Sample Funding Opportunity Announcement (FOA) provision and review criteria language for Community Benefits Plan (CBP) requirements for base appropriations or other non-BIL or IRA funded R&D activities.

1. Sample FOA provision language for base appropriations or other non-BIL or IRA funded R&D CBPs

Prescription: *Program Offices have the discretion to incorporate CBPs in DOE financial assistance programs that are authorized and funded under annual base appropriations and/or other non-BIL/IRA appropriations. The CBP FOA provision is tailorable and should be tailored based on the Program Office mission requirements, and type of FOA and anticipated financial assistance award. Program Offices that include a requirement for a CBP should tailor the requirements accordingly. Program Offices may, as necessary, consult with ELEP subject matter experts, the CO, and General Counsel (GC) to assist with tailoring the CBP requirements in FOAs utilizing annual base appropriations and/or other non-BIL/IRA appropriations. Email* ***cbp-help@hq.doe.gov*** *for ELEP coordination or if you have questions regarding CBP requirements.*

When included in a FOA, the CBP provision must clearly state the requirements that the applicant must address and include in its CBP. The CBP requirements and the applicants' CBP must have a direct nexus to the program's objectives in the FOA and the applicants' proposed projects. The FOA should also include merit review criteria that clearly describe how DOE will evaluate the applicant's CBP. The CO should ensure that the FOA language has been approved for use by the Program Office, and GC, if necessary, prior to issuing.

The following sample FOA provision should be tailored accordingly and included in Section IV - Application and Submission Information, subsection E – Content and Form of Full Application.

Research & Development Community Benefits Plan (CBP)

DOE is committed to investing in research and development (R&D) of innovations that deliver equitable benefits to the American public and lead to commercialization of technologies and products that foster sustainable, reliable, and resilient energy systems. Further, DOE is committed to supporting the development of more diverse, equitable, inclusive, and accessible workplaces to help maintain the nation's leadership in science and technology.

To support these DOE goals, projects funded under this FOA are expected to (1) advance diversity, equity, inclusion, and accessibility (DEIA); (2) contribute to energy equity; and

(3) invest in America's workforce. To ensure these objectives are met, applications must include a Research and Development Community Benefits Plan (R&D CBP) that addresses how DEIA is incorporated in the technical project objectives, the equity implications of the R&D innovations, and the long-term workforce impacts of the project.

The R&D CBP must set forth the applicant's approach to ensuring the federal investments advance the following three objectives: (1) DEIA is integrated into the research goals and project teams; (2) energy equity implications of the results of the R&D; and (3) investing in America's workforce. The below sections set forth the content requirements for the R&D CBP. Applicants must submit a CBP that address all three sections.

The applicant's CBP must include Specific, Measurable, Attainable, Realistic, and Timely (SMART) milestones to measure progress on the proposed actions. The CBP will be evaluated as part of the technical merit review of the application. If a project application is selected, DOE will incorporate the approved CBP into the award and the recipient must implement the CBP while carrying out its project objectives. DOE will evaluate the recipient's progress on CBP objectives throughout the life of the award.

The CBP should be specific to the proposed project objectives and not a restatement of an organization's policies. Applicants should describe the future implications or a milestone-based plan for identifying future implications of their research on energy equity, including, but not limited to, benefits for the U.S. workforce. These impacts may be uncertain, occur over a long period of time, and/or have many factors within and outside the specific proposed research. Applicants are encouraged to describe the influencing factors and the most likely workforce and energy equity implications of the proposed research if the research is successful. While some guidance and example activities are provided in Appendix [*x*] of the FOA, applicants are encouraged to leverage promising practices and develop a plan tailored to their project.

The R&D CBP must not exceed [*five*] pages. It must be submitted in PDF format. This Plan must address the technical review criterion titled "R&D Community Benefits Plan." See Section V. of the FOA.

The R&D CBP must address the following three sections:

1) Diversity, Equity, Inclusion, and Accessibility:
This section of the plan must demonstrate how DEIA is incorporated in the technical project objectives. It is important that there are opportunities for people of all racial, ethnic, socioeconomic, and geographic backgrounds, sexual orientation, gender identity, persons with disabilities, and those re-entering the workforce from incarceration. The plan must identify the specific action the applicant would take that integrates DEIA into the research goals and project teams. Submitting an institutional DEIA plan without specific integration into the project will be deemed insufficient.

2) Energy Equity:
This section must articulate the applicant's consideration of long-term equity implications of the proposed R&D project activities. It must identify how the specific project integrates equity considerations into the project design to support equitable outcomes if the innovation is successful. Like cost reductions and commercialization plans, the R&D CBP requires description of the equity implications of the innovation.

