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Regional Equity Initiative Subcommittee Meeting

LOCATION: 10 N. Ludlow Street Suite 700, Dayton, OH 45402

DATE/TIME: Tuesday, August 27th, 2024 at 11:00 a.m.

Agenda

<u>Item</u>	<u>Topic</u>	<u>Pg.</u>	<u>Est. Time</u>	<u>Presenter</u>
I.	Welcome & Introductions		11:00	Rap Hankins
II.	Program Manager Domain Updates		11:10	Fabrice Juin
	<ul style="list-style-type: none"> ● Engagement <ul style="list-style-type: none"> ○ 2024 Annual Breakfast Meeting (AACF) ○ 17th Annual Signature Bike Ride for Charity (MTCCD) ○ Gen D Ignite Cohort Presentation ○ Dayton Regional Green Sustainability Luncheon ● Health & Environment <ul style="list-style-type: none"> ○ Environmental Justice Collaborative Problem-Solving Cooperative Agreement ○ Review of CPRG & EJCPS Resolutions ○ Community Change Grants Program ● Housing <ul style="list-style-type: none"> ○ Access to Counsel Pilot Project ● Technology & Connectivity <ul style="list-style-type: none"> ○ Affordable Connectivity Program ○ Digital Equity Competitive Grant Program ○ AmeriCorps LFA American Connection Corps Member 	5 & 6 7		
III.	FY25 Project Focus: Miami Valley Environmental Justice Partnership	163	11:50	Fabrice Juin
IV.	Agency Data and Mapping & Institute Metrics		12:15	Fabrice Juin
V.	Subcommittee Chair & Member Updates/Insights		12:30	All Participants
VI.	Other Informational Items		12:45	All Participants
	<ul style="list-style-type: none"> ● Upcoming Equity Engagements 			
VII.	Action Items, Follow-Up, & Next Meeting		12:55	Fabrice Juin
VIII.	Closing Remarks		1:00	Rap Hankins

****NEXT MEETING is November 26th, 2024****

All Information is available on the [MVRPC Committee Center](#)

Interpreters for hearing-impaired individuals are available upon request; requests should be made at least one week ahead.

**MIAMI VALLEY REGIONAL PLANNING COMMISSION
REGIONAL EQUITY INITIATIVE SUB-COMMITTEE
MINUTES**

**May 28, 2024
11:00 a.m.**

REI Subcommittee Members Present

Rap Hankins, Chairperson
Tania Arseculeratne, The Dayton Foundation
Nany McHugh, UD Fitz Center for Leadership & Community
Stephanie Van Hoose, Community Coalition for Indigenous Peoples

Staff

Elizabeth Baxter
Savannah Diamond
Felicia Elam
Fabrice Juin
Brian O. Martin
Megan Young

Other Guests Present

Peter Benkendorf, The Collaboratory
Destiny Brown, Advocates for Basic Legal Equality
Adriane Miller, National Conference for Community & Justice of Greater Dayton
Eric Rice, The Collaboratory

The Miami Valley Regional Planning Commission hosted the Regional Equity Initiative Sub-Committee meeting on May 28, 2024 at 11:00 a.m. at the MVRPC Office and via Zoom Video Conference.

I. WELCOME & INTRODUCTIONS

Chairperson Rap Hankins called the meeting to order at 11:00 a.m. Self-introductions were made.

II. PROGRAM MANAGER DOMAIN UPDATES

Regarding the Health & Environment Domain:

The REI Manager Fabrice Juin shared that the Institute for Livable & Equitable Communities and project partners, the Advocates for Basic Legal Equality, are in the final stages of review and negotiations with the Environmental Protection Agency for the Environmental Justice Collaborative Problem-Solving Cooperative Agreement. Meetings are on an as-needed basis as the EPA conducts an internal review ahead of the planned project kick-off in July. The majority of the feedback and requested revisions that were received related to minor changes ensuring that the EPA guidelines will be met throughout the grant effort. Forty percent of the grant funds will be distributed into the regional community as micro-grants, grant acquisition expertise will be available to local groups pursuing environmental justice causes, and regional stakeholders and community members will be gathered to work towards developing a network of partners to advance environmental justice across the Miami Valley.

