

**Department of the Interior
Bureau of Indian Affairs**

ENGMN - BIA – Energy & Minerals

05/24/2024

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A. Program Description

A1. Authority

This is a discretionary grant program authorized under the Snyder Act (25 U.S.C. 13), the Indian Mineral Development Act of 1982 (25 U.S.C. 2106), 25 USC 3502(a)(2)(B), and the Further Consolidated Appropriations Act 2020 (PL 116-94).

The Snyder Act authorizes the BIA to expend such moneys as Congress may appropriate for the benefit, care, and assistance of Indians for the purposes listed in the Act. EMDP grants facilitate two of the purposes listed in the Snyder Act: “General support and civilization, including education” and “industrial assistance and advancement.”

The Indian Mineral Development Act of 1982 requires that DOI ensure that, upon the request of any Indian Tribe or individual Indian and to the extent of his available resources, the Tribe or individual Indian will have available advice, assistance, and information during the negotiation of a Mineral Agreement. Under the Act, the Secretary may fulfill this responsibility by providing financial assistance to the Indian Tribe or individual Indian to secure independent assistance. EMDP grants are issued in response to requests from Tribes who seek advice, assistance, and information from independent sources regarding their mineral resources and who may contemplate entering into a Minerals Agreement with a production company.

25 U.S.C. 3502(a) (2) (B) authorizes the DOI to provide grants to Indian Tribes and Tribal energy development organizations for use in carrying out projects to promote the integration of energy resources, and to process, use, or develop those energy resources, on Indian land.

The Further Consolidated Appropriations Act 2020 authorizes the BIA to carry out the operation of Indian programs by direct expenditure, contracts, cooperative agreements, compacts, and grants, either directly or in cooperation with States and other organizations.

15.148

A2. Background, Purpose and Program Requirements

DEMD administers the EMDP grant. This solicitation seeks proposals for projects that conduct resource inventories and assessments, feasibility studies, or other pre-development studies necessary to process, use and develop energy and mineral resources. These resources and their uses include, but are not limited to, biomass (woody and waste) for heat or electricity; transportation fuels; hydroelectric, solar, or wind generation; geothermal heating or electricity

production; district heating; other forms of distributed energy generation; oil, natural gas, and helium; sand and gravel, coal, precious minerals, and base minerals (lead, copper, zinc, etc.).

EMDP projects may include, but are not limited to:

- Initial resource exploration;
- Defining potential targets for development;
- Performing a market analysis to establish production/demand for a commodity;
- Performing economic evaluation and analysis of the resource;
- Baseline studies related to energy and mineral projects; and
- Other pre-development studies or work necessary to promote the use and development of energy and mineral resources.

The funding periods and amounts referenced in this solicitation are subject to the availability of funds at the time of award, as well as the Department of the Interior (the Department) and the BIA priorities at the time of the award. Neither the Department nor the BIA will be held responsible for proposal or application preparation costs. Publication of this solicitation does not obligate the Department or the BIA to award any specific grant or to obligate all or any part of available funds. Future funding is subject to the availability of appropriations and cannot be guaranteed. The Department or the BIA may cancel or withdraw this solicitation at any time.

Eligibility for Funding. EMDP grant eligibility criteria are described under the Energy Policy Act of 1992, as amended, and codified under section 3052 of title 25 of the United States Code (25 U.S.C. § 3502 (a)). EMDP grants are available only to Indian entities and on Indian land as defined in the under 25 U.S.C. § 3502. All Tribal grant applications must be accompanied by a Tribal resolution identifying the Tribal grant lead point of contact. Upon successful award of the grant, the Department shall direct all grant funding to the successful grantee. The grantee will then be responsible for distributing monies within the Tribe or Indian entity grant management office as needed.

Who may Perform Feasibility Studies Funded by EMDP Grants. The applicant determines who will conduct its study. An applicant has several choices, including but not limited to:

- Qualified tribal or TEDO personnel;
- Universities and colleges;
- Private consulting firms; and
- Other appropriate entities with capacity to perform the work.

Applicant Procurement Procedures. The applicant is subject to the procurement standards in 2 CFR 200.318 through 200.326. In accordance with 2 CFR 200.318, an applicant must use its own documented procurement procedures which reflect Tribal laws and regulations, provided that the procurements conform to applicable Federal law and standards identified in 2 CFR part 200.

EMDP grant funding must be expended in accordance with applicable statutory and regulatory requirements, including 2 CFR part 200. As part of the grant application review process, DEMD may conduct a review of an applicant's prior EMDP grant awards for compliance.

Applicants that are currently under BIA sanction Level 2 or higher resulting from non-compliance with the Single Audit Act are ineligible for an EMDP award. Applicants at Sanction Level 1 will be considered for funding.

An applicant may submit more than one grant application for multiple, distinct projects. For example, an applicant may submit one application to identify sand and gravel resources and another application to identify wind energy resources; however, an applicant cannot combine these two subjects into one application. Each project requires its own stand-alone project narrative, budget, designated Tribal project lead, and verification of eligibility, and will be evaluated based on its own merit.

