evaluating the implementation of standards on child labor and forced labor by a company’s supplier(s) through announced and unannounced audits conducted on randomly selected suppliers carried out by independent monitors.

“**In-Kind Contributions**” means goods or services, committed to the project by the Grantee and/or a non-Federal third party. A Grantee will be responsible for obtaining such goods or services from the third party and applying them to the work of the grant. Failure to do so may result in USDOL’s disallowance of costs in the amount of the committed in-kind contributions.

“**Key stakeholders**” can include, but are not limited to: parents, educators, community leaders, national policy makers, and key opinion leaders.

“**Livelihood**” is defined as a means of living, and the capabilities, assets (including both material and social resources, such as, food, potable water, health facilities, educational opportunities, housing, and time for participation in the community), and activities required for it. A livelihood encompasses income, as well as social institutions, gender relations, and property rights required to support and sustain a certain standard of living. It includes access to and benefits derived from social and public services provided by the state, such as education, health services, and other infrastructure. Sustainable livelihood programs seek to create long-lasting solutions to poverty by empowering their target population and addressing their overall well-being. USDOL child labor elimination projects focus on ensuring that households can cope with and recover from the stresses and shocks and maintain or enhance present and future capabilities and assets in a way that helps them overcome the need to rely on the labor of their children to meet basic needs.

“**Livelihood services**” may include, but are not limited to, the provision or linkage to education and training, employment services, economic strengthening services, income smoothing services, and social capital services. Definitions of livelihood services include but are not limited to the following categories:

- **Education and training services** aim to provide adult participants with the basic skills and knowledge necessary to benefit from social services, financial services, and higher education. Education and training services may include the provision or linkage to life skills, leadership training, financial education, and literacy and numeracy programs.
- **Income smoothing services** aim to mitigate economic shocks by leveling out the income of participants over time. Income smoothing services may include village savings and loan programs, micro-insurance, micro-savings, (un)conditional cash transfer programs, health services, food programs, housing, and initiatives that aim to diversify the income sources of participants.
- **Social capital services** aim to expand a participant’s connection within and between social networks. Social capital services may include the provision or linkage to support groups and labor sharing arrangements.
- **Employment services** aim to increase employment, job retention, earnings, and occupational skills of participants. Employment services may include the provision or linkage to employment assistance programs, vocational and business training, business start-up packages, occupational safety and health training, micro-franchise programs, job placement, apprenticeships and public works programs.
- **Economic strengthening services** aim to increase the economic well-being of participants. Economic strengthening services may include the provision or linkage to micro-credit, productivity transfers, and cooperatives.
- **Productivity transfers** are inputs aimed at improving the productivity and/or efficiency of processes and may include, for example, training, seeds, fertilizers, fuel, and labor-saving technologies.
- **Cooperatives** are groups owned and operated by individuals, organizations or businesses for their mutual benefit. For example, agricultural cooperatives or farmers' co-op, may provide services, such as training, to individual farming members; pool production resources (land, machinery) so that members can farm together; provide members with inputs for agricultural production, such as seeds, fertilizers, and machinery; and engage in the transformation, distribution, and marketing of farm products.

“**Matching Funds**” means cash or cash equivalents, committed to the project by the Grantee and/or a non-Federal third party. A Grantee which agrees to provide matching funds is responsible for obtaining such funds from the third party and applying them to the work of the grant. Failure to do so may result in USDOL’s disallowance of costs in the amount of the committed matching funds.

“**Producer**” is the source(s) of raw agricultural materials used by companies; could be individual farms or groups of farms organized into an association or cooperative.

“**Remediation**” are activities or systems that a company puts in place to address non-compliance with the child labor and forced labor standards identified through monitoring and/or verification. The remedies may apply to individuals adversely affected by the non-compliant conduct or to address broader systematic processes and/or those of its suppliers.

“**Social protection programs**” are government interventions that seek to mitigate the impact of economic shocks, promote equity, and reduce poverty by providing social assistance to vulnerable populations. They can include cash transfers, microloans, health insurance, scholarships, savings, vocational training, and temporary jobs. Some of USDOL-funded projects have worked with governments to include vulnerable children in social protection programs, provide project services to social protection beneficiaries or conduct joint initiatives to combat child labor within the social-protection programs’ framework.

