

U.S. DEPARTMENT OF LABOR
Mine Safety and Health Administration

**FUNDING OPPORTUNITY ANNOUNCEMENT FOR MINE HEALTH AND SAFETY
STATE GRANTS**

ANNOUNCEMENT TYPE: *New*

FUNDING OPPORTUNITY NUMBER: *MSHA-2023-1*

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER: 17.600

KEY DATES: *The closing date for receipt of applications under this Announcement is [insert date that is 60 days after publication on Grants.gov] MSHA must receive applications via Grants.gov no later than **11:59 p.m. EDST [Insert Date]**.*

For complete application and submission information, including online application instructions, please refer to Section IV.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	3
I. FUNDING OPPORTUNITY DESCRIPTION	3
A. PROGRAM PURPOSE	3
B. PROGRAM AUTHORITY	4
II. AWARD INFORMATION	4
A. AWARD TYPE AND AMOUNT	4
B. PERIOD OF PERFORMANCE	4
III. ELIGIBILITY INFORMATION	4
A. ELIGIBLE APPLICANTS	4
B. COST SHARING OR MATCHING	5
C. OTHER INFORMATION	5
IV. APPLICATION AND SUBMISSION INFORMATION	6
A. HOW TO OBTAIN AN APPLICATION PACKAGE	6
B. CONTENT AND FORM OF APPLICATION SUBMISSION	6
C. SUBMISSION DATE, TIME, PROCESS, AND ADDRESS	12
D. INTERGOVERNMENTAL REVIEW	13
E. FUNDING RESTRICTIONS	13
V. AWARD ADMINISTRATION INFORMATION	16
A. AWARD NOTICES	16
B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS	16
C. REPORTING	188
VI. AGENCY CONTACTS	19
VII. OMB INFORMATION COLLECTION	20

EXECUTIVE SUMMARY

The U.S. Department of Labor (DOL or the Department, or we), Mine Safety and Health Administration (MSHA), is providing availability of \$10,537,000 in grant funds. These funds are authorized under section 503 of the Federal Mine Safety and Health Act of 1977 (Mine Act), Public Law 95-164, as amended. 30 U.S.C. § 953. Under this Funding Opportunity Announcement (FOA), DOL expects to award grants for a 12-month period of performance, starting October 1, 2022, and ending September 30, 2023.

I. FUNDING OPPORTUNITY DESCRIPTION

A. PROGRAM PURPOSE

The Department of Labor is committed to expanding job quality and creating equitable pathways to safe, stable, good-paying jobs that allow workers the right to organize. One of the Secretary of Labor's goals for the U.S. workforce is to build a modern, inclusive workforce. As outlined in the Department's FY 2022-2026 Strategic Plan, strategic goal 2 is to “Ensure Safe Jobs, Essential Protections, and Fair Workplaces.” MSHA’s role in accomplishing this objective is to “prevent fatalities, disease, and injury from mining, and secure safe and healthful working conditions for America’s miners.” The Secretary of Labor, through MSHA, may award grants to state, tribal, and territorial governments (including the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands) to assist them in developing and enforcing state mining laws and regulations, improve state workers’ compensation and mining occupational disease laws and programs, and improve safety and health conditions in the nation’s mines through Federal-State coordination and cooperation.

MSHA recognizes that state training programs are a key source of mine safety and health training and education for individuals who work or will work at mines. MSHA encourages state training programs to prioritize health and safety training for small mining operations and underserved mines and miners within the mining industry¹, and to prioritize diversity, equity, inclusion, and accessibility. MSHA is also interested in supporting programs that emphasize training on miners’ statutory rights, including the right to be provided a safe and healthy working environment, to refuse an unsafe task, and to have a voice in the safety and health conditions at the mine. The Agency encourages grantees to address, in their training and education programs, occupational health hazards cause by exposures to respirable dust and crystalline silica, powered haulage and mobile equipment safety, mine emergency preparedness, mine rescue, electrical

¹ Applicants may use the following or other sources to classify underserved mines and miners within the mining industry. For example, the Small Business Administration HUBZone program’s purpose is to employ more people that are in historically underutilized business zone. [HUBZone Map \(sba.gov\)](https://www.sba.gov/hubzone) Another source is the Interagency Working Group on Coal and Power Plant Communities and Economic Revitalization, as published in the *Initial Report to the President on Empowering Workers Through Revitalizing Energy Communities* in April 2021.