A resolution related to the Institute's support for the Climate Pollution Reduction Grant and the Environmental Justice Collaborative Problem-Solving Cooperative Agreement was requested at the previous Subcommittee meeting. Executive Director Brian O. Martin and the REI Manager have reviewed a draft that needs revisions. Fabrice Juin requested revisions via email to be completed before the next Institute Steering Committee meeting in July.

Regarding the Technology & Connectivity Domain:

The Affordable Connectivity Program halted enrollment in early February. April was the last fully funded month, and May saw decreased benefits before funds completely ran out in June. That partial benefit represents a change from \$30 to \$14 for eligible households. There have been no changes in Congress to keep the program despite bipartisan support. If no changes occur, the only update at the August meeting will be announcing the ACP's official end.

The Broadband Equity, Access, and Deployment Challenge Process will run from May 28, 2024 to June 17, 2024. This process is a prerequisite to executing the associated grant program that will administer the federal funds allocated to each state towards closing broadband gaps across the nation. The goal of the challenge process is to finalize the map of broadband serviceable locations and identify community anchor institutions that will be eligible for BEAD grants. Eligible challengers include local government, service providers, community anchor institutions, and residents. Montgomery County and the City of Dayton are collaborating with one another on this effort. Darke and Preble County have contacted Fabrice Juin about needing additional support. The REI Manager clarified that even if a jurisdiction of MVRPC misses the registration deadline, MVRPC can submit a challenge on their behalf. The challenge process will be over by the August REI meeting. BroadbandOhio will be undergoing their rebuttal process. More information about the challenge process will be available at the next meeting.

The United Way of Greater Cincinnati, the lead organization for the Connecting Southwest Ohio Coalition is currently experiencing a leadership change.

AmeriCorps LFA American Connection Corps Member Felicia Elam shared that since the Affordable Connectivity Program has ended, a shift was made to focus on digital literacy. Licensing has been secured through AARP for senior planning. The REI Manager stated that Felicia Elam has a valuable on-the-ground presence in the community. He thanked her for securing the licensing agreement that would make digital literacy available.

Regarding the Engagement Domain:

Fabrice Juin spoke on The Charles F. Kettering Foundation Dayton Democracy Fellowship that he is participating in. It is a one-year program designed to support innovative leaders, changemakers, and dreamers who are building movements for inclusive democracy in their communities and in our wider world. The Dayton Democracy Fellows meet regularly for networking, collaborative learning, and strategizing. They are involved in planning the inaugural Kettering Foundation Dayton Democracy Summit. The Fellowship is designed not only to support the work of the fellows in their communities, but to also produce, translate, and provide robust research and powerful narratives that drive the advancement and defense of democracy. The REI Manager stated that he plans to leverage the opportunity to contribute to the Housing Domain. Peter spoke on his participation with the fellowship. The Democracy Summit will be on September, 20, 2024.

The REI Manager acknowledged various awards that staff members have recently received. He thanked the Subcommittee for their support of him in being named a 40UnderForty award winner. Fabrice Juin attributed his success to the work of the REI Subcommittee. The REI Manager gave a special congratulations to Executive Director Brian O. Martin for receiving two rewards. Brian O. Martin received the 2024 President's

Award for Excellence in Governance by the United Way of the Greater Dayton Area. He was also named a 2024 Pillar by the Miami Valley Urban League for his lasting impact on the regional community. Brian O. Martin shared his gratitude appreciation for the recognitions he has received.

III. FISCAL YEARS 2024 & 2025 FOCUS AREAS

The REI Manager announced that funding has been secured by Learn to Earn Dayton to support a right to counsel pilot project in Northwest Dayton. The funding will help provide legal representation to families and households facing eviction, with legal services provided by the Advocates for Basic Legal Equality. The crux of this project lies in its potential to stop preventable eviction and produce a sample size of what access to legal services can do to balance the scale between tenants and property owners.