“**Supplier**” is any organization or individual in the supply chain of a particular agricultural product or commodity.

“**Supply Chain**” comprises organizations and individuals involved in producing, processing, and/or distributing an agricultural product or commodity from its point of origin to the company.

“**Verification**” is the process by which a company is evaluated to determine compliance with its documented program, including standards on child labor and forced labor. Includes an evaluation of (1) data gathered through monitoring activities to ensure results are reliable and process is credible; and (2) the system established to remediate violations to determine if remediation is implemented and effective.

“**Violation**” is an instance where the use of child labor and/or forced labor has been identified and/or non-compliance with the company’s standards on child labor and forced labor.

“**Youth**” is defined as persons between the ages of 15 and 24 years, in accordance with the United Nations.

“**Youth employment**” According to the ILO, approximately 81 million of the unemployed are between 15 and 24 years of age. Youth employment opportunities address this population, which is faced with a lack of sufficient and sustainable decent work and vulnerable barriers, including underemployment, temporary and involuntary work with few benefits, and limited opportunities for advancement.

## **APPENDIX B: USDOL COMMON INDICATORS**

Due to performance reporting requirements under GPRA, USDOL has developed the following set of indicators and sub-indicators.

### **INDICATORS**

- Number of direct beneficiary children provided education or vocational training services
- Number of households receiving livelihood services
- Evidence of increased country capacity to address child labor and forced labor

### **SUB-INDICATORS**

#### *Education*

- Number of children engaged in or at high-risk of entering child labor enrolled in formal education services.
- Number of children engaged in or at high-risk of entering child labor enrolled in non-formal education services.
- Number of children engaged in or at high-risk of entering child labor enrolled in vocational services.
- Number of children trafficked or in commercial sexual exploitation, or at high-risk of being trafficked or entering commercial sexual exploitation, provided education or vocational services. (Note: only applies to projects targeting with children in these areas).

#### *Livelihoods*

- Number of adults provided with employment services.
- Number of children provided with employment services.
- Number of individuals provided with economic strengthening services.
- Number of individuals provided with services other than employment and economic strengthening.

#### *Country Capacity*

- The adaptation of the legal framework to meet international labor standards.
- Formulation and adoption of specific policies, plans or programs to combat child labor or forced labor.
- The inclusion of child labor or forced labor concerns in relevant development, education, anti-poverty, and other social policies and programs.
- Establishment of a child labor monitoring system (CLMS).
- Institutionalization of child labor and forced labor research (including evaluation and data collection).
- Institutionalization of training on child labor or forced labor issues within government agencies.



## APPENDIX C: USDA GUIDELINES AS PUBLISHED IN FEDERAL REGISTER

# Notices

Federal Register

Vol. 76, No. 70

Tuesday, April 12, 2011

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE Office of the Secretary

### USDA Reassigns Domestic Cane Sugar Allotments and Increases the Fiscal Year 2011 Raw Sugar Tariff-Rate Quota

**AGENCY:** Office of the Secretary, USDA. **ACTION:** Notice.

**SUMMARY:** The Secretary of Agriculture today announced a reassignment of surplus sugar under domestic cane sugar allotments of 325,000 short tons raw value (STRV) to imports, and increased the fiscal year (FY) 2011 raw sugar tariff-rate quota (TRQ) by the same amount.

**DATES:** Effective: April 12, 2011.

#### FOR FURTHER INFORMATION CONTACT:

Angel F. Gonzalez, Import Policies and Export Reporting Division, Foreign Agricultural Service, AgStop 1021, U.S. Department of Agriculture, Washington, DC 20250-1021; or by telephone (202) 720-2916; or by fax to (202) 720-0876; or by e-mail to [angel.f.gonzalez@fas.usda.gov](mailto:angel.f.gonzalez@fas.usda.gov).

#### SUPPLEMENTARY INFORMATION:

USDA's Commodity Credit Corporation (CCC) today announces the reassignment of projected surplus cane sugar marketing allotments under the FY 2011 (October 1, 2010-September 30, 2011) Sugar Marketing Allotment Program. The FY 2011 cane sector allotment and cane state allotments are larger than can be fulfilled by domestically-produced cane sugar, so the surplus was reassigned to raw sugar imports as required by law. Upon review of the domestic

sugarcane processors' sugar marketing allocations relative to their FY 2011 expected raw sugar supplies, CCC determined that all sugarcane processors had surplus allocation. Therefore, all sugarcane states' sugar marketing allotments are reduced with this reassignment. The new cane state allotments are Florida, 1,856,850 STRV; Louisiana, 1,577,810

STRV; Texas, 173,016 STRV; and Hawaii, 283,216 STRV. The FY 2011 sugar marketing allotment program will not prevent any domestic sugarcane processors from marketing all of their FY 2011 sugar supply.