[Initial Report to the President on Empowering Workers Through Revitalizing Energy Communities \(doe.gov\)](https://www.doe.gov/initial-report-to-the-president-on-empowering-workers-through-revitalizing-energy-communities)

safety, contract and customer truck drivers, improving training for new and inexperienced miners, managers and supervisors performing mining tasks, pillar safety for underground mines, and falls from heights.

The Agency encourages grantees to focus training programs on the causes and prevention of fatal accidents that have occurred in the mining industry. More information about fatalities can be found on MSHA's webpage at: <https://www.msha.gov/data-reports/fatality-reports/search>.

B. PROGRAM AUTHORITY

Section 503 of the Federal Mine Safety and Health Act of 1977 (Mine Act), Public Law 95-164 as amended, 30 U.S.C. § 953, authorizes this program.

II. AWARD INFORMATION

A. AWARD TYPE AND AMOUNT

MSHA will award approximately 56 grants totaling \$10,537,000.

B. PERIOD OF PERFORMANCE

MSHA is requesting applications for FY 2023. The application should include the performance period of 12 months starting October 1, 2022 and ending September 30, 2023. MSHA will notify grantees the amount of their FY 2023 awards.

In making awards, under 2 C.F.R. § 200.308(e)(1), MSHA expects to authorize grantees to use the Federal funds for allowable expenses incurred by the grantee or any of its contractors during the period of performance, on and after October 1, 2022, including the award of FY 2023 funds.

Under 2 C.F.R. § 200.308(e)(2), MSHA may approve a request for a no-cost extension to grantees for a period of up to one year based on the success of the project and other relevant factors, as determined by the Agency.

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

Under section 503(a) of the Mine Act, any state in which mining takes place may apply for a grant. Under this grant program, the Governor must designate who will apply for the grant on behalf of the state. The applicant may be a state or local government agency or other state-supported or local government-supported institution of higher education, and tribal or territorial government and tribal- or territorial-supported institution of higher education.

Once designated by the Governor, the following organizations are eligible to apply:

- State governments

- County governments
- City or township governments
- Special district governments
- Public and State controlled institutions of higher education
- Native American tribal governments (Federally recognized)
- Native American tribal organizations (other than Federally recognized tribal governments)
- See text field entitled “Additional Information”

Additional Information

MSHA requests the following information from institutions of higher education for their status as an accepted, recognized, or accredited Minority Serving Institution by the U.S. Department of Education. Please identify if you are a Minority Serving Institution, such as African American-serving institution, predominantly Black, or Historically Black College and University; Hispanic-serving institution; American Indian and Alaska Native-serving institution; Tribal College and University; and Asian American and Native American Pacific Islander-serving institution. See the following four links:

[ED: Lists of Postsecondary Minority Institutions;](#)

[ED: Accredited Postsecondary Minority Institutions \(American Indian and Alaskan Native\);](#)

[Hispanic-Serving Institutions Division - Home Page \(ed.gov\);](#)

[Eligibility -- Asian American and Native American Pacific Islander-Serving Institutions Program \(ed.gov\).](#)

Please identify if the entity providing the training or services (a contractor) is a Minority Serving Institution as well.

B. COST SHARING OR MATCHING

Under section 503(g) of the Mine Act, MSHA may fund up to 80 percent of the activities under a state’s grant program. The state must provide matching funds of no less than 20 percent of the total program costs. MSHA encourages grantees to use cash funding, rather than in-kind contributions, to meet their matching requirements. Changes in the amount of matching funds provided by the non-Federal entity must be approved in advance by the Grant Officer. Grantees may use program income as a part of the grantee’s match.

C. OTHER INFORMATION

1. Application

Applicants should use the checklist below as a guide when preparing application packages to ensure that the application is complete. Note that this checklist is an aid for applicants and should not be included in the application package.

Application Requirement	Instruction	Complete
The deadline submission requirements are met	Section IV.C	
Eligibility	Section III.A	

SAM Registration	Section IV.B.1	
SF-424, Application for Federal Assistance	Section IV.B.1	
SF-424A, Budget Information Form	Section IV.B.2	
Budget Narrative	Section IV.B.2	
Project Narrative	Section IV.B.3	
SF-LLL Disclosure of Lobbying Activities	Section IV.B.4	
Abstract	Section IV.B.5	

IV. APPLICATION AND SUBMISSION INFORMATION

A. HOW TO OBTAIN AN APPLICATION PACKAGE

1. FOA

This FOA is available at <https://www.grants.gov> and contains all of the information and links needed to apply for grant funding. Click the “Search Grants” tab and enter the Funding Opportunity number or Catalog of Federal Domestic Assistance (CFDA) number and click the search button. The Funding Opportunity number is MSHA-2023-1 and the CFDA number is 17.600. If an applicant has problems downloading the application package from Grants.gov, contact Grants.gov by email at support@grants.gov.