This secured funding also allows ABLE to improve their data collection on eviction across the regional community, giving evidential insight into local evictions which will help inform interventions. Right to counsel policy mandates have been proven to significantly lower evictions rates across the nation. This project will provide local cities, townships, and counties with greater justification to explore and pursue similar policy action. LTED has expressed a project launch date for this summer and anticipate serving at least 125 families within the Omega CDC Hope Zone neighborhood boundaries. The REI manager stated that he is also working with Latinos Unidos Dayton to explore opportunities to accommodate Hispanic families within this effort as well.

A new focus area for fiscal year 2025 needs to be determined. The REI Manager has designated three potential areas of focus that are common themes in the various meetings he attends. The goal of the focus area is for MVRPC to contribute to closing gaps in communities throughout the region.

The Miami Valley has been recognized as the first Age-Friendly Region across the state of Ohio. However, not all counties have age-friendly communities. This proposed area of focus would be to have age-friendly designations in all counties. Chairperson Rap Hankins commented that this should be a focus of the Age-Friendly Committee. He suggested that since housing was the focus of fiscal year 2024, it should remain the focus for fiscal year 2025 instead of creating something new. Fabrice Juin stated that age-friendliness is not always addressed with equity in mind. Aging looks different across racial and ethnic identities. Nancy McHugh added that there should be shared responsibility to address equity across all subcommittees. It was discussed that the REI Subcommittee could support the Age-Friendly Committee with this as their focus area.

The second suggestion was to host a Miami Valley Housing Summit. The goal of this summit would be to gather several organizations together that are addressing the issue of housing through different lenses. MVRPC would be able to convene these individual groups together to collaborate to address housing needs across the Region. The timing and structure of the summit would be determined by the REI Subcommittee. Brian O. Martin added that the summit could be an opportunity to make the Miami Valley more competitive in pursuing housing grants. Nancy McHugh mentioned that Think TV and CET are producing a six-part docuseries titled *Brick by Brick* that addresses housing issues and solutions. She suggested that the release of the docuseries and the Housing Summit could be tied together. Discussion continued proposing the idea that the registration list from the 2023 Imagining Community Symposium could be used as a starting place for who to involve in the Housing Summit. Further discussion will be held regarding the proposed Housing Summit.

The third suggestion was to formalize the Miami Valley Environmental Justice Partnership. The REI Manager said that the idea is to form a group of individuals that are prioritizing the topic of environmental justice in the Miami Valley. This partnership would make environmental justice a priority and to remain at the forefront instead of convening when a matter becomes urgent. The REI Manager's recommendation was to prioritize the Miami Valley Environmental Justice Partnership as a formalized coalition amongst regional partners. Nancy McHugh pointed out that there are several housing experts in the area but a lack of experts on environmental justice. She said she believes a bigger impact could be made in the environmental justice area rather than housing. The REI Manager concluded that although age-friendliness and housing will remain areas to work within, the focus for fiscal year 2025 will be to formalize the Miami Valley Environmental Justice Partnership as a sustaining group that continues to prioritize environmental justice across the Region.

IV. RESILIENCY & DISASTER RECOVERY PLANNING

Disaster Recovery & Economic Development Planning Manager Elizabeth Baxter presented on disaster recovery and resiliency planning related to the 2019 Memorial Day tornadoes. She reported that there is a 97% property recovery rate in less than five years. Because of the success with recovery, it was decided in Fall 2023 to dissolve the Impacted Jurisdiction & Leadership Board. Through a partnership with Keep America Beautiful, over 700 trees were planted in thirteen jurisdictions and two community parks. Through the GDDRF, over \$600,000 was granted in community restoration projects. The Disaster Recovery Dashboard received international recognition and the Exemplary Systems in Government Award. Elizabeth Baxter then spoke on resiliency and what that means for the Miami Valley Region. Training sessions were coordinated to help promote the importance of collaboration and understating of planning for long term transitional housing. A Regional Community Organization Active in Disaster (COAD) was established. Elizabeth Baxter shared two upcoming projects that she is working on. One is related comprehensive economic development planning for Harrison Township and the City of Trotwood. The other project is to establish an interactive Toolkit that focuses on resiliency planning related to natural threats and hazards using two Institute domains which are the transportation and environment domain. Rap Hankins thanked Elizabeth Baxter for the work that she has done related to the 2019 Memorial Day tornadoes.