On August 5, 2010, USDA established the FY 2011 TRQ for raw cane sugar at 1,231,497 STRV (1,117,195 metric tons raw value, MTRV\*), the minimum the United States is committed under the World Trade Organization (WTO) Uruguay Round Agreements. Pursuant to Additional U.S. Note 5 to Chapter 17 of the U.S. Harmonized Tariff Schedule (HTS) and Section 359k of the Agricultural Adjustment Act of 1938, as amended, the Secretary of Agriculture today increased the quantity of raw cane sugar imports of the HTS subject to the lower tier of duties during FY 2011 by 325,000 STRV. With this increase, the overall FY 2011 raw sugar TRQ is now 1,556,497 STRV (1,412,030 MTRV). Raw cane sugar under this quota must be accompanied by a certificate for quota eligibility and may be entered under subheading 1701.11.10 of the HTS until September 30, 2011. The Office of the U.S. Trade Representative will allocate this increase among supplying countries and customs areas.

This action is being taken after a determination that additional supplies of raw cane sugar are required in the U.S. market. USDA will closely monitor stocks, consumption, imports and all sugar market and program variables on an ongoing basis, and may make further program adjustments during FY 2011 if needed.

\* Conversion factor: 1 metric ton = 1.10231125 short tons.

Dated: April 6, 2011.

**Karis T. Gutter,**  
*Acting Under Secretary, Farm and Foreign Agricultural Services.*

[FR Doc. 2011-8570 Filed 4-11-11; 8:45 am]

**BILLING CODE 3410-10-P**

## DEPARTMENT OF AGRICULTURE Office of Foreign Agricultural Service

### Notice of Funding Availability: Inviting Applications for McGovern-Dole International Food for Education and Child Nutrition Program's Micronutrient-Fortified Food Aid Products Pilot; Correction

**AGENCY:** Foreign Agricultural Service.

**ACTION:** Notice; correction.

**SUMMARY:** The Foreign Agricultural Service (FAS) published a notice in the **Federal Register** on March 14, 2011, inviting proposals for the McGovern-Dole International Food for Education and Child Nutrition (McGovern-Dole) Program Micronutrient-Fortified Food Aid Products Pilot (MFFAPP). The notice stated that eligible applicants could submit proposals through June 10, 2011. This date was incorrect and, by this notice, FAS is correcting the due date to June 15, 2011.

**DATES:** Effective on April 12, 2011  
**FOR FURTHER INFORMATION CONTACT:** Paul

Alberghine, or by *phone*: (202) 720-2235; or by

*e-mail*: [Paul.Alberghine@fas.usda.gov](mailto:Paul.Alberghine@fas.usda.gov).

**SUPPLEMENTARY INFORMATION:** FAS published a notice in the **Federal Register** on March 14, 2011 (76 FR 13598) that indicated that the application due date for proposals for funding under the MFFAPP was June 10, 2011. This date, which was incorrect, appeared in the **SUMMARY** section, the **DATES** section, and

subsection IV.C. of the **SUPPLEMENTARY INFORMATION** section.

The correct application due date is June 15, 2011. By this notice, FAS informs applicants for funding under the MFFAPP that all applications must be received by 5 p.m. Eastern Daylight Time, June 15, 2011. Applications received after this date will not be considered.

Dated: April 4, 2011.

**John D. Brewer,**

*Administrator, Foreign Agricultural Service.*

[FR Doc. 2011-8584 Filed 4-11-11; 8:45 am]

**BILLING CODE 3410-10-P**

**DEPARTMENT OF AGRICULTURE**  
**Foreign Agricultural Service**

**Consultative Group To Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products**

**AGENCY:** Foreign Agricultural Service, USDA.

**ACTION:** Request for Comment on Guidelines for Eliminating Child and Forced Labor in Agricultural Supply Chains.

**SUMMARY:** Notice is hereby given that the U.S. Department of Agriculture (USDA) invites public comment on the guidelines included at the end of this notice for a voluntary initiative to enable entities to reduce the likelihood that agricultural products or commodities imported into the United States are produced by forced labor or child labor. In addition to accepting written comments, USDA will be holding a public meeting of the Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products (Consultative Group) on May 12, 2011 to hear oral comments on the guidelines.