EMDP awards may not be used for:

- Projects not occurring on Indian land;
- Establishing or operating a Tribal office, and/or purchase of office equipment;
- Salaries or fringe benefits for Tribal employees, except for clearly defined technical related tasks. Salary requests must comply with the detailed budget components as described under Step 2;
- Purchasing equipment such as computers, software, vehicles, field gear, anemometer (Met) towers, and the like, to perform pre-development activities. However, leasing these types of equipment for pre-development activities is permitted;
- Purchasing or leasing equipment to develop energy and mineral resources, such as solar panels, well drilling rigs, backhoes, bulldozers, cranes, trucks, etc. However, leasing this equipment for pre-development activities is allowable;
- Drilling wells for the commercial sale of hydrocarbons, geothermal resources, and other fluid or solid minerals. Funds may be used for testing, sampling, coring, or temperature surveys. DEMD will not fund the drilling, completion, or recompletion of an oil/gas well, but will fund the testing and/or sampling of a well if the data collected is deemed necessary to achieve the objective outlined in the grant proposal;
- Legal fees;
- Application fees associated with permitting unless it can be demonstrated that the task requiring a permit is an essential component of the grant;
- Academic research projects;
- Development of unproven technologies that are not warrantable;
- Training;
- Contracted negotiation fees;
- Purchase of data currently available at DEMD and accessible to applicants. Contact DEMD to verify data availability. DEMD will provide a Tribe with available data upon request;
- Studies directly related to meeting National Environmental Policy Act (NEPA) requirements for project development. However, the EMDP will support a preliminary environmental issue analysis used to evaluate project feasibility;
- Attending conventions, or travel to foreign countries. However, in some cases, domestic conventions that have relevance to the scope of the EMDP project will be allowed. This will be evaluated on a case-by-case basis and will require written justification within the proposal;

- Feasibility studies of broadband related projects that are eligible for funding under IED’s National Tribal Broadband Grant (NTBG) program;
- Businesses, development projects, or technologies that are addressed by IED’s Native American Business Development Institute (NABDI) grant program; or studies regarding legal infrastructure or energy regulatory structures addressed by DEMD’s Tribal Energy Development Capacity (TEDC) grant program; and

Any other activities not authorized by the Tribal resolution or the grant award letter.

All EMDP applications must be submitted in digital form to grants.gov. For instructions, see <https://www.grants.gov/help/html/help/Applicants/HowToApplyForGrants.htm>.

All EMDP applicants must submit the standard forms “package” as outlined in section IX of this announcement. These forms can be found under the “package” tab on the EMDP2022 grant listing at www.grants.gov. In very limited circumstances, DEMD may accept a non-digital application. Please contact DEMD at least a week prior to the submission deadline for approval.

There are eight mandatory components (forms) that must be included in each proposal package. Links to the mandatory forms can be found under the “package” tab on the EMDP2022 grant opportunity page at www.grants.gov. The following are the names of the required forms:

- **Application for Federal Assistance (SF-424) [V3.0]**
- **Budget Information for Non-Construction Programs (SF-424A) [V1.0]**
- **Budget Narrative Attachment Form [V1.2]**
- **Project Abstract Summary [V2.0]**
- **Project Narrative Attachment Form [V1.2]**
- **Attachments [V1.2]**
 - **Resolution**
 - **Critical Information Sheet**
- **Key Contacts - Requires Names and Contact Information for Two Personnel for Post Award (Program Official and Administrative Official) to oversee project [V2.0]**
- **Active Enrollment in ASAP with the BIA**

Funding Opportunity Goals The Secretary of the Interior, through the Division of Energy and Mineral Development (DEMD), Office of Trust Services, Bureau of Indian Affairs (BIA), is soliciting grant proposals from Federally recognized tribal entities for technical assistance funding to identify, evaluate or assess energy or mineral resources and projects that a Tribe will process, use, or develop.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding

B2. Expected Award Amount

Maximum Award

\$1,500,000

Minimum Award

\$10,000

DEMD anticipates award of approximately [twenty (20) to seventy-five (75)] grants under this announcement ranging in value from approximately ten thousand dollars (\$10,000) to one million five hundred thousand dollars (\$1,500,000). The program funds one-year projects only. DEMD will use a competitive evaluation process based on criteria described in the Evaluation Criteria section (section X of this notice).

B3. Anticipated Award Funding and Dates

Anticipated Award Date

July 12, 2024

B4. Number of Awards

Expected Number of Awards

45

B5. Type of Award

Funding Instrument Type

G - Grant

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants

07 – Native American tribal governments (Federally recognized)

Additional Information on Eligibility

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

No

C3. Other

EMDP grant eligibility criteria are described under the Energy Policy Act of 1992, as amended, and codified under section 3052 of title 25 of the United States Code (25 U.S.C. § 3502 (a)). EMDP grants are available only to Indian entities and on Indian land as defined in the under 25 U.S.C. § 3502. All Tribal grant applications must be accompanied by a Tribal resolution identifying the Tribal grant lead point of contact. Upon successful award of the grant, the Department shall direct all grant funding to the successful grantee. The grantee will then be responsible for distributing monies within the Tribe or Indian entity grant management office as needed.