V. ACTION ITEMS, FOLLOW-UP, & NEXT MEETING

Next meeting is to be held on Tuesday, August 27, 2024 from 11:00 a.m.-1:00 p.m.

VI. CLOSING REMARKS

Chairperson Rap Hankins adjourned the meeting at 1:00 p.m.

RESOLUTION **_***

Agency Support for and Commitment to the Climate Pollution Reduction Grant Program

WHEREAS, the Miami Valley Regional Planning Commission is leading a coalition of jurisdictions and partner agencies to develop a first-of-its-kind Regional Climate Pollution Reduction plan for the Dayton Metropolitan Statistical Area; and

WHEREAS, funding for this work is from a US Environmental Protection Agency Climate Pollution Reduction Grant awarded in the summer of 2023; and

WHEREAS, the Climate Pollution Reduction Grant program provides \$1 million to support a four-year project to inventory greenhouse gas emissions, set regional goals for emissions reductions, evaluate and select projects and programs to meet regional goals, and measure community benefits from reduced pollution; and

WHEREAS, the Climate Pollution Reduction Grant is also an opportunity to plan for workforce development needs related to the clean energy economy in the Miami Valley; and

WHEREAS, the US Environmental Protection Agency grant specifically covers the counties in the Dayton Metro Area, as defined by the US Census Bureau – Greene, Miami and Montgomery Counties; and

WHEREAS, the Miami Valley Regional Planning Commission member counties Darke, Preble, and Shelby are covered under a statewide grant for Climate Pollution Reduction being managed by the Ohio Environmental Protection Agency; and

WHEREAS, the Institute for Livable & Equitable Communities has identified the Climate Pollution Reduction Grant project as being in alignment with its vision for a community where all people can thrive and its mission to enhance livability and equity across the regional community; and

NOW, THEREFORE BE IT RESOLVED, , the Miami Valley Regional Planning Commission’s Board of Directors hereby expresses agency-wide support for the Climate Pollution Reduction Grant Program and commits to prioritizing its success and impact across the Region.

RESOLUTION **_***

Agency Support for and Commitment to the Environmental Justice Collaborative Problem-Solving Cooperative Agreement

WHEREAS, the Institute for Livable & Equitable Communities partnered with the Advocates for Basic Legal Equality for an Environmental Justice Collaborative Problem-Solving Cooperative Agreement grant application that was selected nationally for award by the Environmental Protection Agency in the winter of 2023; and

WHEREAS, the Environmental Justice Collaborative Problem-Solving Cooperative Agreement provides financial assistance to eligible organizations working to address local environmental or public health issues in their communities; and

WHEREAS, the Environmental Justice Collaborative Problem-Solving Cooperative Agreement assists recipients in building collaborative partnerships with other stakeholders (e.g., local businesses and industry, local government, medical service providers, academia, etc.) to develop solutions to environmental or public health issue(s) at the community level; and

WHEREAS, through this collaborative grant project, the Institute will seek to build the Miami Valley's capacity to advance environmental justice and will seek to formalize the Miami Valley Environmental Justice Partnership, a workgroup coordinating environmental justice efforts across the region; and

WHEREAS, the Institute for Livable & Equitable Communities has identified the Environmental Justice Collaborative Problem-Solving Cooperative Agreement grant project as being in alignment with its vision for a community where all people can thrive and its mission to enhance livability and equity across the regional community; *and per Brian O. Martin: It is appropriate to congratulate the sponsors on successful applications. The board looks forward to providing constructive input and listening to citizen input through the planning process.*

NOW, THEREFORE BE IT RESOLVED, the Miami Valley Regional Planning Commission's Board of Directors hereby expresses agency-wide support for the Environmental Justice Collaborative Problem-Solving Cooperative Agreement and commits to prioritizing its success and impact across the Region.

