

developing and implementing H-1B Technical Skills Training Projects.

By building linkages to the One-Stop Career Center network, applicants can reach out, inform, and recruit individuals to participate in H-1B technical skills training and access a range of services for H-1B participants. ETA believes that co-enrollment in WIA and H-1B technical skills training allows for a much broader and comprehensive service provision for H-1B Program participants. For example, some H-1B participants may need supportive services, such as childcare and transportation, to enable them to be successful in both the learning environment and labor market. Supportive services are not allowable activities under the H-1B grant and by co-enrolling these H-1B participants in WIA, some H-1B participants may have access to a full range of supportive services available through their local One-Stop Career System, if determined necessary. Applicants may also consider working with community and faith-based organizations to access supportive services for H-1B participants.

Coordination and consultation activities with the applicable state workforce agency and/or Governor's office or State Workforce Investment Board are also highly encouraged in order to connect to other relevant skills shortages projects that may be operating in the state as well as for sustainability purposes. Although Federal resources may not be counted towards the match requirement, leveraging WIA resources will help make the technical skills training more effective.

Higher Level of Training: Under this SGA, DOL's goal is to fund grants that will provide training at the H-1B level, a level that clearly prepares individuals to meet the "specialty occupation" definition of "a theoretical and practical application of a body of specialized knowledge and sometimes may even require full state licensure to practice in the occupation." These occupations require at least a bachelor's degree or higher and/or experience in the specific specialty. This will require a higher level of training than has occurred to date under some H-1B funded grants.

To train at high levels, applicants should ensure that eligible participants have a fairly advanced education and skill sets and be capable of pursuing training at the college level. In addition, the applicant should determine how these individuals will possess the capacity after completion of the training to perform in jobs that were previously filled via the H-1B visa process, or could be filled at the H-1B level.

If career ladder training is proposed, applicants must demonstrate that the majority of participants will complete the highest rungs of the H-1B level training under the grant within a reasonable period of time. Proposals to fund training in non-H-1B level occupations and preparatory or introductory level information technology areas will receive low selection priority under this SGA.

H-1B Occupational Focus: Since a major objective of H-1B Technical Skills Training Grants is to reduce dependency upon foreign workers in specialty occupations, DOL believes that increased priority is needed in occupations that are largely reflected in approved H-1B visa petitions and that are part of ACWIA legislation. These priority occupations include higher levels of computer science and information technology and architecture, engineering and surveying occupations. In accordance with ACWIA 2000, priority will also be given to proposals related to occupations in biotechnology, biomedical research and manufacturing, and advanced manufacturing technology. Proposals to provide training in other occupational areas such as nursing will receive low selection priority.

Demonstrable Results: DOL will give consideration to applicants that commit to achieving the following outcome goals upon successful completion of training: (1) Hiring or causing the hiring of unemployed trainees; (2) increasing the wages or salary of incumbent workers; or (3) providing skill certifications to trainees or linking the training to industry accepted occupational skill standards, certificates, or licensing requirements. Applicants should provide a description of what demonstrable results are expected and how these results will be achieved and measured.

Small Businesses: As required by ACWIA 2000, DOL will give consideration in awarding grants to any proposal which includes and directly benefits two or more small businesses (100 employees or less).

Part II—Requirements

A. Participants Eligible to Receive H-1B Training

Employed and Unemployed Individuals: Training funded by a grantee may be for both individuals who are currently employed and who wish to obtain and upgrade skills and individuals who are unemployed. The aim of the skills training is to place employed and unemployed workers in highly skilled H-1B related

occupations. Applicants are encouraged to consider using community and faith-based organizations in the recruitment of qualified unemployed workers into H-1B programs. As noted above, eligible participants for the H-1B Technical Skills Training Grant Program, prior to the beginning of H-1B training, should possess (and be identified as having through appropriate assessment tools) a fairly advanced educational background and skills set. In addition, eligible participants should have the prerequisites for the occupational training being proposed.

Citizenship Status: Training may be provided to American citizens and nationals and immigrants authorized by the Attorney General to work in the United States, which includes lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General. Note that workers admitted under non-immigrant visas, such as the H-1B program and related programs, are not eligible for training with grant funds.

Veterans Priority: In addition, this program is subject to the provisions of the "Jobs for Veterans Act," Pub. L. 107-288, which provides priority of service to veterans and certain of their spouses in all Department of Labor-funded job training programs. Please note that, to obtain priority of service, a veteran must meet the program's eligibility requirements. Comprehensive policy guidance is being developed and will be issued in the near future.

B. Administrative Requirements

1. General

Grantee organizations will be subject to: ACWIA 2000; these guidelines; the terms and conditions of the grant and any subsequent modifications; applicable Federal laws (including provisions in appropriations law), and any applicable requirements listed below:

a. Workforce Investment Boards—20 Code of Federal Regulations (CFR) Part 667.220, published in the **Federal Register** on Friday, August 11, 2000 (Administrative Costs).

b. Non-Profit Organizations—Office of Management and Budget (OMB) Circulars A-122 (Cost Principles) and 29 CFR Part 95 (Administrative Requirements).

c. Educational Institutions—OMB Circulars A-21 (Cost Principles) and 29 CFR Part 95 (Administrative Requirements).

d. State and Local Governments—OMB Circulars A-87 (Cost Principles)