Limitations. EMDP grant funding must be expended in accordance with applicable statutory and regulatory requirements, including 2 CFR part 200. As part of the grant application review process, DEMD may conduct a review of an applicant's prior EMDP grant awards for compliance.

Applicants that are currently under BIA sanction Level 2 or higher resulting from non-compliance with the Single Audit Act are ineligible for an EMDP award. Applicants at Sanction Level 1 will be considered for funding.

An applicant may submit more than one grant application for multiple, distinct projects. For example, an applicant may submit one application to identify sand and gravel resources and another application to identify wind energy resources; however, an applicant cannot combine these two subjects into one application. Each project requires its own stand-alone project narrative, budget, designated Tribal project lead, and verification of eligibility, and will be evaluated based on its own merit.

EMDP awards may not be used for:

- Projects not occurring on Indian land;
- Establishing or operating a Tribal office, and/or purchase of office equipment;
- Salaries or fringe benefits for Tribal employees, except for clearly defined technical related tasks. Salary requests must comply with the detailed budget components as described under Step 2;
- Purchasing equipment such as computers, software, vehicles, field gear, anemometer (Met) towers, and the like, to perform pre-development activities. However, leasing these types of equipment for pre-development activities is permitted;
- Purchasing or leasing equipment to develop energy and mineral resources, such as solar panels, well drilling rigs, backhoes, bulldozers, cranes, trucks, etc. However, leasing this equipment for pre-development activities is allowable;
- Drilling wells for the commercial sale of hydrocarbons, geothermal resources, and other fluid or solid minerals. Funds may be used for testing, sampling, coring, or temperature surveys. DEMD will not fund the drilling, completion, or recompletion of an oil/gas well, but will fund the testing and/or sampling of a well if the data collected is deemed necessary to achieve the objective outlined in the grant proposal;
- Legal fees;
- Application fees associated with permitting unless it can be demonstrated that the task requiring a permit is an essential component of the grant;

- Academic research projects;
- Development of unproven technologies that are not warrantable;
- Training;
- Contracted negotiation fees;
- Purchase of data currently available at DEMD and accessible to applicants. Contact DEMD to verify data availability. DEMD will provide a Tribe with available data upon request;
- Studies directly related to meeting National Environmental Policy Act (NEPA) requirements for project development. However, the EMDP will support a preliminary environmental issue analysis used to evaluate project feasibility;
- Attending conventions, or travel to foreign countries. However, in some cases, domestic conventions that have relevance to the scope of the EMDP project will be allowed. This will be evaluated on a case-by-case basis and will require written justification within the proposal;
- Feasibility studies of broadband related projects that are eligible for funding under IED’s National Tribal Broadband Grant (NTBG) program;
- Businesses, development projects, or technologies that are addressed by IED’s Native American Business Development Institute (NABDI) grant program; or studies regarding legal infrastructure or energy regulatory structures addressed by DEMD’s Tribal Energy Development Capacity (TEDC) grant program; and

Any other activities not authorized by the Tribal resolution or the grant award letter.

Excluded Parties: BIA conducts a review of the SAM.gov Exclusions database for all applicant entities and their key project personnel prior to award. BIA cannot award funds to entities or their key project personnel identified in the SAM.gov Exclusions database as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

D. Application and Submission Information

D1. Address to Request Application Package

All EMDP applications must be submitted in digital form to grants.gov. For instructions, see <https://www.grants.gov/help/html/help/Applicants/HowToApplyForGrants.htm>.

All EMDP applicants must submit the standard forms “package” as outlined in section IX of this announcement. These forms can be found under the “package” tab on the BIA-EMDP-2024-01 grant listing at www.grants.gov. In very limited circumstances, DEMD may accept a non-digital application. Please contact DEMD at least a week prior to the submission deadline for approval.

There are eight mandatory components (forms) that must be included in each proposal package. Links to the mandatory forms can be found under the “package” tab on the BIA-EMDP-2024-01 grant opportunity page at www.grants.gov. The following are the names of the required forms:

- **Application for Federal Assistance (SF-424) [V3.0]**
- **Budget Information for Non-Construction Programs (SF-424A) [V1.0]**
- **Budget Narrative Attachment Form [V1.2]**
- **Project Abstract Summary [V2.0]**
- **Project Narrative Attachment Form [V1.2]**
- **Attachments [V1.2]**
 - **Resolution**
 - **Critical Information Sheet**
- **Key Contacts [V2.0]**
- **Active Enrollment in ASAP with the BIA**

D2. Content and Form of Application Submission

1. SF-424, Application for Federal Assistance

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. Individuals applying as a private citizen (i.e., unrelated to any business or nonprofit organization you may own or operate in your name), must complete the SF-424, Application for Federal Assistance-Individual form. All other applicants must complete the standard SF-424, Application for Federal Assistance. The required application forms are available with this announcement on Grants.gov. The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personally identifiable information. Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