2. FOA Modifications

MSHA will post any modifications to this announcement on Grants.gov.

3. Questions

Questions relating to the registration process, system requirements, or the submittal process must be directed to Grants.gov by email at support@grants.gov.

Questions related to this announcement should be submitted to the MSHA contacts listed in Section VI of this FOA.

B. CONTENT AND FORM OF APPLICATION SUBMISSION

Applications submitted in response to this FOA must consist of five separate and distinct parts:

1. SF-424, Application for Federal Assistance
2. Project Budget composed of the SF-424A, Budget Information for Non-Construction Programs, and Budget Narrative
3. Project Narrative (Action Plan)
4. SF-LLL, Disclosure of Lobbying Activities
5. Abstract

You must ensure that the funding amount requested is consistent across all parts and sub-parts of

the application.

1. SF-424, Application for Federal Assistance

- You must complete the SF-424 form, Application for Federal Assistance (OMB Control No. 4040-0004, Exp. Date: 11/30/2025). The SF-424 form must identify the applicant clearly and be signed by an individual with authority to enter into a grant agreement. Upon confirmation of an award, the individual signing the SF-424 form on behalf of the applicant shall be considered the representative of the applicant.
- In the address field, fill out the nine-digit (plus hyphen) zip code. Nine-digit zip codes can be looked up on the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>.
- The SF-424 form must clearly identify the applicant.

a. Requirement for Unique Entity Identifier (UEI)

Under 2 C.F.R. § 25.200(b)(3), every applicant for a Federal grant is required to include a unique entity identifier (UEI). An applicant enters the UEI number in Block 8 of the SF-424 form. The UEI is a twelve-digit identification number that uniquely identifies the entity. There is no charge for obtaining a UEI. To obtain a UEI, the entity must register at the following website: www.SAM.gov. If your entity was registered at SAM.gov, your UEI has been assigned and is viewable at SAM.gov.

b. Requirement for Registration with System for Award Management (SAM)

Applicants must register with SAM before submitting an application. Find instructions for registering with SAM at <https://www.sam.gov/SAM/>.

Grant applicants must create a user account and register online. As part of this registration, all non-Federal registrants in SAM must certify their “Financial Assistance Representations and Certifications” as part of their registration (formerly SF-424B). SAM is the central repository for these representations and certifications. Submitted registrations will take at least 10 business days to process, after which the applicant will receive an email notice that the registration is active. Once the registration is active in SAM, it takes additional time for the registration to be active in Grants.gov.

Registrations expire after one year. Under 2 C.F.R. § 25.200(b)(2), each grant applicant must maintain an active registration with current information at all times during which it has active Federal award or an application under active Federal consideration. The SAM website recommends that an entity update its SAM registration if it is expiring soon or the entity has new information. An expired registration “will affect your ability to receive contract awards or payments, submit assistance award applications via Grants.gov, or receive certain payments from some Federal government agencies.” The Grants.gov website, through which applicants must apply for grants under the MSHA State Grants program, advises that it will reject all applications from applicants with an expired SAM registration.

In addition, GSA has implemented new procedures for the SAM registration process to prevent fraud. One such procedure requires all entities to have an original, signed, and notarized letter formally appointing the authorized Entity Administrator on file. All applicants need an active SAM registration to apply for the grant under this FOA and should plan accordingly because these procedures may increase the time required to receive an active registration notice.

2. Project Budget

You must complete the SF-424A, Budget Information for Non-Construction Programs (OMB Control No. 4040-0006, Exp. Date: 02/28/2025). Budget Information Form is available at <https://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>. In preparing the Budget Information Form, you must provide a concise narrative explanation to support the budget request, explained in detail below.

a. Budget Narrative

The applicant must provide a concise detailed narrative explaining the request for funds. The budget narrative should separately attribute the Federal funds to each of the activities specified in the proposal and it should discuss precisely how any administrative costs support the program goals. Administrative costs may be charged as either direct or indirect costs.

Direct costs are those costs “that can be identified specifically with a particular final cost objective, such as a Federal award.” See 2 C.F.R. § 200.413.