FEDERAL AGENCY AND OFFICE: U.S. Environmental Protection Agency, Office of Environmental Justice and External Civil Rights (OEJECR)

FUNDING OPPORTUNITY TITLE: Environmental and Climate Justice Community Change Grants Program

ANNOUNCEMENT TYPE: Notice of Funding Opportunity (NOFO)

FUNDING OPPORTUNITY NUMBER: EPA-R-OEJECR-OCS-23-04

ASSISTANCE LISTING NUMBER: 66.616

ACTION: Modification No. 3 to the NOFO

DATE: August 6, 2024

SUMMARY: This modification revises and clarifies the February 12, 2024 NOFO, which was originally issued on November 21, 2023. This version of the NOFO supersedes previous versions of the NOFO. The revisions of this modification include:

1. The Important Dates section on the first page is revised to indicate that initial selections were made in July 2024, and the anticipated start of the period of performance for the initial selections is November 2024. In addition, on the first page EPA added a notice about the changes to the grant regulations in 2 CFR.
2. In section I.D the language about the Track I Two-Phase Evaluation Process is revised to remove the reference to oral presentations. EPA is eliminating the oral presentation component of the Track I application process to streamline the application and review process, reduce burdens on applicants, and facilitate timely awards to benefit disadvantaged communities as required by the Inflation Reduction Act.
3. In order to account for the grant regulation change increasing the de minimus indirect cost rate from 10% to 15% effective October 1, 2024, Section II.A of the NOFO and corresponding sections are revised to remove the statement that Track I awards cannot exceed \$20 million and that Track II awards cannot exceed \$3 million. This modification does not impact threshold eligibility criteria #10 in [Section III.D](#).
4. In Section II.B, “Hawaii” was removed from TIA B to clarify that the TIA applies only to Federally Recognized Tribes in the Continental United States.
5. Section II.E is revised to indicate that the first awards are expected in the fall of 2024.
6. Sections V.B, C, and D of the NOFO are revised to remove the oral presentation component for Track I applications, and corresponding changes are made in these sections for consistency purposes.
7. Section V.F of the NOFO is revised to indicate that initial selections were made in July 2024 and initial awards are expected to be made by November 2024.
8. Appendix A is revised to update the components of the EPA map used to identify disadvantaged communities specific to this NOFO and to make additional clarifying changes.

FEDERAL AGENCY AND OFFICE: U.S. Environmental Protection Agency, Office of Environmental Justice and External Civil Rights (OEJECR)

FUNDING OPPORTUNITY TITLE: Environmental and Climate Justice Community Change Grants Program

ANNOUNCEMENT TYPE: Notice of Funding Opportunity (NOFO)

FUNDING OPPORTUNITY NUMBER: EPA-R-OEJECR-OCS-23-04

ASSISTANCE LISTING NUMBER: 66.616

IMPORTANT DATES:

November 21, 2023	NOFO Opening Date
November 21, 2024	Application Closing Date
July 2024	Initial Award Selections Made
November 2024	Anticipated Start of Period of Performance for Initial Selections

DEADLINE: Application packages will be accepted on a rolling basis, as further explained in the NOFO, until November 21, 2024, at 11:59 PM (Eastern Time) through Grants.gov. Applications received after the closing date and time will not be considered for funding.

In alignment with EPA’s commitment to conducting business in an open and transparent manner, copies of applications selected for award under this NOFO may, as appropriate, be made publicly available on the OEJECR website or other public website for a period after the selected applications are announced. Therefore, applicants should clearly indicate which portion(s) of the application, if any, they are claiming contains confidential, privileged, or sensitive information. As provided at 40 CFR § 2.203(b), if no claim of confidential treatment accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to the applicant.

Notice To Applicants: The revisions to the grant regulations in [2 CFR described at 89 FR 30046-30208](#) (April 22, 2024) will apply to awards made under this NOFO, including the change to the de minimis indirect cost rate.

