

SGA in the **Federal Register**, and invite the competing applicants to submit the supplemental "Part B" Notice of Intent and any additional information that the applicant determines is appropriate. To be considered, the Part B information and any additional information must be received by the Chief of DINAP or be postmarked no later than 15 days after the applicant is notified of the competition.

Where competitive evaluation is required, the Grant Officer will use a formal panel review process to score the information submitted with the complete Notice of Intent (Part A and B), using the criteria listed in Section V(1). The review panel will include individuals with knowledge of or expertise in programs dealing with Indians and Native Americans. The purpose of the panel is to review and evaluate an organization's potential, based on its application (including the supplemental information required in Part B), to provide services to a specific Native American community, to rate the proposals in accordance with the rating criteria described in Section V(1), and to make recommendations to the Grant Officer. The panel will be provided the information described in the Notice of Intent.

It is DOL's policy that no information affecting the panel review process will be solicited or accepted after the deadlines for receipt of applications set in this SGA. All submitted information must be in writing. This policy does not preclude the Grant Officer from requesting additional information independent of the panel review process.

During the review, the panel will not give weight to undocumented assertions. Any information must be supported by adequate and verifiable documentation, e.g., supporting references must contain the name of the contact person, an address, and telephone number. Panel ratings and recommendations are advisory to the Grant Officer.

Determination of Designation. The Grant Officer will make the final determination of section 166 designees and of the geographic service area for which each designation is made. In accordance with 20 CFR 668.250(b)(4), the Grant Officer will select the entity that demonstrates the ability to produce the best outcomes for its customers, based on all available evidence. In addition to considering the review panel's rating in those instances in which a panel is convened, the Grant Officer will consider input from DINAP, other offices within the Employment and Training Administration, and the

DOL Office of the Inspector General, and any other available information regarding applicants' financial capability, operational capability, and responsibility. The Grant Officer need not designate an entity for every geographic area. See 20 CFR 668.294. If there are services areas for which no entity submitted a complete Notice of Intent or for which no entity achieved a score of at least 70, the Grant Officer may either designate no service provider or may designate an entity based on demonstrated capability to provide the best services to the client population. DOL reserves the right to select applicants with scores lower than 70 or lower than competing applications if such selection would, in DOL's judgment, result in the most effective and appropriate combination of services to the client population, funding, and costs.

An applicant for section 166 designation that is refused such designation, in whole or in part, will be afforded the opportunity to appeal non-designation as provided at 20 CFR 668.270.

3. *Anticipated Announcement and Award Dates*

If at all possible, designation decisions will be made by March 1, 2004.

VI. **Award Administration Information**

1. *Award Notices*

The Grant Officer, Ms. Laura Cesario, will notify section 166 applicants of designation results as follows:

Designation Letter. The designation letter signed by the Grant Officer will serve as official notice of an organization's designation. The designation letter will include the geographic service area for which the designation is made.

Conditional Designation Letter. Conditional designations will include identification of the geographic service area, the nature of the conditions, actions required for the designee to achieve full designation status, and the time frame in which such actions must be accomplished.

Non-Designation Letter. Any organization not designated, in whole or in part, for a requested geographic service area will be notified formally of the non-designation and given the basic reasons for the determination.

Notification by a person or entity other than the grant officer that an organization has been designated is not valid.

2. *Administrative and National Policy Requirements*

Grantees must comply with the provisions of WIA and its regulations, including those parts focused specifically on programs for Indians and Native Americans. As referenced in Section IV(2), Notices of Intent must provide assurances of compliance with nondiscrimination and equal opportunity laws, as listed in 29 CFR 37.20. Additionally, all grants will be subject to the following administrative standards and provisions, if applicable to the particular grantee:

- 20 CFR part 667—Administrative provisions under Title I of WIA
 - 29 CFR parts 30, 31, 32, 33 and 36—Equal Employment Opportunity in Apprenticeship and Training; Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964; Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Department of Labor; and Nondiscrimination on the Basis of Sex in Education Programs Receiving or Benefiting from Federal Financial Assistance
 - 29 CFR part 37—Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Investment Act of 1998 (WIA)
 - 29 CFR part 93—Lobbying
 - 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
 - 29 CFR part 96—Federal Standards for Audit of Federally Funded Grants, Contracts, and Agreements
 - 29 CFR part 97—Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments
 - 29 CFR part 98—Governmentwide Debarment and Suspension (Non-Procurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)
 - 29 CFR part 99—Audit of States, Local Governments, and Non-Profit Organizations
- In accordance with WIA Section 195(6) and 20 CFR 668.630(f), programs funded under this SGA may not involve political activities. Additionally, in accordance with Section 18 of the Lobbying Disclosure Act of 1995, Public Law 104-65 (2 U.S.C. 1611), non-profit entities incorporated under 501(c)(4) that engage in lobbying activities are not eligible to receive Federal funds and