The applicable indirect cost rate(s) negotiated by the applicant organization with the cognizant agency (as defined in 2 C.F.R. § 200.1) must be used in computing indirect costs (Facilities and Administration (F&A) Rate) for a proposed budget based on the modified total direct costs (MTDCs) (as defined in 2 C.F.R. § 200.1). If eligible, the de minimis rate which is capped at 10 percent may be used. The applicable indirect cost rate must be calculated based on the MTDCs (as defined in 2 C.F.R. § 200.1). List the total indirect costs that will be charged to the award. Indirect cost rates for the Federal award, including if the de minimis rate, are pursuant to 2 C.F.R. § 200.414.

Indirect costs are costs that are not readily identifiable with a particular cost objective but are necessary to the general operation of an organization. To avoid disputes, under 2 C.F.R. § 200.407, a grantee may seek prior written approval from its cognizant agency for indirect costs or from MSHA before incurring direct and indirect costs including special or unusual costs.

If the applicant anticipates earning program income, the budget narrative should account for this income. Program income is gross income earned by the grantee that is directly generated by a supported activity or earned as a result of the award.

b. Identify Costs

MSHA authorizes grantees to use FY 2023 appropriated and matching funds for allowable, allocable, and reasonable expenses incurred by the grantee or any of its contractors.

Personnel: List all staff positions by title and role in the proposed budget. For each position, give the annual salary, the percentage of time devoted to the project, a detailed description of their proposed duties, and the amount of each position's salary funded by the grant.

Fringe Benefits: Provide a breakdown of the amounts allocated for fringe benefit costs such as health insurance, retirement plans, etc.

Travel: For grantee staff only, specify the purpose, number of staff traveling, mileage, per diem, estimated number of in-state and out-of-state trips, and other costs for each type of travel.

Equipment: Identify each item of equipment you expect to purchase that has an estimated acquisition cost of \$5,000 or more per unit (or if your capitalization level is less than \$5,000, use your capitalization level) and a useful lifetime of more than one year (2 C.F.R. § 200.1 for the definition of *Equipment*). List the item, quantity, and the unit cost per item. Items with a unit cost of less than \$5,000 are supplies, not "equipment."

Supplies: Identify categories of supplies (e.g., office supplies) in the detailed budget and list the item, quantity, and the unit cost per item. Supplies include all tangible personal property other than "equipment" (2 C.F.R. § 200.1 for the definition of *Supplies*).

Contractual: Under the Contractual line item, delineate contracts separately. Contracts are defined according to 2 C.F.R. § 200.1 as a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. For each proposed contract, specify the purpose and activities to be provided, and the estimated cost.

Construction: Construction costs are not allowed, and this line must be left as zero. Minor alterations to adjust an existing space for grant activities (such as a classroom alteration) may be allowable. We do not consider this as construction, and you must show the costs on other appropriate lines such as Contractual.

Note that the SF-424, SF-424A, and Budget Narrative must include the entire Federal grant amount requested. Applicants should list the same requested Federal grant amount on the SF-424, SF-424A, and Budget Narrative. If minor inconsistencies are found between the budget amounts specified on the SF-424, SF-424A, and the Budget Narrative, MSHA will consider the SF-424 the official funding amount requested. Applicants must also show cost sharing or match on the SF-424 (line 18b), SF-424A, and Budget Narrative.

3. Project Narrative (Action Plan)

The Project Narrative must include an Action Plan (Plan) that proposes training and education programs, or other activities permitted under section 503 of the Mine Act.

a. Statement of Need

The Plan must identify mine safety and health problems or issues that exist in that state and provide quantitative or qualitative documentation of the problem or issue. For example, a state's mining problem might involve a rate of similar nonfatal accidents that has remained the same over a period of years, or an increase in accidents related to: falls from heights; working on or near powered haulage equipment; contract and customer truck drivers; underground pillar safety; electrical injuries; managers and supervisors performing mining tasks; or reported diseases caused by exposures to respirable dust or crystalline silica. The plan should also include training on miners' statutory rights, including the right to be provided a safe working environment, to refuse an unsafe task, and to have a voice in the safety and health conditions at the mine.

b. Project Design

The Plan must identify training objectives and provide a work plan to resolve the identified safety and health problems. For example, if the Plan identifies that the root cause of numerous accidents involving powered haulage equipment is due to the lack of equipment operator training, the Plan should propose to create a training program tailored to the types of accidents, types of powered haulage equipment, and the mines most affected.

