

## Notice of Funding Opportunity – Tax Counseling for the Elderly (TCE) Grant

### A. Program Description

The Tax Counseling for the Elderly (TCE) Program offers FREE tax help to individuals who are age 60 or older. Section 163 of the Revenue Act of 1978, Public Law No. 95-600, 92 Stat. 2810, November 6, 1978 (the Act), authorizes this cooperative agreement. The Act authorizes the Internal Revenue Service (IRS) to enter into agreements with private or public nonprofit agencies and organizations, which will provide training and technical assistance to volunteers who provide FREE tax counseling and assistance to elderly individuals in the preparation of their federal income tax returns. This Act authorizes an appropriation of special funds, in the form of grants, to provide tax assistance to persons age 60 years of age or older. The IRS receives the funds as a line item in the appropriation. The total funds are distributed to the grant recipients for their expenses.

Eligible agencies and organizations compete for acceptance as a TCE grant recipient in compliance with the Federal Grant and Cooperative Agreement Act of 1977, Public Law No. 95-224, 92 Stat. 3, February 3, 1978, codified at 31 USC Chapter 63. Applicants must be experienced in coordinating volunteer programs, with experience in income tax return preparation. Eligible agencies and organizations receive grants to conduct local TCE Programs.

Tax return preparation assistance is provided to elderly taxpayers during the usual period for filing federal income tax returns, which is from January 1 to April 15 each year. However, the program activities required to ensure that elderly taxpayers receive efficient and quality tax assistance can be conducted year-round.

The *Cooperative Agreement*, IRS Form 9661, and associated *Terms and Conditions*, IRS Publication 5245, define the functions that the grant recipient and IRS will perform, the maximum amount of funding available for reimbursement and administrative purposes, the minimum number of federal tax returns to be completed by the organization, and other information. Approval for a three-year multi-year award is available for agencies and organizations that are interested and request consideration when submitting an application. Consideration is limited to those applicants that meet all eligibility requirements. The second and third years will be funded subject to satisfactory performance, compliance with program terms, and availability of appropriated funds. Funds awarded in a subsequent year may or may not be the same as awarded in the prior year. Organizations that are awarded a grant are responsible for all aspects of operating a TCE Program including, but not limited to, publicity, recruitment, training, site selection and management of volunteers. The necessity for renegotiation, suspension, or termination of a Cooperative Agreement will be determined solely by the Internal Revenue Service and will not be subject to appeal.

The TCE Grant Program is managed by the Stakeholder Partnerships, Education and Communication (SPEC) organization of the IRS. SPEC is responsible for providing for oversight, guidance and assistance to TCE grant recipient organizations. There are no cost sharing or matching requirements for the TCE Program.

Additional information concerning this notice of funding opportunity can be found in **IRS Publication 1101, *Application Package and Guidelines for Managing a TCE Program***, available on [irs.gov](http://irs.gov).

## **B. Federal Award Information**

IRS anticipates awarding a total of \$11 million through this opportunity. The amount of award is dependent on the applicant's reach and returns expected to be prepared in the program. The award instrument for this opportunity is a cooperative agreement. Information on the agency's substantial involvement with the program can be found in IRS Publication 1101. The period of performance for this cooperative agreement is October 1, 2022 through September 30, 2023. Awards are expected to be distributed to organizations providing services within the United States and Puerto Rico assuming eligible organizations submit applications by the due date and meet the established criteria.

Awards will be given to both new programs and continuing programs from a prior award period. Continuing programs will be considered for a three-year multi-year award (including initial year of grant). These continuing programs may then file an abbreviated application as explained under *Continuation of Multi-Year Award* in IRS Publication 1101. The second and third years will be funded subject to satisfactory performance, compliance with program terms, and availability of appropriated funds.