The Notice sets forth the guidelines, as well as the process for submitting written comments and for requesting to appear at the public meeting. Issuance of these guidelines and creation of the Consultative Group were provided for in The Food, Conservation, and Energy Act of 2008 (the Act), also known as the 2008 Farm Bill.

**DATES.**

• *April 29, 2011*—Due date for submission of requests to make an oral statement at the Public Meeting. (See Requirements for Submissions and Meeting Procedures below.)

• *May 6, 2011*—Due date to notify intention to attend the Public Meeting without making a statement or to request special accommodations.

• *May 12, 2011*—Public Meeting of Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products, Room 104-A, Jamie L. Whitten Building, 12th and Jefferson Drive, SW., Washington, DC 20250, beginning at 8:30 a.m.

• *July 11, 2011*—Final date for submission of written statements.

**ADDRESSES:** You may make written submissions by any of the following methods: by mail to the Office of Agreements and Scientific Affairs, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1040, 1400 Independence Ave., SW., Washington, DC 20250; by hand (including DHL, FedEx, UPS, etc.) to the Office of Agreements and Scientific Affairs, Foreign Agricultural Service, U.S. Department of Agriculture, Room 4133-S, 1400 Independence Ave., SW., Washington, DC 20250; by e-mail to:

[Steffon.Brown@fas.usda.gov](mailto:Steffon.Brown@fas.usda.gov); or by fax to (202) 720-0340.

**FOR FURTHER INFORMATION CONTACT:** The Office of Agreements and Scientific Affairs by phone on (202) 720-6219; by email addressed to [Steffon.Brown@fas.usda.gov](mailto:Steffon.Brown@fas.usda.gov); or by mail addressed to the Office of Agreements and Scientific Affairs, Foreign Agricultural Service, U.S. Department of Agriculture, Stop 1040, 1400 Independence Ave., SW., Washington, DC 20250.

**SUPPLEMENTARY INFORMATION.** Section

3205 of the Food, Conservation, and Energy Act of 2008 (Farm Bill, Public Law 110-246) created the *Consultative Group to Eliminate the Use of Child Labor and Forced Labor in Imported Agricultural Products* (Consultative Group) to develop recommendations relating to a standard set of practices for independent, third-party monitoring and verification for the production, processing, and

distribution of agricultural products or commodities to reduce the likelihood that agricultural products or commodities imported into the United States are produced with the use of forced labor or child labor. As required by the statute, the Consultative Group is made up of officials from the Departments of Agriculture, Labor and State as well as representatives of agricultural enterprises, non-governmental organizations, academic and research institutions and a third party certification body. Within one year after receiving the Consultative Group's recommendations, the Secretary of Agriculture is required to release guidelines for a voluntary initiative to enable entities to address issues raised by the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 *et seq.*). These guidelines must be published in the **Federal Register** and made available for public comment for a period of 90 days. The Consultative Group will terminate on December 31, 2012.

On December 21, 2010, the Consultative Group presented its recommendations to Secretary Vilsack. On January 31, 2011, USDA reported the recommendations to Congress. They are now available on USDA's Web site at the following URL: <http://www.fas.usda.gov/info/Childlabor/Childlabor.asp>. The Secretary has elected to issue guidelines based on the Consultative Group's recommendations without change. Those guidelines are reproduced at the end of this notice.

As there are a wide variety of circumstances and relationships in commercial systems in the agricultural sector, the Guidelines focus on essential elements for credible, up-to-date monitoring and verification systems rather than prescribing specific detailed steps for all companies to use. There are many ways companies and other entities could implement these guidelines to fit their specific circumstances, and the methods which are suggested in the text are certainly not exhaustive. USDA hopes that these guidelines will serve to advance the cause of eliminating the use of forced

labor and the worst forms of child labor in agricultural supply chains. We are interested to receive comments and particularly

to engage interested parties in further discussions on ways these guidelines might be used.