1. The following are the minimum requirements for describing a Plan's training programs:
 - a. A description of the training activities (e.g., curricula and training materials) planned and instructors (e.g., resume or other documentation demonstrating relevant experience and knowledge) to be used;
 - b. A description of how the planned training activities are tailored to the needs and experience levels of the miners and employers to be trained. Any special constituency to be served through the grant program must be described, e.g., small mines or limited English proficiency miners. Applicants proposing to develop materials in languages other than English also will be required to provide an English version of the materials;
 - c. Any training proposal that includes the creation of training materials, including commercially developed materials such as videos, virtual reality scenarios, or other electronically based materials, must include time for MSHA to review the materials for technical accuracy and suitability of content;
 - d. A description of how all educational materials will be used in training;
 - e. A description of how diversity, equity, and inclusion of women as well as individuals of color are being prioritized.
 - f. A description of outreach methods or processes to locate miners or trainees in need of the training; and
 - g. If the proposal contains a train-the-trainer program, the Plan should describe the ongoing support the grantee will provide to new trainers as well as training miners in another language.
2. If the Plan calls for the purchase of equipment, the proposal must describe the safety and health need(s) addressed through the use of the equipment (e.g., virtual reality equipment, mine rescue equipment for small mines, and mine rescue communications equipment), who will benefit from the equipment, and where the equipment will be used and/or

stored. Also, the proposal should describe any training required to use the equipment and instructors needed to teach the use of the equipment.

c. Organizational, Administrative, and Fiscal Capacity

The Plan must provide:

1. How the applicant will manage and staff the project. Describe how staff, organizational experience, and management contribute to the ability of the applicant to conduct the project and its requirements and meet program expectations.
2. A description of the applicant's fiscal and administrative controls in place to manage Federal funds.

d. Expected Outcomes and Outputs

The Plan must address how the proposed program will contribute to the Department of Labor's strategic goal to "Ensure Safe Jobs, Essential Protections, and Fair Workplaces" and MSHA's goal to "prevent fatalities, disease, and injury from mining, and secure safe and healthful working conditions for America's miners." MSHA recognizes the importance of training miners and others to prevent workplace injuries, fatalities, and illnesses. Therefore, the Plan must include a method of measuring outcomes and, for training proposals, should estimate the number of individuals to be trained. For train-the-trainer programs, the Plan should estimate the number of courses/classes to be conducted and the number of students to be trained by the new trainers, as well as a description of how the grantee will obtain data from the new trainers documenting their classes and attendance numbers (for courses/classes conducted during the grant performance period).

On a quarterly basis and in a final report, the grantee must provide the performance information in MSHA Form 5000-50, MSHA State Grant Program Technical Progress Report (OMB Control No. 1219-0154, Exp. Date: 7/31/2024), as applicable. [5000-50.xlsx \(live.com\)](#)

e. Evaluations

The Plan should describe metrics or other methods of evaluating the grantee's progress in accomplishing the Plan's goals. The Plan must include the following:

1. How the applicant will document the number of miners trained;
2. How the applicant will evaluate the effectiveness of the training; and,
3. How the applicant will track or document the evaluations.

The proposal should also include a strategy (e.g., following up with trainees) to determine the program's impact on reducing miners' injuries and illnesses, thus securing a safer and healthier workplace.

4. Supplemental Certification Regarding Lobbying Activities

All applicants must comply with 29 C.F.R. Part 93 and provide a certification using SF-LLL, Disclosure of Lobbying Activities.

5. Abstract

You must submit an up to two-page abstract summarizing the proposed project including, but not limited to, the scope of the project and proposed outcomes. The abstract must include the following:

- the applicant's name
- the project title
- amount of grant funding
- the number and a description of the trainees
- a description of training or section 503 activities
- significant or innovative activities

6. Accounting System Certification

Under 2 C.F.R. § 200.208, a new applicant that receives less than \$1 million annually in Federal grants must attach a certification stating that the organization (directly or through a designated qualified entity) has a functioning accounting system that meets the criteria below. The certification should attest that the organization's accounting system provides for the following:

- a. Accurate, current, and complete disclosure of the financial results of each Federally sponsored project.
- b. Records that adequately identify the source and application of funds for Federally sponsored activities.
- c. Effective control over and accountability for all funds, property, and other assets.
- d. Comparison of outlays with budget amounts.
- e. Written procedures to minimize the time between transfers of funds.
- f. Written procedures for determining the reasonableness, allocability, and allowability of costs.
- g. Accounting records, including cost accounting records that are supported by source documentation.

C. SUBMISSION DATE, TIME, PROCESS, AND ADDRESS

The closing date for receipt of a grantee's application under this announcement will be 60 days after the FOA is posted on Grants.gov (no later than 11:59 PM. EST) or 30 days after MSHA notifies the State of their FY 2023 funding, whichever is later. The Grants.gov site provides all the information needed to submit an application electronically. Interested parties can locate the downloadable application package using the CFDA No. 17.600 or the Funding Opportunity Number MSHA-2023-1.