## **C. Eligibility Information**

1. *Eligible Applicants* – To be eligible to apply and participate in the program applicants must:
  - Be a private or public non-profit agency or organization that has been granted tax exemption under Section 501 of the Internal Revenue Code (organizations that have applied for recognition as tax-exempt but have not received their IRS determination letter confirming the organization as exempt are not eligible for this grant) or be a federally recognized Indian tribal government;
  - Have experience in coordinating volunteer programs with experience in income tax return preparation; and
  - Not be a federal, state, or local governmental agency or organization.
2. *Cost Sharing or Matching* – This grant requires no cost sharing or matching of federal funds.
3. *Other* – In addition to 1 above, the following are part of eligibility consideration.
  - Be compliant with federal tax obligations – The organization applying must be in compliance at time of application, prior to award, and must remain in compliance throughout the grant period with all federal tax obligations. This includes filing all required federal information and tax returns and payment of all federal tax, penalties, and interest.
  - Be compliant with other federal obligations – Organizations with federal nontax debt may not be awarded a grant depending on the circumstances surrounding the debt. We may require additional information to make a final decision if you describe a federal nontax debt in your grant application or if the System for Award Management (SAM) reports a federal nontax debt.
  - Be eligible to receive federal financial assistance – The organization must not be debarred or suspended from receiving federal financial assistance and must provide certification regarding debarment, suspension, and other responsibility matters as covered in the List of Assurances and Certifications section of the application.
  - Be compliant with audit requirements, when applicable – Audit requirements applicable to grant award recipients are described in 2 CFR 200.501. A non-federal entity that expends

\$750,000 or more in Federal awards during its fiscal year is required to have a single audit conducted in accordance with 2 CFR 200.514. Organizations with other than unmodified opinion will be asked the actions taken to correct the identified concern.

- Submit required reports timely – If your organization received a Volunteer Income Tax Assistance (VITA) grant or TCE grant in prior years, timely submission of required reports is a pre-requisite for consideration of future grant opportunities.
- Submission of Multiple Applications – Organizations can submit only one application per announcement (CFDA #) however there is no limit to an organization applying for more than one federal grant opportunity.

#### **D. Application and Submission Information**

1. *Address to Request Application Package* – The application package is available electronically on Grants.gov. Using the Search for Grant Opportunities feature, refine the search to CFDA Number 21.006 or funding opportunity number TCE-2023. A key piece of the TCE program is the electronic transmission of tax returns; an organization without the initial resources to obtain the application electronically is most likely not a good match.

2. *Content and Form of Application Submission* – Detailed instructions for the application and its components are contained in IRS Publication 1101, Application Package and Guidelines for Managing a TCE Program. All applications must be submitted electronically through Grants.gov.

- a. Pre-application and letters of intent are not required or encouraged.
- b. Both Background Narrative and the Proposed Program/Budget Plans are to be double-spaced and each response should correspond with the appropriate requirement.
- c. The application components for all competitive applicants are:
  - IRS Form 14204, *TCE Program Application Checklist and Contact Sheet*;
  - Background Narrative (Double spaced - prepared according to instructions in IRS Publication 1101);
  - A copy of the determination letter issued by the Internal Revenue Service recognizing the organization as tax-exempt under Section 501 of the Internal Revenue Code. Note: If the organization is included as a subordinate in group exemption ruling, include the current official subordinate listing approved by the central organization. Also, you do not need to submit a determination letter if the agency or organization is a federally recognized Indian tribal government;
  - If the organization is not required to file a federal information return or tax return, please submit a statement on the organization's letterhead explaining why your organization is not required to file;
  - Proposed Program/Budget Plan (Double-spaced - prepared according to the instructions in IRS Publication 1101);
  - IRS Form 8653, *Tax Counseling for the Elderly Program Application Plan*;
  - Standard Form 424 - Completed according to the instructions provided with the form and signed by an authorized representative of the organization. (Note the Catalog of Federal Domestic Assistance Number, Block #11, is 21.006 for TCE and all applicants must check "I Agree" in block 21 of the form certifying to all assurances and certifications outlined in IRS Publication 1101);
  - Civil Rights Narrative (Prepared according to instructions);
  - Form 14335, *Contact Information for VITA & TCE*; and

- Standard Form LLL, *Disclosure of Lobbying Activities* -if required.

The application components for all non-competitive, continuing multi-year applicants are:

- Application for Federal Assistance, SF 424, block 2 showing "Continuation"
- Budget Information - IRS Form 8653, *Tax Counseling for the Elderly Program Application Plan*
- Civil Rights Narrative

Note: Applicants must be approved to submit a non-competitive, continuing multi-year application.

- d. Successful applicants receiving the award will not need to submit any information prior to accepting the award and executing IRS Form 9661, *Cooperative Agreement*.