Application for Federal Assistance SF-424. It is required that the applicant complete the Application for Federal Assistance SF-424. Please use a descriptive file name that includes Tribal name and project description. For example: EMDPSF424.[Tribalname].Project

Project Narrative

The Project Narrative must not exceed 15 pages. At a minimum, it should include:

- Tribal Executive Summary, no longer than one page, that summarizes the proposed project, resource(s) to be utilized, long term goals and objectives of the Tribe, and total funding amount requested. The Tribal Executive Summary should be an authentic representation of the project intent, from the perspective of the Tribal applicant.
- Discussion on the economic viability of the project. Economic viability is the ability of the project to secure financing – whether from public, commercial, or concessional sources – while having a positive impact on society and the environment. Discussion should include: sources and uses of funds, revenue, expenses, job creation, return on investment, payback period, potential secondary markets, and other positive impacts. If an initial financial, economic, or business case analysis has not been completed please provide estimates based on comparable projects of similar scale.

- Discussion on project viability including, but not limited to: reason(s) for the project; description of the anticipated outcomes that will result if the project were to be funded; whether the project is new or builds on previous work that is partially complete; how the project is phased, how long it is expected to take through completion, and what element the current project is intended to satisfy; the Tribe's motivation to develop the proposed energy or mineral resource(s), including any short and long term benefits to the Tribe; and potential barriers, including and not limited to environmental and cultural constraints for land development, etc.
- Scope of Work and Deliverables including: a clear and concise description of the tasks to be performed, in chronological order; a logical methodology for completing the task items; and a detailed description of all deliverable products the proposed EMDP project is to generate, including all technical data to be obtained during the study.
- Description of the consultant(s) and key personnel the applicant wishes to retain, including resumes, contact information, technical expertise, training, qualifications, and suitability to undertake the proposed scope of work. This information may be included as an attachment to the application and will not be counted towards the 15-page limitation.
- Please use a descriptive file name that includes Tribal name and project description. For example: EMDPNarrative.[Tribalname].Project

Verification of Eligibility (Mandatory Component 3)

DEMD will only consider applications from Tribes and TEDOs for the use of carrying out projects to assess, evaluate, and promote the development of energy and mineral resources on Indian land.

The Verification of Proposal Eligibility must include the following:

- The full name, address, and telephone number of the Tribe or TEDO submitting the application, including:
 - a. The full name(s) of the Tribe(s) proposed to be served; and
 - b. A copy of the TEDO's charter, articles of incorporation, bylaws, or other organic documents showing that it meets the definition of a TEDO pursuant to 25 U.S.C. 3501(12).
- Narrative and documentation that the proposed project is located on Indian land (project location map, title status report, legal land descriptions, etc.).

Budget (Mandatory Component 4)

The budget should consist of a complete the SF-424a budget form and provide a budget narrative that clearly describes all major line-item grant expenditures. The budget must identify the amount of grant funding requested and a comprehensive breakdown of all projected and anticipated expenditures, including contracted personnel fees; consulting fees (hourly or fixed); travel costs; data collection and analysis costs; and other relevant project expenses and their subcomponents.

- Travel costs should be itemized by airfare, vehicle rental, lodging, and per diem, based on the current Federal government per diem schedule.

- Data collection and analysis costs should be itemized in sufficient detail for the DEMD review committee to evaluate the charges.
- Other expenses may include computer rental, report generation, drafting, and advertising costs for a proposed project.

The budget narrative should correlate to the project scope of work and clearly break down the project into defined tasks with an associated budget line item for each task. Tasks and costs should include a justification in the budget narrative.

Please use a descriptive file name that includes Tribal name and project description. For example: EMDPBudget.[Tribalname].Project.

Critical Information Page (Mandatory Component 5)

Applicants must include a critical information page that includes:

- Project Official's and Administrative Official's names with titles, emails and phone numbers (these identified personnel will manage the project);
- Data Universal Numbering System: Unique Entity Identifier (UEI).
- A fully enrolled active Automated Standard Application for Payment (ASAP) number enrolled with the BIA;
- Counties where the project is located; and
- Congressional District number where the project is located.

Tribal Resolution (Mandatory Component 6)

Applicants must include as an attachment to their application a Tribal resolution authorizing the submission of a FY 2020 EMDP grant application. It must be signed by authorized Tribal representative(s). Tribal resolutions should not specify a starting date for the project to avoid complications in the event of funding delays or similar contingencies. The resolution must include:

- A description of the energy and mineral resource(s) to be studied;
- A statement confirming that the information provided in the Verification of Eligibility is accurate;
- A statement that the Tribe is willing to consider developing any potential energy and mineral resource discovered;
- A statement describing how the Tribe wishes to have the EMDP project performed (i.e. by whom);
- A statement to the effect that the Tribe will consider public release of information obtained from the EMDP project. Information *does not* include any detailed proprietary data or reports to any individual, private company, or government agency without the written consent of the Tribe; information, does, however, refer to that which may be suitable for press releases, or a presentation at a government or private meetings and conferences.