Applications received by Grants.gov are date-and time-stamped electronically. Once an interested party has submitted an application, Grants.gov will send two emails within two

business days. The applicant will receive the following:

- A submission receipt confirmation email; and
- Either a submission validation receipt email or a rejection email message.

The submission receipt confirmation email will contain a tracking number. An applicant may check an application's status on Grants.gov using the tracking number. See "Track My Application" at <https://www.grants.gov/web/grants/applicants/track-my-application.html>. The webpage also links to Applicant FAQs regarding applications.

An application must be fully uploaded and validated by the Grants.gov system before the application deadline.

D. INTERGOVERNMENTAL REVIEW

This program is eligible for coverage under Executive Order 12372, "Intergovernmental Review of Federal Programs." The Office of Management and Budget (OMB) maintains a list of official state entities (Single Points of Contact-SPOCs) designated to review and coordinate financial assistance and development from various Federal sources. If a state has a SPOC, the applicant must contact that SPOC to determine whether MSHA's State Grants are among the Federal programs the state has selected for review and coordination and, if so, for more information on any additional processes the state requires to be followed in applying for these grants. Names and addresses for the SPOCs are listed on the OMB web site at [Intergovernmental Review \(SPOC List\) \(whitehouse.gov\)](http://www.whitehouse.gov/omb/eo-12372).

E. FUNDING RESTRICTIONS

MSHA will determine whether costs are allowable under the applicable Federal cost principles identified in Part V.B. and other conditions contained in the grant award.

1. Allowable Costs

Grant funds may be spent on conducting training and outreach, developing educational materials, recruiting activities (to increase the number of participants in the program), and on necessary expenses to support these activities to improve safety and health conditions in the nation's mines. Grant funds also may be spent on equipment and other resources permitted under section 503 of the Mine Act to assist grantees with their training programs, in developing and enforcing state's mining laws and regulations, and in improving state workers' compensation and mining occupational disease laws and programs. Under 2 C.F.R. § 200.439, capital expenditures for special purpose equipment are allowable as direct costs, provided that prior written approval is obtained from MSHA for items with a unit cost of \$5,000 or more.

In addition to the training courses conducted for the mining industry, the funds may be used to provide other assistance to the mining industry. Other assistance may include, but is not limited to, conducting compliance assistance visits, assistance in preparing training plans, conducting inspections of mines, conducting informational workshops which target one or more particular

groups of mining operations in the state's mining industry, or other activities that would improve the safety and health of miners.

2. Program Income

If an applicant anticipates earning program income during the grant period, the application must include an estimate of the income that will be earned. Program income earned must be reported on a quarterly basis.

Program income earned during the award period shall be retained by the grantee, added to funds committed to the award, and used for the purposes and under the conditions applicable to the use of the grant funds. The grantee may also use program income as part of the grantee's required match. See 2 C.F.R. §§ 200.1 and 200.307.

3. Use of MSHA Grants

In all cases, MSHA grants are intended to supplement, not supplant, existing state mine safety and health programs.

4. MSHA Review of Educational Materials

MSHA will review all grantee-produced educational and training materials for technical accuracy and suitability of content during development and before final publication. Grantees developing training materials must follow all copyright laws and provide written certification that their materials are free from copyright infringement.

When grantees produce training materials, they must provide copies of completed materials to MSHA before the end of the grant period. Completed materials should be submitted to MSHA in hard copy and in digital format for publication on the MSHA website. Two hard copies of the materials must be provided to MSHA. Acceptable digital formats for training materials include Microsoft Word, PDF, PowerPoint, and any other format agreed upon by MSHA.

The grantee must provide the name of each information technology platform and software used in each training project and types of licenses. If the training project uses open-source software, the grantee must also provide:

1. the licenses of open-source software;
2. whether the project modified code;
3. whether it includes source or binary code and where the code is located;
4. whether it includes proprietary code and where it is linked; and
5. any instructions, to include installation and other notices.

For example, the final copy of a training project with a Copyleft license, a General Public license, requires the final project to include the source or binary codes with the project or as an attachment, and other notices.

5. License

As stated in 2 C.F.R. § 200.315, the Department of Labor has a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use for Federal purposes any work produced, or for which ownership was acquired, under a grant, and to authorize others to do so. Such products include, but are not limited to: curricula, training models, technical assistance products, and any related materials. Such uses include, but are not limited to, the right to modify and distribute such products or data for Federal purposes and authorize others to use such products or data.