Following are some questions to help respondents in framing their comments:

(a) How do the guidelines compare to current practices of companies, industry groups, and certification/accreditation organizations that are interested in making use of these guidelines? What challenges do you see for incorporating the guidelines into existing or new programs? Are there additional market-based incentives or government actions that would help in overcoming these challenges?

(b) Are there areas of the guidelines that need to be more fully developed in order to: (1) Make them useful for a particular industry; (2) increase public confidence in the integrity of programs that utilize the guidelines or (3) adequately address victim protection concerns?

(c) What additional steps by the U.S. Government would be helpful to aid entities in adopting and implementing the guidelines?

#### **Requirements for Written Comment Submissions**

Written submissions in response to this notice must be made in English and should not exceed 30 single-spaced standard letter-size pages in 12-point type, including attachments. Comments may be submitted by any of the methods described in the **ADDRESSES** section of this notice, but should be submitted no later than July 11, 2011. All comments will be posted on the FAS Web site.

#### **Requirements for Participation in the Public Meeting**

By April 29, 2011, all interested parties wishing to make an oral statement at the public meeting must submit the name, address, telephone number, facsimile number and e-mail address of the attendee(s) representing their organization by e-mail to:

[Steffon.Brown@fas.usda.gov](mailto:Steffon.Brown@fas.usda.gov).

Requests to present oral statements must be accompanied by a written statement which, at a minimum, identifies key issues to be addressed in the oral statement. Depending on the number of identified participants, oral statements before the Consultative

Group may be subject to time limits in order to accommodate all participants. The meeting will be open to the public and all submissions will be posted on the FAS Web site. USDA is a controlled access facility. Therefore, individuals who wish to attend the meeting without making a statement must also register with the Consultative Group so that arrangements can be made for them to be allowed to enter the facility. Persons who wish to register or to request special accommodations for a disability or other reasons must submit a notification by e-mail to: [Steffon.Brown@fas.usda.gov](mailto:Steffon.Brown@fas.usda.gov) by May 6, 2011. No electronic media coverage will be allowed. Press inquiries should be directed to the USDA Office of Communications at (202) 720-4623.

#### **Guidelines**

The following program elements should be part of any program intended to reduce the likelihood that imported agricultural products are produced with the use of forced labor or child labor. Section I. below provides relevant definitions for the guidelines that follow; section II outlines the elements that should be included in company programs; and section III describes the role of independent third-party reviewers.

##### *I. Definitions*

Given the variety of existing programs and the varying use of terms from one to another, the Group agreed on the following operating definitions for its recommended program:

*Agricultural Products*—Goods in chapters 1–24 of the Harmonized System, other than fish, as well as a few additional products outside of those chapters, including raw cotton, raw wool, hides, skins, proteins, and essential oils.

*Child Labor*—The worst forms of child labor as defined in ILO Convention 182, the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.

*Company*—An entity involved in the production, processing and distribution of agricultural products or commodities; or an entity which uses such products or commodities as inputs into further processed goods.

*Forced Labor*—All work or service that is exacted from any individual under menace of any penalty for nonperformance of the work or service, and for which the work or service is not offered voluntarily; or the work or service is performed as a result of coercion, debt bondage, or involuntary servitude (as those terms are defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102); and by 1 or more individuals who, at the time of performing the work or service, were being subjected to a severe form of trafficking in persons (as that term is defined in that section).

*Independent Third Party Monitoring*—Process of evaluating the implementation of standards on child labor and forced labor by a company's supplier(s) through announced and unannounced audits conducted on randomly selected suppliers carried out by independent monitors.

*Producer*—Source(s) of raw agricultural materials used by companies; could be individual farms or groups of farms organized into an association or cooperative.

*Remediation*—Activities or systems that a company puts in place to address non-compliance with the child labor and forced labor standards identified through monitoring and/or verification. The remedies may apply to individuals adversely affected by the non-compliant conduct or to address broader systematic processes and/or those of its suppliers.

*Supplier*—Any organization or individual in the supply chain of a particular agricultural product or commodity.

*Supply Chain*—All organizations and individuals involved in producing, processing, and/or distributing an agricultural product or commodity from its point of origin to the company.