3. *Unique Entity Identifier and System for Award Management (SAM)* – Each applicant must be registered in SAM at [www.sam.gov](http://www.sam.gov) before submitting its application, provide a unique entity identifier in its application, and continue to maintain an active SAM registration with current information at all times in which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The IRS cannot make this grant to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the award is ready to be made, the IRS may determine that the applicant is not qualified to receive this grant and use that determination as a basis for awarding the grant to another applicant.

Effective April 2022, SAM will stop using the proprietary, nine-digit Data Universal Numbering System (DUNS) number supplied by Dun & Bradstreet. The General Services Administration (GSA) will instead supply and generate a non-proprietary Unique Entity Identifier (UEI) at [www.sam.gov](http://www.sam.gov) for identifying entities during the awards process for things like contracts, grants and cooperative agreements in SAM and other systems. GSA is streamlining the UEI request, registration and support process by allowing entities to handle all three through SAM.

UEIs are 12-character alpha-numeric values — all letters being capitalized. The final character will be a checksum of the first 11 to detect errors in data. UEIs won't use the letters O or I to avoid confusion or use nine-digit sequences like the DUNS number.

UEIs will automatically be assigned to existing entities within SAM and made available for viewing. Organizations' registration will automatically be assigned a new UEI which will be displayed in SAM. The purpose of registration, core data, assertions, representations & certifications, points of contacts, etc. in SAM will not change and no organizations will be required to re-enter this data. The DUNS number assigned to the registration will be retained for search and reference purposes in SAM.

4. *Submission Dates and Times* – To be considered for an award, the application must be successfully submitted to Grants.gov by 11:59 p.m. eastern time on May 31, 2022. Applications not successfully submitted by this time will not be considered. Other methods of submission are not accepted. Proof of timely submission is automatically recorded by Grants.gov. An electronic time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant will receive an acknowledgement of receipt and a tracking number from Grants.gov with the successful transmission of their application. Applicants should print this receipt and save it as proof of timely submission. When the Internal Revenue Service successfully retrieves the application from Grants.gov, Grants.gov will provide an electronic acknowledgment of receipt to the email address of the Authorized Organization

Representative (AOR). Proof of timely submission shall be the date and time that Grants.gov receives your application.

5. *Intergovernmental Review* – Executive Order 12372, Intergovernmental Review of Federal Programs, was issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on state and local processes for the coordination and review of proposed federal financial assistance and direct federal development. The Order allows each state to designate an entity to perform this function. Visit <http://www.whitehouse.gov/omb/office-federal-financial-management> to determine if your state is participating. States that are not listed have chosen not to participate in the intergovernmental review process. If you are located within a state that has chosen not to participate, you may send application materials directly to a federal awarding agency.

6. *Funding Restrictions* – In general, expenses are only allowable if they are reasonable and are costs that would not have been incurred but for the TCE program. IRS Publication 1101 provides additional information by cost category along with an exhibit with the most common allowable and unallowable program expenses.

- Federal funds may not be used to pay for the activities of screening, return preparation or quality review.
- Any Indirect Costs are unallowable through the TCE Program.
- Cost of food and beverages provided for volunteers at TCE sites is allowable as long as the purchase meets all OMB established criteria, is a direct cost, and does not exceed \$500 per applicant. Costs in conjunction with an event considered entertainment or social activity is not allowable.
- Construction costs are not allowable.
- Costs associated with items or services that fall outside of the grant cycle (before October 1st) are not allowable.

7. *Other Submission Requirements* – Applications will only be accepted if submitted electronically through Grants.gov. Instructions for applying for a grant on Grants.gov are found at: <http://www.grants.gov/web/grants/applicants/apply-for-grants.html>. To download the grant application package under Step 1, search using **CFDA Number 21.006**. Once the package is downloaded and saved to your computer, it can be completed, submitted, and tracked following the instructions provided at the above URL address.