TEDO applicants are required to have an authorizing resolution(s) from each Tribe proposed to be served.

Prepare the Project Narrative Attachment Form for Submission

Note: The Project Narrative Attachment Form is required to submit mandatory component 2 (Project Narrative), mandatory component 3 (Verification of Eligibility), mandatory component 4 (Budget), mandatory component 5 (Critical Information Page), and mandatory component 6 (Tribal Resolution).

Instructions to download the Project Narrative Attachment Form:

- Go to www.grants.gov
- Select the “forms” tab. This will open a page within the table titled “SF-424 FAMILY FORMS.”
- Under the column “Agency Owner” three quarters down the table (52nd row), is listed, Grants.gov - Project Narrative Attachment Form.
- Click on the blue PDF letters to download the one-page document.

When the applicant has successfully downloaded the Project Narrative Attachment Form, follow the next steps to upload documents:

- On the Project Narrative Attachment Form, click on the button titled “Add Project Narrative File.”
- Select the Project Narrative that you want to upload and click “open” to upload the file.
- On the same Project Narrative Attachment Form, you will find a grey button titled “Add Optional Project Narrative File.” Use this button to upload the Budget Narrative, Critical Information Page, and the Tribal Resolution as attachments.

When the applicant has completed uploading the Project Narrative and the attachments (Budget, Critical Information Page, and Tribal Resolution) to the Project Narrative Attachment Form, the applicant will save and name the file using the following format: *Tribal Name* EMDP Grant Attachments.

Example for naming the Project Narrative Attachment Form file: Pueblo of Laguna EMDP Grant Attachments.

Submit the Completed EMDP Grant Proposal

Applicants must submit the Application for Federal Assistance SF-424 form and the Project Narrative Attachment Form in a single email to the email listed in the ADDRESSES section of this notice and:

- State “EMDP APPLICATION NARRATIVE AND SF-424” in the email subject line; and
- Include “Attention: Ms. Winter Jojola-Talburt, Deputy Chief, Division of Energy and Mineral Development, Office of Indian Energy and Economic Development” in the first line of the email.

Applications and mandatory attachments received and date-stamped after the time listed in the DATES section of this notice will not be considered by the Awarding Official. DEMD will accept applications at any time before the deadline and will send a notification of receipt to the return email address on the application package, along with a determination of whether the application is complete.

Incomplete Applications. Applications submitted without one or more of the six mandatory components described above will be returned to the applicant with an explanation. The applicant will then be allowed to correct any deficiencies and resubmit the proposal for consideration on or before the deadline. This option will not be available to an applicant once the deadline has passed.

Project Narrative

Detailed Budget Narrative

The project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Cost categories can include, but are not limited to, those costs items included on the SF424A or SF424C.

Conflict of Interest Disclosure

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

(a) Applicability.

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

(b) Notification.

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(c) Restrictions on lobbying. Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR part 18 and 31 U.S.C. 1352.

(d) Review procedures. The Financial Assistance Officer will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

(e) Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in

any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (see also 2 CFR part 180).

Single Audit Reporting Statement

All U.S. states, local governments, federally recognized Indian tribal governments, and non-profit organizations expending \$750,000 USD or more in Federal award funds in the applicant's fiscal year must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#). U.S. state, local government, federally recognized Indian tribal government, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the EIN associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

Certification Regarding Lobbying

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

Disclosure of Lobbying Activities

Applicants and recipients must not use any federally appropriated funds (annually appropriated or continuing appropriations) or matching funds under a Federal award to pay any person for lobbying in connection with the award. Lobbying is influencing or attempting to influence an officer or employee of any U.S. agency, a Member of the U.S. Congress, an officer or employee of the U.S. Congress, or an employee of a Member of the U.S. Congress connection with the award. Applicants and recipients must complete and submit the [SF-LLL, "Disclosure of Lobbying Activities"](#) form if the Federal share of the proposal or award is more than \$100,000 and the applicant or recipient has made or has agreed to make any payment using non-appropriated funds for lobbying in connection with the application or award. The SF-LLL form is available with this Funding Opportunity on Grants.gov. See 43 CFR, Subpart 18.100 and 31 USC 1352 for more information on when additional submission of this form is required.

Overlap or Duplication of Effort Statement

Applicants must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regards to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regards to activities, costs, or time commitment of key personnel". If any such overlap exists, provide a complete description of overlaps or duplications between this proposal and any other federally funded project or application in regards to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. The statement and the description of overlap or duplication, when applicable, may be provided within the proposal or as a separate attachment to the application. If at any time a proposal is awarded funds that would be overlapping or duplicative

of the funding requested from BIA, the applicant must immediately notify the BIA point of contact. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount.

D3. Unique Entity Identifier and System for Award Management (SAM)

Identifier and System for Award Management (SAM.gov) Registration: This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a [Unique Entity Identifier \(UEI\)](#) which replaces the Data Universal Numbering System (DUNS) number from Dun & Bradstreet in April 2022. A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s).