*Verification*—Process by which a company is evaluated to determine compliance with its documented program, including standards on child labor and forced labor. Includes an evaluation of (1) data gathered through monitoring activities to ensure results are reliable and process is credible; and (2) the system established to remediate violations to determine if

remediation is implemented and effective.

*Violation*—An instance where the use of child labor and/or forced labor has been identified and/or non-compliance with the company's standards on child labor and forced labor.

## II. Company Program Elements

Company programs should include the elements outlined below. Once a company has implemented its program, it should seek independent third-party monitoring and verification in accordance with section III.

Company programs should be based upon management systems, capable of supporting and demonstrating consistent achievement of the elements outlined below. Companies can find information on the requirements for such systems in recognized ISO Standards, such as ISO 17021, ISO Guide 65, ISO 9001, and ISO 19011, or other relevant standards. These standards cover issues such as, impartiality and confidentiality, documentation and record control, management reviews, personnel qualification criteria, audit procedures, appeals, and complaints.

Additionally, companies adopting the Guidelines are expected to engage with governments, international organizations, and/or local communities to promote the provision of social safety nets that prevent child and forced labor and provide services to victims and persons at risk. Companies may also carry out activities that may not be included in these Guidelines but would nonetheless help them achieve their goal of reducing the likelihood of child labor and forced labor in their supply chains. For example, companies may choose to partner with other companies in their industry to share standards, tools, audit reports, or to pool remediation resources for greater potential impact.

### A. Foundation Elements

#### 1. Standards on Child Labor and Forced Labor

a. Standards should meet or exceed ILO standards as summarized below:

i. No person shall be involved in the worst forms of child labor, which include child slavery; sale/trafficking of children; debt

bondage; serfdom; forced/ compulsory labor; child soldiering; all forms of commercial sexual exploitation; use of children in illicit activities; and work which harms the health, safety or morals of children. For purposes of this definition, a child is anyone under the age of 18.

ii. No person shall be subjected to work or service exacted under the menace of any penalty and for which the person has not offered himself voluntarily.

iii. No person shall be subjected to work imposed as a means of political coercion or education; as a punishment for holding or expressing political views; as a method of mobilizing labor for economic development; as a means of labor discipline; as a punishment for participation in strikes; or as a means of racial, social, national or religious discrimination.

b. Where national laws on child labor are equal to or more stringent than ILO standards, company standards should meet or exceed national laws.

c. Standards may be articulated through a variety of means, such as codes of conduct, multi-stakeholder codes in which the company participates, labor/human rights policies, collective bargaining agreements, framework agreements and others.

d. Standards should be made available to the public.

e. Company may choose to set additional standards relevant to its operations, such as standards on non-working children accompanying parents to worksites or treatment of foreign contract workers.

#### 2. Supply Chain Mapping and Risk Assessment

a. Company should map its supply chain(s), beginning with the producer.

b. Company should identify areas of child/forced labor risk along chains; this may be done by:

i. Collecting available information on child/forced labor prevalence in industry in areas where product is sourced.

ii. Consulting with local stakeholders on social, economic and cultural factors, crop cycles, migration patterns, labor recruitment practices, access to judicial systems and processes, government policies and policy

gaps, producer financial exposure, and any other relevant issues.

iii. Examining impact of company's own pricing and procurement policies on child/forced labor risks.

c. Company should focus its program efforts (Monitoring, Continuous Improvement and Accountability) on those areas identified to be most at risk for child and/or forced labor.

d. Company should update its risk assessment periodically based on experience operating its program.

e. Companies should implement systems to trace commodities to the producer level where feasible.

### B. Communications and Monitoring

#### 1. Communications

a. Company should communicate child labor and forced labor standards, rights, expectations, monitoring and verification programs, remediation policies, and complaint process and process for redress to:

i. Suppliers through training for managers, supervisors and other staff.

ii. Workers (including unions where they exist) and producers.

iii. Other levels of supply chain as appropriate (traders, middlemen, processors, exporters).

iv. Civil society groups and other relevant stakeholders in the country/ geographic locations of sourcing.

b. Company should ensure that a safe and accessible channel is available to workers and other stakeholders to lodge complaints, including through independent monitors or verifiers. Company should also ensure that a transparent and accessible communications protocol is in place to notify victims and other affected stakeholders of complaints received and outcomes, with appropriate safeguards to protect victim's privacy.

c. All communications should include regular consultation as well as clear channels for reporting of immediate issues, and be conducted in a language(s) and manner that is understood by workers.