If a grantee purchases a non-Federally funded license or copyrighted materials including modifications of such materials, the grantee is subject to the intellectual property rights of the particular license or purchase. In addition, works created by the grantee without grant, program income, or matching funds do not fall under licensing requirement.

6. Acknowledgement on Printed Materials

All approved grant-funded materials developed by a grantee shall contain the following disclaimer: "This material was produced under grant number XXXXX from the Mine Safety and Health Administration, U.S. Department of Labor. It does not necessarily reflect the views or policies of the U.S. Department of Labor, nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government."

When issuing statements, press releases, requests for proposals, bid solicitations, and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds must clearly state the following:

- a. The percentage of the total costs of the program or project that will be financed with Federal fund.
- b. The dollar amount of Federal financial assistance for the project or program; and
- c. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

7. Use of U.S. Department of Labor (USDOL) and MSHA Logos

With written permission from MSHA, the USDOL or the MSHA logo may be applied to grant funded materials including posters, videos, pamphlets, research documents, national survey results, impact evaluations, best practice reports, and other publications. The grantees must contact MSHA to request this written permission.

V. AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

MSHA posts a list of all state grantees at <https://www.msha.gov/state-grant-participants>.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. Administrative Program Requirements

All grantees will be subject to applicable Federal laws and regulations (including provisions of appropriations law) and applicable OMB Circulars. The grants awarded under this program will be subject to the following administrative standards and provisions, if applicable:

- a. *2 C.F.R. Part 25, Universal Identifier and System for Award Management*
- b. *2 C.F.R. Part 170, Reporting Subawards and Executive Compensation Information*
- c. *2 C.F.R. Part 175, Award Term for Trafficking in Persons*
- d. *2 C.F.R. Part 180, OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) (Nov. 15, 2006)*
- e. *2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
- f. *2 C.F.R. Part 2900, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*
- g. *2 C.F.R. Part 2998, Nonprocurement Debarment and Suspension*
- h. *29 C.F.R. 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*
- i. *29 C.F.R. Part 31, Nondiscrimination in Federally assisted programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964*
- j. *29 C.F.R. Part 32, Nondiscrimination on the basis of handicap in programs or activities receiving Federal financial assistance*
- k. *29 C.F.R. Part 33, Enforcement of nondiscrimination on the basis of handicap in programs or activities conducted by the Department of Labor*
- l. *29 C.F.R. Part 35, Nondiscrimination on the basis of age in programs or activities receiving Federal financial assistance from the Department of Labor*
- m. *29 C.F.R. Part 36, Nondiscrimination on the basis of sex in education programs or activities receiving Federal financial assistance*
- n. *29 C.F.R. Part 93, New restrictions on lobbying*
- o. *29 C.F.R. Part 94, Governmentwide requirements for drug-free workplace (financial assistance)*
- p. *Federal Acquisition Regulation (FAR) Subpart 31.2, Contracts with commercial organizations (Codified at 48 C.F.R. Subpart 31.2)*

The Department of Labor is committed to using its funds to create good jobs for all workers.² Toward that end, and consistent with MSHA's authority, MSHA encourages all grantees to ensure that, as employers, the grantees themselves as well as all of their contractors and subcontractors:

- 1) Provide decent compensation, pay equity, and fair opportunities for progression, including setting starting wages at a minimum of \$15 per hour and providing opportunities for wage and skill progression;
- 2) Provide family-sustaining benefits that promote economic security and mobility, such as paid sick days, paid family and medical leave, and caregiving supports like schedule flexibility and predictability as well as childcare assistance; and
- 3) Provide conditions at work that demonstrate a commitment to high worker safety and health standards, that foster diversity, equity, inclusion, and accessibility, and that assure due respect for worker voice and privacy in the workplace.

Except as specifically provided, MSHA's acceptance of a proposal or MSHA's award of Federal funds to sponsor any program does not constitute a waiver of any grant requirement or procedure. For example, if an application identifies a specific contractor to provide certain services, the MSHA award does not constitute a justification to sole-source the procurement (to avoid competition).

2. Other Legal Requirements

a. Legal Rules Pertaining to Inherently Religious Activities by Organizations that Receive Federal Financial Assistance.

The government generally is prohibited from providing direct Federal financial assistance for inherently religious activities. See 29 C.F.R. Part 2, Subpart D. Grants under this solicitation may not be used for religious instruction, worship, prayer, proselytizing, or other inherently religious activities. 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 contractors and subcontractors.

b. Freedom of Information

Any information submitted in response to this FOA will be subject to the provisions of the Freedom of Information Act, 5 U.S.C. § 552 et seq., as appropriate.

c. Record Retention

You must follow Federal guidelines on record retention, which require that you maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 C.F.R. § 200.334.