Register with the System for Award Management (SAM)

Applicants can register on the [SAM.gov](#) website. The “Help” tab on the website contains User Guides and other information to assist you with registration. The Grants.gov “[Register with SAM](#)” page also provides detailed instructions. Applicants can contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities will be assigned a Unique Entity Identifier (UEI). Entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been made to the entity’s IRS information. There is no cost to register with SAM.gov. There are third-party vendors who will charge a fee in exchange for registering entities with SAM.gov; please be aware you can register and request help for free. If applicable, foreign entities who want to receive payment directly to a U.S. bank account must enter and maintain valid, current banking information in SAM.

D4. Submission Dates and Times

Due Date for Applications

05/24/2024

Application Due Date Explanation

Electronically submitted applications will be accepted until 11:59 PM EST on May 24th, 2024, from applicants who maintain an active enrollment in ASAP.

Addresses

For Further Information Contact

D5. Intergovernmental Review

Prior to application submission, U.S. state and local government applicants should visit the [OMB Office of Federal Financial Management website](#) and view the “State Point of Contact (SPOC) List” to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 “Intergovernmental Review of Federal Programs.” States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state’s prior review requirements for Federal assistance applications.

D6. Funding Restrictions

Required Indirect Cost Statement to be submitted with Application

All organizations must include the applicable statement from the following list in their application, and attach to their application any documentation identified in the applicable statement:

We are:

- A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.
- A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.
- A [insert your organization type; U.S. states and local governments, do not use this statement] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: “Attached is a copy of our most recently approved but expired rate agreement. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.” *or* “Attached is a copy of our current negotiated indirect cost rate agreement.”]
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. If we receive an award, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award date.
- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is lower than 10%. Our indirect cost rate is [insert rate; must be lower than 10%]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of

award to charge a flat indirect cost rate of [insert rate; must be lower than 10%] against [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs). However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in §2 CFR 200.68]. We understand that we must notify BIA in writing if we establish an approved rate with our cognizant agency at any point during the award period.

- A [insert your organization type] that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10% or higher. Our indirect cost rate is [insert your organization’s indirect rate; must be 10% or higher]. However, if we receive an award we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10% to be charged against modified total direct project costs as defined in 2 CFR §200.68. We understand that we must notify BIA in writing if we establish a negotiated rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and that such changes are subject to review, negotiation, and prior approval by BIA.
- A [insert your organization type] that is submitting this proposal for consideration under the “Cooperative Ecosystem Studies Unit Network”, which has a Department of the Interior-approved indirect cost rate cap of 17.5%. If we have an approved indirect cost rate with our cognizant agency, we understand that we must apply this reduced rate against the same direct cost base as identified in our approved indirect cost rate agreement per 2 CFR §1402.414. If we do not have an approved indirect cost rate with our cognizant agency, we understand that we must charge indirect costs against the modified total direct cost base defined in 2 CFR §200.68 “Modified Total Direct Cost (MTDC)”. We understand that we must request prior approval from BIA to use the 2 CFR 200 MTDC base instead of the base identified in our approved indirect cost rate agreement. We understand that BIA approval of such a request will be based on: 1) a determination that our approved base is only a subset of the MTDC (such as salaries and wages); and 2) that use of the MTDC base will still result in a reduction of the total indirect costs to be charged to the award. In accordance with 2 CFR §200.405, we understand that indirect costs not recovered due to a voluntary reduction to our federally negotiated rate are not allowable for recovery via any other means.
- A [insert your organization type] that will charge all costs directly.

D7. Other Submission Requirements

E. Application Review Information

E1. Criteria

Tribal Executive Summary

Maximum Points: 5

This criterion will evaluate that the summary of the project is succinct but inclusive of key aspects of the project, identifies the resource to be evaluated, includes summary of Tribal goals and objectives, and total funding requested. The Tribal Executive Summary should be an authentic representation of the project intent, from the perspective of the Tribal applicant. The DEMD review committee will view unfavorably proposals that show little evidence or scant regard for the applicant's unique circumstances.

Economic Viability

Maximum Points: 30

This rating criterion gauges the project's capability to attract financing, either through conventional loans, grants, or investments. The narrative should therefore address the expected source(s) of funding for the project, the project's costs and revenues, and its return on investment, potential for job creation, payback period, and potential secondary markets.

Project Viability

Maximum Points: 25

An application will be evaluated under this criterion on how clearly and convincingly it describes the project's anticipated outcomes. The application should therefore explain whether the project is new or builds on previous work that is partially complete. It should describe how the project is phased, how long it is expected to complete, and what need or goal the project is intended to satisfy or attain. It should also address the Tribe's motivation to develop the proposed energy and mineral resource, including short and long term benefits to the Tribe. And it should identify potential barriers, including but not limited to environmental and regulatory obstacles.

Scope of Work and Deliverables

Maximum Points: 30

The Committee will rate the proposal on the extent to which it provides a clear and concise description of the tasks to be performed (in chronological order); demonstrates a logical methodology for completing project tasks; sufficiently describes all deliverable project products, including all technical data to be obtained during the study; and provides documentation that the consultants retained possess the requisite background and credentials to conduct the study.