#### 2. Monitoring

a. Company should develop monitoring tools based on its standards on child labor and forced labor (*see* Section II.A.).

b. Company may have internal staff of auditors and/or hire a credible organization to carry out monitoring activities.

c. Auditors should be competent, should have knowledge of local contexts and languages, and should have the skills and knowledge appropriate for evaluating and responding to child and forced labor situations.

d. First round of monitoring should be used to establish baseline data on incidence of child/forced labor throughout the company's supply chain.

e. Monitoring should occur on a continuous basis, as well as in response to any whistleblower allegations, with special emphasis on those areas identified to be most at risk.

f. Monitoring results should be tracked and updated to identify trends and persistent challenges.

g. Monitors should check that suppliers are maintaining appropriate traceability documentation.

h. When violations found, company should remediate (*see* Section II.C.1.).

### C. Continuous Improvement and Accountability

#### 1. Remediation

a. In consultation with relevant stakeholders, company should develop and put in place a remediation policy/ plan that addresses remediation for individual victims as well as remediation of broader patterns of non-compliance caused by deficiencies in the company's and/or suppliers' systems and/or processes.

b. Company remediation plan should take into consideration all findings reported by independent third party monitors and verifiers.

c. Remediation for individual victims:

i. Should include protocols for appropriate immediate actions, such as referral to law enforcement or appropriate authorities in cases where, auditors discover specific violations of applicable child or forced labor laws.

ii. Should also include resources for victim services

such as rehabilitation, education and training, employment, appropriate housing, counseling, restitution for lost wages and other material assistance.

d. Remediation of company's and/or suppliers' systems and processes:

i. Should include working with suppliers in situations where non-compliance with child labor and/or forced labor standards have been found to develop and implement systems to correct these violations and to build systems aimed at reducing child and/or forced labor on a systematic basis.

ii. Could include provision of technical assistance to help suppliers with known violations to address specific issues; can also include technical assistance on broader labor issues that underlie child/forced labor (e.g. workplace cooperation, quality assurance, health and safety, productivity, working conditions, and human resource management).

iii. Could include positive incentives for suppliers in appropriate cases such as creation of a preferred suppliers list, a price premium, purchase guarantees, access to financing, inclusion in national or country of origin trade promotion/registries, and/or regular public reporting that rewards compliance.

iv. Could include negative incentives in cases where suppliers have performed poorly and have had repeated non-compliance with company child and/or forced labor standards. The negative incentives may include termination, suspension or reduction of contracts. These steps should only be taken after other remediation and engagement efforts have been explored and failed to achieve the desired results.

#### 2. Internal Process Review

a. Company should periodically check its own progress against its program goals including determining the effectiveness of its program to reduce the overall incidence of child labor or forced labor in its supply chain.

b. Company should address areas where goals have not been met.

c. Where remediation has been undertaken, company

should confirm that remediation has been implemented and is effective.

d. Company should make information available to the public on its monitoring program and process to remediate/ improve performance;

### III. Independent Third-Party Review

Companies developing programs in accordance with the Guidelines should seek independent, third party review of their program implementation. Independent review assures the company's customers that the company is meeting the standards on child labor and forced labor and relevant requirements outlined within its own program. There are two possible methods of conducting independent review. The *independent third-party monitoring* model utilizes independent external monitoring organizations and monitors to evaluate conditions at the facilities of the company and its suppliers. The *independent third-party verification* model utilizes accredited certification bodies to verify the company's ability to implement and maintain a program that ensures its suppliers meet its standards on child labor and forced labor. There are advantages and disadvantages with each of these models. For example: — Independent third-party monitoring may include unannounced and announced on-site visits to evaluate a company's suppliers to determine compliance with child labor and forced labor standards. The monitor identifies violations of child labor and forced labor when observed. However, independent third-party monitoring will not necessarily include an evaluation of the company's entire documented program.

—Independent third-party verification includes an evaluation of the company's entire documented program to determine compliance to the program as well as to the standards for child labor and forced labor. It includes witnessing the company evaluating its suppliers. The verifier does not conduct independent evaluations of suppliers. However, the verifier does identify violations of child

labor and forced labor when observed.