² For more, please see the Department encourages consulting [the Good Jobs Principles](#), a shared federal vision of job quality published in 2022 by the Departments of Labor and Commerce. While what is a good job can be context-specific, these eight Principles identify job features that create quality and equitable working conditions for American workers.

d. Appeal Rights

All approved applications will be funded consistent with law and availability of funds. Appeal rights are set forth in section 503 of the Mine Act.

C. REPORTING

U.S. Department of Labor regulations require grantees to submit financial and project reports, as described below. Grantees also are required to submit final reports no later than 90 days after the end of the grant period. Grantees are encouraged to include information on the demographics of the miners and trainees served.

1. Financial Reports

The grantee must submit financial reports on a quarterly basis. This system uses the government-wide SF-425 form, Federal Financial Report (OMB Control No. 4040-0014, Exp. Date: 02/28/2025), to report the status of all funds awarded, matching funds, and, if applicable, program income received and expended, during the funding period. All reports are due no later than 30 days after the end of the reporting period.

2. Performance Reports

A grantee must submit quarterly technical reports no later than 30 days after award, as applicable. The technical report provides both quantitative and qualitative information and a narrative assessment of performance under the grant. This report will contain the following information:

- a. A comparison of actual accomplishments to the objectives established for the period.
- b. An evaluation of the impact or results of the program's activities.
- c. Description of any significant developments or problems affecting the organization's ability to accomplish the work and the reason for any objectives not met.
- d. Identify significant or innovative activities, such as activities involving MSHA-emphasis programs or favorable developments which enable meeting time schedules and objectives sooner or at less cost.
- e. The performance data required by Part IV.B.3.d.
- f. The performance data required by Part IV.E.6.a-c.

3. Interim Reporting

Between reporting dates, the grantee shall immediately inform MSHA of significant developments or problems affecting the organization's ability to accomplish work.

4. Final Report

No later than 90 days after the end of the grant period, each grantee must provide a final

performance and financial report, a summary of its progress (including performance data), and an evaluation report.

VI. AGENCY CONTACTS

Program Office:

Elif Evrim Polat
 Grants Management Specialist
 Educational Policy and Development
 Mine Safety and Health Administration
 U.S. Department of Labor

 201 12th Street South, Suite 401
 Arlington, Virginia 22202
 (202) 693-9570
 (202) 693-9571 (FAX)
polat.elif.e@dol.gov

Carolyn T. Wilson
 Deputy Director
 Educational Policy and Development
 Mine Safety and Health Administration
 U.S. Department of Labor

 201 12th Street South, Suite 4E401
 Arlington, Virginia 22202
 (202) 693-9564
 (202) 693-9571 (FAX)
wilson.carolyn.t@dol.gov

Grants Office:

Nancy E. Sloanhoffer
 Grant Officer
 Office of Compliance Review
 Directorate of Administration and Management
 Mine Safety and Health Administration

 201 12th Street South, Suite 4E401
 Arlington, VA 22202
 Phone: 202-693-9880
sloanhoffer.nancy.e@dol.gov

The telephone numbers listed above are not toll-free numbers.

VII. OMB INFORMATION COLLECTION

This FOA requests information from applicants. This collection of information is approved under OMB Collection No. 1225-0086 (Exp. Date: July 31, 2025).

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 this collection of information is estimated to average 18 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Each recipient who receives a grant award will be required to submit four performance and a final report to MSHA. MSHA estimates that each report will take two and one-half hours to prepare.

Send comments about the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, to the attention of the Departmental Clearance Officer, 200 Constitution Avenue NW, Room N1301, Washington, D.C. 20210. Comments may also be emailed to: DOL_PRA_PUBLIC@dol.gov.

PLEASE DO NOT RETURN YOUR GRANT APPLICATION TO THIS ADDRESS. SEND ONLY COMMENTS ABOUT THE BURDEN CAUSED BY THE COLLECTION OF INFORMATION TO THIS ADDRESS. SEND YOUR GRANT APPLICATION TO THE SPONSORING AGENCY AS SPECIFIED EARLIER IN THIS ANNOUNCEMENT.

This information is being collected for the purpose of awarding a grant. This information is required to be considered for this grant.

Nancy E. Sloanhoffer
Grant Officer
Mine Safety and Health Administration

Date