Budget

Maximum Points: 10

The application's budget narrative should clearly describe all major line-item expenditures that are proposed. The Committee will rank more highly proposals whose budget narratives correlate to a project's scope of work and clearly link each project task with a budget line-item and justification.

E2. Review and Selection Process

Prior to award, the program will review any applicant statement regarding potential overlap or duplication between the project to be funded and any other funded or proposed project in terms of activities, funding, or time commitment of key personnel. Depending on the circumstances, the program may request modification to the application, other pending applications, or an active award, as needed to eliminate any duplication of effort, or the Bureau may choose not to fund the selected project.

The program may not make a Federal award to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the Bureau is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant.

Prior to award, the program will evaluate the risk posed by applicants as required in 2 CFR 200.205. Programs document applicant risk evaluations using the Bureau's "Financial Assistance Recipient Risk Assessment" form. Prior to approving awards for Federal funding in excess of the simplified acquisition threshold (currently \$250,000), the Bureau is required to review and consider any information about or from the applicant found in the Federal Awardee Performance and Integrity Information System. The Bureau will consider this information when completing the risk review. The Bureau uses the results of the risk evaluation to establish monitoring plans, recipient reporting frequency requirements, and to determine if one or more of the specific award conditions in 2 CFR 200.207 should be applied the award.

Review and Selection Process. Upon receiving an EMDP grant proposal, the DEMD will perform a preliminary review to determine if it contains the seven (7) mandatory components. DEMD staff may return a proposal that it deems incomplete or ineligible. In appropriate circumstances it may retain the proposal but request additional information.

DEMD will also determine whether the proposed project duplicates or overlaps previous or currently funded DEMD technical assistance projects. DEMD may request further explanation of Tribes with outstanding project funds from previous years.

Any proposal that is received after the date and time in the **DATES** section of this notice will not be reviewed. If an application is not complete and the submission deadline has not passed, the applicant will be notified and given an opportunity to resubmit its application.

The DEMD Review Committee (Committee), comprised of DEMD staff, staff from other Federal agencies, and subject matter experts, will evaluate the proposals against the ranking criteria. Proposals will be evaluated using the four ranking criteria listed below, with a maximum achievable total of 100 points.

1. Final award selections will be approved by the Assistant Secretary – Indian Affairs and the Associate Deputy Secretary, DOI. Applicants not selected for award will be notified in writing.

E3. CFR – Regulatory Information

See the BIA Award Terms and Conditions for the general administrative and national policy requirements applicable to Service awards. BIA will communicate any other program- or project-specific special terms and conditions to recipients in their notices of award.

E4. Anticipated Announcement and Federal Award Dates

F. Federal Award Administration Information

F1. Federal Award Notices

Upon being selected for the award, successful applicants will receive a notification of the selection of their application for funding. BIA will notify the applicant selected for award by insert date. A notice of selection is not an authorization to begin performance on an agreement. This notice will detail the next steps in the awarding process. Once all clearances and reviews have been conducted, a cooperative agreement or grant will be sent for signature.

Work cannot begin before the non-Federal entity receives a fully executed copy of the grant/cooperative agreement which contains the signature of the Financial Assistance Awarding Officer. Any pre-award costs incurred prior to the receipt of a signed agreement or written notice signed by a Financial Assistance Awarding Officer authorizing pre-award costs, is at the applicant's own risk. A signed grant/cooperative agreement signed by a Financial Assistance Awarding Officer is the only authorizing document to begin performance.

Organizations whose applications have not been selected will be advised as promptly as possible.

F2. Administrative and National Policy Requirements

See the "[DOI Standard Terms and Conditions](#)" for the administrative and national policy requirements applicable to DOI awards.

Data Availability

Per the Financial Assistance Interior Regulation (FAIR), [2 CFR §1402.315](#):

(a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.

(b) The Federal Government has the right to:

(1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and

(2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

Potential awardees are encouraged to educate themselves on exclusions to FOIA requests as it pertains to energy and mineral economic data, intellectual property rights, the protection of ownership to language materials, history, music and dance, ceremonies, and other forms of knowledge and cultural practices that originate from Native communities. Moreover, potential

recipients are encouraged to learn how such rights may be transferred via contracting with third parties that produce resources, data, and materials developed as a result of BIA funding. BIA is unable to provide legal advice or guidance on this matter.

F3. Reporting

Financial Reports

All recipients must use the [SF-425, Federal Financial Report](#) form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. The only exception to the interim financial reporting requirement is if the recipient is required to use the SF 270/271 to request payment and requests payment at least once annually through the entire award period of performance. We will describe all financial reporting requirements in the Notice of Award.

Reporting Requirements for Award Recipients. The applicant must deliver all products and data required by the Grant Agreement for the proposed EMDP feasibility study project to DEMD within 30 days of the report due date and 120 days following completion of the project.