Companies may choose whichever model is most appropriate for their circumstances; however, a comprehensive program should include a combination of the two models. It should be noted that, while these review methods can verify that companies have robust systems in place to reduce the likelihood that child or forced labor is being used in their supply chains, neither model guarantees the absence of child or forced labor. Key elements of the two models are described below:

**A. Independent Third Party Monitoring**

1. Monitors should be accredited to conduct independent, third party monitoring. Monitors should have expertise on labor standards and possess knowledge of local workplace conditions and prevailing industry practices. Monitors should have experience and demonstrate competence in the execution of onsite evaluations of labor standards compliance in an agricultural setting.

2. Independent monitoring should be conducted by an entity external to the company and should demonstrate independence and impartiality as a precondition for participating in the monitoring process.

3. Monitoring should consist of on-site visits to a representative sample of farms and/or agricultural worksites and should occur on a continuous basis focusing on times of higher risk of use of child labor and/or forced labor in order to determine if child labor and forced labor standards are being respected and enforced. Unannounced visits are necessary to carry out this function fully. Announced visits may also be useful when it is necessary to have access to specific personnel or documentation.

4. Suppliers should be randomly selected. However, such selection should focus on suppliers that are identified to be at most risk.

5. Monitors should provide the company (ies) with a report outlining the findings and may make recommendations for remediation measures a company should take to address any incidences where the supplier did not implement the company's standards on child

labor and/or forced labor.

**B. Independent Third Party Verification**

1. Verifiers should be accredited certification bodies, complying with either ISO/IEC 17021:2006 or ISO/IEC Guide 65:1996 or other relevant systems. ISO/IEC 17021 contains principles and requirements for the competence, consistency, and impartiality of an audit and the certification of management systems of all types and for bodies providing these activities. ISO/IEC Guide 65 contains the general requirements that a third party operating a product or service certification system shall meet in order to be recognized as competent and reliable. Verifiers should have qualified and competent personnel with the appropriate skills and knowledge in child labor and forced labor standards.

2. Third Party verification should be conducted at least annually.

3. Audits should include testing of audit data to confirm that company data systems are reliable.

4. Audits should include witness audits where the Verifier observes the company's monitoring activities.

5. Announced audits are important when it is necessary to have access to specific personnel or documentation. Unannounced audits may also be useful in verifying that company policies are being implemented appropriately. Verifiers should provide the company with a report identifying weaknesses found in the company's program and program implementation.

6. Verifiers should require the company to implement remediation measures to address the weaknesses, and these remediation efforts should then be audited to confirm that they were implemented and effective.

7. Verifiers should approve companies whose programs and program implementation are found to be in conformance to the requirements of the Guidelines.

8. Each verifier auditing companies to the Guidelines should provide the public a list of companies under review, approved, suspended, and/or withdrawn.

Signed at Washington, DC, on April 4th, 2011.

**John D. Brewer,**  
*Administrator, Foreign Agricultural Service.*

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**DEPARTMENT OF  
AGRICULTURE Forest  
Service**

**Tuolumne-Mariposa  
Counties Resource  
Advisory Committee**

**AGENCY:** Forest Service,  
**USDA. ACTION:** Notice of  
meeting.

**SUMMARY:** The Tuolumne-Mariposa Counties Resource Advisory Committee (RAC) will meet on May 9, 2011 at the City of Sonora Fire Department, in Sonora, California. The primary purpose of the meeting is to review new project proposals, and to decide which project proponents to invite to make presentations at the June 13 and July 11 RAC meetings.

**DATES:** The meeting will be held May 9, 2011, from 12 p.m. to 3 p.m.

**ADDRESSES:** The meeting will be held at the City of Sonora Fire Department located at 201 South Shepherd Street, in Sonora, California (CA 95370).

**FOR FURTHER INFORMATION CONTACT:** Beth Martinez, Committee Coordinator, USDA, Stanislaus National Forest, 19777 Greenley Road, Sonora, CA 95370 (209) 532-3671, extension 320; E-mail [bethmartinez@fs.fed.us](mailto:bethmartinez@fs.fed.us).

**SUPPLEMENTARY INFORMATION:** Agenda

items include: (1) Review new project proposals; (2) determine which project proponents to invite to make presentations at the June and July RAC meetings, (3) Public comment. This meeting is open to the public.