3) Workforce Implications:
This section must articulate the applicant's consideration of long-term workforce impacts and opportunities that may be provided by the proposed R&D project activities. It must identify how the project is designed and executed to include an understanding of the future workforce needs if the innovation is successful.

See **Appendix [*x*] R&D Community Benefits Plan Guidance** for additional guidance on R&D CBPs.

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The following sample R&D CBP guidance can be tailored and included as an appendix to a FOA to provide additional guidance to applicants on the R&D CBP content requirements.

2. Appendix [*x*] – Research & Development Community Benefits Plan Guidance

DOE is committed to pushing the frontiers of science and engineering; catalyzing high-quality domestic clean energy jobs through research, development, demonstration, and deployment; and ensuring energy equity and energy justice[1] for disadvantaged communities. Therefore, and in accordance with the Administration's priority to empower workers and harness opportunities to create good union jobs as stated in EO 14008 (Executive Order on Tackling the Climate Crisis at Home and Abroad),[2] it is important to consider the impacts of the successful commercial deployment of any

[1] DOE defines energy justice as "the goal of achieving equity in both the social and economic participation in the energy system, while also remediating social, economic, and health burdens on those disproportionately harmed by the energy system" (Initiative for Energy Justice, 2019). Aligned with that definition, the remainder of this document refers to "energy equity" to encompass energy justice and DOE's efforts related to Justice40. https://www.energy.gov/diversity/articles/how-energy-justice-presidential-initiatives-and- executive-orders-shape-equity

[2] https://www.federalregister.gov/documents/2021/02/01/2021-02177/tackling-the-climate-crisis-at-home-and- abroad

innovations resulting from this FOA on the current and future workforce.

The goal of the R&D Community Benefits Plan (CBP) is to allow the application to illustrate engagement in critical thought about implications of how the proposed project will benefit the American people and lead to broadly shared prosperity, including for workers and disadvantaged communities.[3] The three sections of the R&D CBP are considered together because there may be significant overlap among audiences considered in workforce and disadvantaged communities.

Example DEIA, Energy Equity, and Workforce Plan Elements
Outlined below are examples of activities that applicants might consider when developing their R&D Community Benefits Plan. Applicants are not required to implement any of these specific examples and should propose activities that best fit their research goals, institutional environment, team composition, and other factors. Creativity is encouraged.

DEIA
DOE strongly encourages applicants to involve individuals and entities from disadvantaged communities. Tapping all the available talent requires intentional approaches and yields broad benefits.

Equity extends beyond diversity to equitable treatment. Equitable access to opportunity for members of the project team is paramount. This includes ensuring all members of the team, including students, are paid a living wage, provided appropriate working conditions, and provided appropriate benefits. In the execution of their project plan, applicants are asked to describe efforts in diversity, equity, inclusion, and accessibility. In this context, efforts toward DEIA are defined as:[4]

1) The practice of including the many communities, identities, races, ethnicities, backgrounds, abilities, cultures, and beliefs of the American people;
2) The consistent and systematic fair, just, and impartial treatment of all individuals, including protecting workers rights and adhering to Equal Employment Opportunity laws;
3) The recognition, appreciation, and use of the talents and skills of employees of all backgrounds; and
4) The provision of accommodations so that all people, including people with disabilities, can fully and independently access facilities, information and communication technology, programs, and services.

Successful plans should not only describe how the project team seeks to increase DEIA

[3] See footnote 2 for guidance on the definition and tools to locate and identify disadvantaged communities.

[4] https://www.whitehouse.gov/wp-content/uploads/2021/11/Strategic-Plan-to-Advance-Diversity-Equity- Inclusion-and-Accessibility-in-the-Federal-Workforce-11.23.21.pdf

but also should describe the overall approaches to retention, engagement, professional development, and career advancement. Specifically, they should demonstrate clear approaches to ensure all team members' strengths are meaningfully leveraged, and all members are provided opportunities and paths for career development, especially including paths for interns and trainees to secure permanent positions. Diversity should be considered at all levels of the project team, not just leveraging early career individuals to meet diversity goals.

DOE strongly encourages applicants to consider partnerships to promote DEIA, justice, and workforce participation. Minority Serving Institutions, Minority Business Enterprises, minority-owned businesses, disability-owned businesses, women-owned businesses, Native American-owned businesses, veteran-owned businesses, or entities located in an underserved community that meet the eligibility requirements are encouraged to lead these partnerships as the prime applicant or participate on an application as a proposed partner to the prime applicant.