DEMD requests that all reports be delivered in digital format. Reports and data can be provided in either Microsoft Word or Adobe Acrobat PDF format. Spreadsheet data can be provided in Microsoft Excel, Microsoft Access, or Adobe PDF formats. All vector figures and images should be converted to PDF format. Do not convert vector figures to raster images. If files are too large to be submitted through electronic mail, they may be copied to a CD, DVD or thumb drive and mailed. Furthermore, all geological data needs to be uploaded in commonly used software (PETRA, etc.).

Semi-Annual Reporting Requirements: Semi-annual performance and financial status reports are to be submitted to the EMDPgrants@bia.gov email named in the award letter for the project, and *must* be uploaded into GrantSolutions (GS). The semi-annual narrative report can be a one-to-two-page summary of events, accomplishments, problems and results that took place during the two quarters. The semi-annual financial status report should be submitted as Federal Financial Report, SF 425, and include a listing of the funds expended during the two quarters, how the funds were spent, and the amount remaining.

Final Reporting Requirements: Final narrative and financial reports are to be submitted to the EMDPgrants@bia.gov email named in the award letter for the project, and *must* be uploaded into GrantSolutions. The final narrative report should include, as attachments, all other products generated by the EMDP studies, including a final technical report. Products include all reports and technical data obtained during the study. The final financial status report should be submitted as Federal Financial Report, SF-425, and include a listing of the funds expended during the project, how the funds were spent, and any amount remaining. Final reports are due one hundred and twenty (120) days following the end of the project's period of performance.

Performance Reports

Performance reports must contain a comparison of actual accomplishments with the established goals and objectives of the award; a description of reasons why established goals were not met, if appropriate; and any other pertinent information relevant to the project results. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award.

Reporting Requirements for Award Recipients. The applicant must deliver all products and data required by the Grant Agreement for the proposed EMDP feasibility study project to DEMD within 30 days of the report due date and 120 days following completion of the project.

DEMD requests that all reports be delivered in digital format. Reports and data can be provided in either Microsoft Word or Adobe Acrobat PDF format. Spreadsheet data can be provided in Microsoft Excel, Microsoft Access, or Adobe PDF formats. All vector figures and images should be converted to PDF format. Do not convert vector figures to raster images. If files are too large to be submitted through electronic mail, they may be copied to a CD, DVD or thumb drive and mailed. Furthermore, all geological data needs to be uploaded in commonly used software (PETRA, etc.).

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Final Reporting Requirements: Final narrative and financial reports are to be submitted to the EMDPgrants@bia.gov email named in the award letter for the project, and *must* be uploaded into GrantSolutions. The final narrative report should include, as attachments, all other products generated by the EMDP studies, including a final technical report. Products include all reports and technical data obtained during the study. The final financial status report should be submitted as Federal Financial Report, SF-425, and include a listing of the funds expended during the project, how the funds were spent, and any amount remaining. Final reports are due one hundred and twenty (120) days following the end of the project's period of performance.

Significant Development Reports

Events may occur between the scheduled performance reporting dates which have significant impact upon the supported activity. In such cases, recipients are required to notify the Bureau in writing as soon as the recipient becomes aware of any problems, delays, or adverse conditions that will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation. The recipient should also notify BIA in writing of any favorable developments that enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

Real Property Reports

Recipients and subrecipients are required to submit status reports on the status of real property

acquired under the award in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. The Bureau will include recipient-specific real property reporting requirements, including the required data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.

Conflict of Interest Disclosures

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See the [U.S. Office of Government Ethics website](#) for more information on these restrictions. BIA will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, BIA will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies BIA may result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including termination of the award.

Other Mandatory Disclosures

The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR 200.338 Remedies for Noncompliance, including suspension or debarment.

Reporting Matters Related to Recipient Integrity and Performance

If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings in accordance with Appendix XII to 2 CFR 200.

G. Federal Awarding Agency Contact(s)

G1. Program Technical Contact

For **programmatic technical assistance**, contact:

First Name:

Jo Ann

Last Name:

Metcalfe

Address:

Telephone:

Email:

Jo.Metcalfe@bia.gov

G2. Program Administration Contact

For **program administration assistance**, contact:

First Name:

Winter

Last Name:

Jojola-Talbert

Address:

Telephone:

303-969-5270

Email:

EMDPgrants@bia.gov

G3. Application System Technical Support

For **Grants.gov technical registration and submission, downloading forms and application packages**, contact:

Name:

Grants.gov Customer Support

Telephone:

1-800-518-4726

Email:

Support@grants.gov

H. Other Information

Payments

Domestic recipients are required to register in and receive payment through the U.S. Treasury's Automated Standard Application for Payments (ASAP), unless approved for a waiver by the BIA program. Foreign recipients receiving funds to a final destination bank outside the U.S. are required to receive payment through the U.S. Treasury's International Treasury Services (ITS) System. Foreign recipients receiving funds to a final destination bank in the U.S. are required to enter and maintain current banking details in their SAM.gov entity profile and receive payment through the Automated Clearing House network by electronic funds transfer (EFT). The Bureau will include recipient-specific instructions on how to request payment, including identification of any additional information required and where to submit payment requests, as applicable, in all Notices of Award.