Applications may be downloaded prior to finishing the Grants.gov registration process; however, they may not be submitted until registration is complete. Grants.gov provides instructions for registering an organization at: <http://www.grants.gov/web/grants/applicants/organization-registration.html> Depending on whether your organization already has a UEI or SAM registration, registration could take up to **4 weeks** to complete all steps. **START EARLY.**

Organizations applying must have a UEI, an active SAM registration that will not expire prior to successful submission, and active accounts within Grants.gov for the individual submitting and/or authorizing the submission. Applications must ensure they register the individual who is able to make legally binding commitments for the applicant organization as the Authorized Organization Representative (AOR). Approval of the AOR is done by the E-Business Point of Contact (E-Biz POC). When your organization registers with SAM, the assignment of the E-Biz POC is required. A special password is created called the "MPIN" (Marketing Partner Identification Number). This password gives the designated individual the sole authority to designate which staff members are permitted to submit

applications electronically through Grants.gov. Organizations should review and confirm the E-Biz POC and contact information in SAM is accurate to prevent delay of Grants.gov application submission.

#### **E. Application Review Information**

1. *Criteria* – Competitive applications are reviewed for the following criteria in a technical evaluation. Applications must score 70% (70 points) or more in the technical evaluation to receive an evaluation by the SPEC Grant Program Office (GPO). Non-competitive, continuing multi-year applicants are subjected to a GPO evaluation only.

Technical Evaluation Criteria:

- a. Target Audience (for age 60 and over) – 0-25 points
- b. Electronic Filing Service for age 60 and over taxpayers – 0-18 points
- c. Quality of Programs and Return Processes – 0-5 points
- d. Site and Return Preparation Experience – 0-13 points
- e. Site Accessibility (accommodate persons with disabilities) – 0-5 points
- f. Partnerships/Collaborations with Community Organizations – 0-2 points
- g. Staff Experience – 0-3 points
- h. Financial Operations – 0-19 points
- i. Monitoring Process – 0-5 points
- j. Training Plan for Staff/Volunteers – 0-3 points
- k. Volunteer and Recruitment Plan – 0-3 points
- l. Publicity Plan – 0-2 points
- m. Past Performance for Returning Applicant – 0-2 points

Cost sharing or matching of federal funds is not required and is not considered in the evaluation.

2. *Review and Selection Process* – Parts of eligibility screening, technical review and GPO evaluation may occur simultaneously. Technical reviews are conducted by IRS field employees with extensive knowledge of the Volunteer Income Tax Assistance or Tax Counseling for the Elderly programs. Continuing multi-year and competitive applications achieving 70% (70 points) or more are subjected to the GPO evaluation.

GPO Evaluation Criteria:

- a. *Elderly Focus*– Considers applicant’s target audience and plans to provide service. Ensure funds are being provided to organizations for the purpose of serving the elderly taxpayers throughout the U.S. To be eligible, organizations must meet eligibility requirements and score 70 or higher on the technical evaluation.
- b. *Budget Information Review* – Considers budget information including proposed budget, appropriateness of funds sought for quantity of returns proposed, elderly focus, reasonableness of expenses, and financial operations.
- c. *Prior Year Grant Performance* – Considers delivery to plan, cooperation with requests for information and submission of required reporting.
- d. *Multi-year Award Requests* – Confirms applicants meet eligibility for multi-year award, when requested. To be eligible, organization must be a prior grant recipient, in good standing, and scored 90% or better during the current technical review.

- e. Eligibility requirements – Processing may occur simultaneously so GPO evaluation may occur prior to when final eligibility checks are completed.

Recommendations are made by the GPO through management and final selection of grant recipients are made by the Director, Stakeholder Partnerships, Education and Communication.

3. *Integrity and Performance System* - Prior to making an award, the GPO is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM, currently the Federal Awardee Performance and Integrity Information System (FAPIS) found at <https://www.fapiis.gov>.

An applicant, at its option, may review information in FAPIS and comment on any information about itself that a Federal awarding agency previously entered and is currently in FAPIS. Any comments are input directly into FAPIS. The GPO will consider any comments by the applicant, in addition to the other information in FAPIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.205.

4. *Anticipated Announcement and Federal Award Dates* – All awards (continuing multi-year and competitive awards) and non-awards are generally announced the first week of October. Organizations that do not meet eligibility requirements may be informed earlier.