When crafting the DEIA section of the Plan, applicants should describe how they will act to promote each of the four DEIA efforts above into their investigation. It is important to note that diversity, equity, inclusion, and accessibility are four different but related concepts that should not be conflated. For instance, you can achieve diversity without equity; however, all four must be addressed. Applicants could discuss how the proposed investigation could contribute to training and developing a diverse scientific workforce. Applicants could describe the efforts they plan to take, or will continue to take, to create an inclusive workplace, free from retaliation, harassment, and discrimination. Applicants could outline any barriers to creating an equitable and inclusive workplace and address the ways in which the team will work to overcome these barriers within the bounds of the specific research project. The plan could detail specific efforts to inform project team members in any capacity of their labor rights and rights under Equal Employment Opportunity laws and their free and fair chance to join a union. Note that this inclusion of informing project team members is also incorporated into awards through the National Policy Assurances.

Equal treatment of workers, including students, is necessary, but overcoming institutional bias requires intentionally reducing sometimes hidden barriers to equal opportunity. Applicants could consider measures like childcare, flexible schedules, paid parental leave, pay transparency, and other supports to ensure that societal barriers do not hinder realization of DEIA intentions. Some of these considerations may result in common approaches in different sections of the plan, and that is acceptable as long as the submission is not a singular approach to all sections.

DOE especially encourages applicants to form partnerships with diverse and often underrepresented institutions, such as MSIs, labor unions, and community colleges that otherwise meet the eligibility requirements. Underrepresented institutions that meet the eligibility requirements are encouraged to lead these partnerships as the prime applicant. The DEIA section of the Plan could include engagement with underrepresented

institutions to broaden the participation of disadvantaged communities and/or with local stakeholders, such as residents and businesses, entities that carry out workforce development programs, labor unions, local government, and community-based organizations that represent, support, or work with disadvantaged communities. Applicants should ensure there is transparency, accountability, and follow-through when engaging with community members and stakeholders.

Specific examples include:

- Building collaborations and partnerships with researchers and staff at MSIs;
- Addressing barriers identified in climate surveys to remove inequities;
- Providing anti-bias training and education in the project design and implementation teams;
- Offering training, mentorship, education, and other support to students and early/mid-career professionals from disadvantaged communities;
- Providing efforts toward improving a workplace culture of inclusion;
- Developing technology and technology integration innovations to meet the needs of disadvantaged communities;
- Creating partnerships with local communities, especially under-resourced and disadvantaged communities;
- Voluntary recognition of a union and informing employees of their rights, regardless of their classification;
- Making research products and engagement materials accessible in a greater variety of formats to increase accessibility of research outputs;
- Implementing training or distributing materials to reduce stigma towards individuals with disabilities;
- Designing technologies that strategically fit within the existing workforce for installation and maintenance of the potential innovation.

Energy Equity

The Energy Equity section should articulate how the proposed project objectives will drive equitable access to, participation in, and distribution of the benefits produced from successful technology innovations to disadvantaged communities. Intentional inclusion of energy equity requires evaluating the anticipated long-term costs and benefits that will impact disadvantaged communities as a result of the project, and how research questions and project plans are designed for and support historically disadvantaged communities' engagement in clean energy decisions. Similar to potential cost reductions or groundbreaking research findings resulting from the research, energy equity and justice benefits may be uncertain, occur over a long period of time, and have many factors within and outside the specific proposed research influencing them.

Applicants should describe the influencing factors and the most likely energy equity implications of the proposed research. Applicants should describe any long-term constraints the proposed technology may pose to communities' access to natural resources and Tribal cultural resources. There may be existing equity research available

to use and cite in this description, or the applicant could describe milestone-based efforts toward developing that understanding through this innovation. These near- and long-term outcomes may include but are not limited to: a decrease in the percent of income a household spends on energy costs (energy burden);[5] an increase in access to low-cost capital; a decrease in environmental exposure and burdens; increases in clean energy enterprise creation and contracting (e.g., women- or minority-owned business enterprises); increased parity in clean energy technology access and adoption; increases in energy democracy, including community ownership; and an increase in energy resilience.

Specific examples include:

- Describing how a successful innovation will support economic development in diverse geographic or demographic communities;
- Creating a plan to engage equity and justice stakeholders in evaluating the broader impacts of the innovation or in the development of the research methodology;
- Describing how the proposed research strategy and methodology was informed by input from a wide variety of stakeholders;
- Creating a literature review of the equity and justice implications of the outcomes of the specific research if the innovation is successful, or a plan with dedicated budget and expertise (staffing or subawardee) to evaluate the potential equity implications of successful innovation outcomes.