#### **F. Federal Award Administration Information**

1. *Federal Award Notices* – Successful applicants will receive an email and grant agreement detailing the amount of funds awarded, if a match is required (no match is required for the TCE program), whether a single or multi-year award, terms and conditions, and reporting requirements. The package will also include any questions, comments, or concerns noted on the budget or in the program plan, and for competitive applications, feedback from the technical review. Organizations have 20 calendar days to accept the award and provide requested information. Details on the information required to accept the award can be found at the following URLs depending on whether the organization is offered a single year (<http://www.irs.gov/Individuals/Single-Year-TCE-Grant-Recipients>) or multi-year award (<http://www.irs.gov/Individuals/Multi-Year-TCE-Grant-Recipient>)

2. *Administrative and National Policy Requirements* – IRS Publication 1101 contains a section on assurances and certifications along with Appendix A, Exhibit 2, List of Assurances and Certifications, which were part of the national policy requirements agreed to during the application process. VITA and TCE grant recipients will also find additional information about the grant, reporting, and reviews in IRS Publication 4883, *Grant Programs Resource Guide*. In addition, organizations are required to sign IRS Form 13533, *VITA/TCE Partner Sponsor Agreement*, providing assurances that they will operate their TCE program within the program requirements and ensure that each volunteer has agreed to IRS Form 13615, *Volunteer Standards of Conduct Agreement – VITA/TCE Programs*. All forms and publications are available on IRS.gov.

3. *Reporting* – As stated earlier, IRS Form 9661, *Cooperative Agreement* and associated *Terms and Conditions*, IRS Publication 5245, provide the reporting requirements along with the method, and point of submission. Financial reports (Standard Form 425) are to be submitted electronically quarterly through the Payment Management System and within 90 days of project end date. Interim reporting is

required periodically to inform IRS of key personnel changes, sub-awards, related party transactions, and site establishment. In late April, performance monitoring completed by IRS is shared to ensure agreement with non-federal entity records. Final reporting is due December 30 following the end of the project period and includes both program and financial reporting. Detailed information on the report components, method and point of submission are contained in IRS Publication 4883, *Grant Programs Resource Guide*, available on IRS.gov.

All applicants must certify to all assurances and certifications outlined in IRS Publication 1101 as part of their application. Grant recipients that have federal contract, grant, and cooperative agreement awards with a cumulative total value greater than \$10 million for any period of time during the period of performance of the TCE award must complete all recipient integrity and performance reporting in the Federal Awardee Performance and Integrity Information System (FAPIS) required by Appendix XII of 2 CFR Part 200. The requirements are set forth in IRS Form 9661, *Cooperative Agreement* and associated *Terms and Conditions*, IRS Publication 5245.

4. *OMB Guidance* – The Federal awarding agency will review and consider applications for funding pursuant to this notice of funding opportunity in accordance with the Office of Management and Budget’s grant award administrative requirements in 2 CFR Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and other Federal regulations, including the following updates published on August 13, 2020 ([85 Fed. Reg. 49506](#)):

- Selecting recipients most likely to be successful in delivering results based on the program objectives through an objective process of evaluating Federal award applications (2 CFR 200.205),
- Prohibiting the purchase of certain telecommunication and video surveillance services or equipment in alignment with section 889 of the National Defense Authorization Act of 2019, P.L. 115-232 (2 CFR 200.216),
- Protecting free speech, religious liberty, public welfare, the environment, and prohibiting discrimination (2 CFR 200.300, 200.303, 200.339, and 200.341),
- Providing a preference, to the extent practicable, to maximize use of goods, products, and materials produced in the United States (2 CFR 200.322), and
- Terminating agreements in whole or in part to the greatest extent authorized by law, if an award no longer effectuates the program goals or agency priorities (2 CFR 200.340).

**Commented [A1]:** This section appeared in the 2021 Notice of Funding Opportunity. Is there a reason it was removed from the 2022 version?

#### G. Federal Awarding Agency Contacts

Interested applicants should review IRS Publication 1101 or consult the Frequently Asked Questions available on IRS.gov at URL: <https://www.irs.gov/pub/irs-utl/FAQs%20TCE%20External%20-%20Final.pdf> For remaining questions, you may email [tce.grant.office@irs.gov](mailto:tce.grant.office@irs.gov).

#### H. Other Information

The inside cover of IRS Publication 1101 provides URL and contact information for different aspects of grant management including Grants.gov, System for Award Management, and the Payment Management System along with other IRS aides an applicant may find useful.