Workforce Implications

The Workforce Implications section of the R&D CBP should articulate the future workforce implications of the R&D project or a milestone-driven plan for understanding those implications. This includes documenting the skills, knowledge, and abilities that would be required of workers installing, maintaining, and operating the technology that may be derivative of the applicant's research, as well as the training pathways and its accessibility for workers to acquire the necessary skills. There may be field-specific or relevant existing research that could be cited in this section. In addition, applicants could detail the process they will use to evaluate long-term impacts on jobs, including job growth or job loss, a change in job quality, disruptions to existing industry and resulting changes to relationships between employers and employees and improvements or reductions in the ability of workers to organize for collective representation, and anything else that could result in changes to regional or national labor markets.

For additional support with developing the Workforce Implications section of a R&D CBP, please refer to the DOE's Community Benefits Plan Frequently Asked Questions (FAQs) webpage (https://www.energy.gov/infratructure/about-community-benefits-plans). This resource, though created primarily for BIL-funded demonstration and deployment projects, may be useful for R&D projects.

[5] Energy burden is defined as the percentage of gross household income spent on energy costs: https://www.energy.gov/eere/slsc/low-income-community-energy-solutions

Applicants will find section 2 of the FAQ ("Investing in America's Workforce") particularly helpful for understanding key federal policies, terms, and concepts, as well as workforce development strategies relevant to examination of the workforce implications of applicants' proposed research.

Specific examples include:

- Outlining the challenges and opportunities for commercializing the technology in the United States;
- Creating a literature review of the workforce implications of the outcomes of the specific research if the innovation is successful, or a plan with dedicated budget and expertise (staffing or subawardee) to evaluate the potential equity implications of successful innovation outcomes;
- Creating a plan and milestones for assessing how a successful innovation will have implications for job savings or loss, either at the macroeconomic level or within specific industries;
- Describing how the project will support workforce training to address needs for successful innovation;
- Voluntary recognition of a union and informing employees of their rights, regardless of its classification;
- Creating a plan to evaluate how a successful innovation will result in potential workforce shifts between industries or geographies.

Inclusion of SMART milestones

DOE requires that the applicant's R&D CBP include Specific, Measurable, Achievable, Realistic and Timely (SMART) milestones. An exemplary SMART milestone clearly answers the following questions:

- What needs to be accomplished?
- What measures and deliverables will be used to track progress toward accomplishment?
- What evidence suggests that the accomplishment is achievable?
- Why choose this milestone?
- When will the milestone be reached?

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3. Sample R&D CBP Merit Review Criteria

When R&D CBPs are required the FOA must contain merit review criteria that clearly describes how DOE will evaluate the applicant's R&D CBP.

Merit review criteria should be tailored accordingly and included in Section V – Application Review Information, in subsection A, Technical Review Criteria under Full

Applications.

Sample merit review criteria that should be tailored:

Criterion [x]: Community Benefits Plan (xx%)
This criterion involves consideration of the following factors:

Diversity, Equity, Inclusion, and Accessibility

- Clear articulation of the project's goals related to diversity, equity, inclusion, and accessibility;
- Quality of the project's DEIA goals, as measured by the goals' depth, breadth, likelihood of success, inclusion of appropriate and relevant SMART milestones, and overall project integration;
- Degree of commitment and ability to track progress toward meeting each of the DEIA goals; and
- Extent of engagement of organizations that represent disadvantaged communities as a core element of their mission, including Minority Serving Institutions (MSIs), Minority Business Entities, and nonprofit or community-based organizations.

Energy Equity

- Clear workplan tasks, staffing, research, and timeline for engaging energy equity stakeholders and/or evaluating the possible near- and long-term implications of the project for the benefit of the American public, including but not limited to public health and public prosperity benefits;
- Approach, methodology, and expertise articulated in the plan for addressing energy equity and justice issues associated with the technology innovation; and
- Likelihood that the plan will result in improved understanding of distributional public benefits and costs related to the innovation if successful.

Workforce Implications

- Clear and comprehensive workplan tasks, staffing, research, and timeline for engaging workforce stakeholders and/or evaluating the possible near- and long-term implications of the project for the U.S. workforce;
- Approach to document the knowledge, skills, and abilities of the workforce required for successful commercial deployment of innovations resulting from this research; and
- Likelihood that the plan will result in improved understanding of the workforce implications related to the innovation if successful.