NOTE: Prior to naming a contractor (including consultants) or subrecipient in your application as a “partner,” please carefully review Section IV.d, “Contracts and Subawards,” of EPA’s Solicitation Clauses that are incorporated by reference in this NOFO in [Section I.J](#). EPA expects recipients of funding to comply with competitive procurement contracting requirements as well as EPA’s rule on Participation by Disadvantaged Business Enterprises in EPA Programs in 40 CFR Part 33. The Agency does not accept justifications for sole source contracts for services or products available in the commercial marketplace based on a contractor’s role in preparing an application or a firm or individual’s “unique” qualifications.

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Section I. Funding Opportunity Description

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A. Background: Inflation Reduction Act and Executive Orders

The Environmental and Climate Justice Community Change Grant program (Community Change Grants) – the subject of this NOFO – offers an unprecedented opportunity to transform disadvantaged communities across the United States into healthy, climate resilient, and thriving communities for their current and future residents. The Community Change Grants will fund community-driven projects that address climate challenges and reduce pollution while strengthening communities through thoughtful implementation. The historic levels of support provided by these grants will enable communities and their partners to overcome longstanding environmental challenges and implement meaningful solutions to meet community needs now and for generations to come.

The Inflation Reduction Act (IRA) created the Environmental and Climate Justice Program (ECJP)—the largest investment in environmental and climate justice in U.S. history—when it was signed into law by President Biden on August 16, 2022. The ECJP is now contained in Section 138 of the Clean Air Act (CAA), 42 U.S.C. § 7438. Under this program, EPA was provided \$2.8 billion to award grants to help disadvantaged communities address a wide range of environmental and climate justice issues, and \$200 million for technical assistance related to these grants. This historic investment advances [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, which established a whole-of-government approach to advancing equity and opportunity, and [Executive Order 14008](#), *Tackling the Climate Crisis at Home and Abroad*, which created the government-wide [Justice 40 Initiative](#) that established the goal that 40 percent of the overall benefits of certain federal investments flow to disadvantaged communities. Awards under the ECJP also support core goals of [Executive Order 14091](#), *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and [Executive Order 14096](#), *Revitalizing Our Nation’s Commitment to Environmental Justice for All*.

The Community Change Grants are the final and most comprehensive piece of EPA’s implementation of ECJP IRA funding. The Community Change Grants will complement grant programs that EPA launched in 2022 and 2023, including those for the Collaborative Problem-Solving, Government-to-Government, and Thriving Communities Grantmaker programs. Collectively, these programs will empower communities and their partners to design, develop, and implement multi-faceted community-driven projects. These programs will address the diverse and unique needs of disadvantaged communities by:

1. Reducing and preventing pollution;
2. Building resilience to climate change and mitigating current and future climate risks;
3. Enhancing meaningful involvement in government processes related to environmental and climate justice;
4. Expanding access to high-quality jobs and economic opportunity through workforce development; and
5. Bolstering community strength by ensuring that local residents receive the benefits of investments and have the opportunity to build on them for current and future generations.

Through the approximately \$2 billion to be awarded under the Community Change Grants, and the technical assistance that will be available to eligible applicants related to the grants, EPA will advance the goals of these Executive Orders (EO) and the agency’s environmental and climate justice priorities. [Environmental justice](#), as defined by EO 14096, means the just treatment and meaningful involvement of all people,

regardless of income, race, color, national origin, Tribal affiliation, or disability, in agency decision-making and other federal activities that affect human health and the environment so that people:

- Are fully protected from disproportionate and adverse human health and environmental effects (including risks) and hazards, including those related to climate change, the cumulative impacts of environmental and other burdens, and the legacy of racism or other structural or systemic barriers; and
- Have equitable access to a healthy, sustainable, and resilient environment in which to live, play, work, learn, grow, worship, and engage in cultural and subsistence practices.

B. Statutory and Regulatory Authority

The authority for the awards under this NOFO is Clean Air Act (CAA) § 138, codified at 42 U.S.C. § 7438. Of the \$2.8 billion appropriated, approximately \$2 billion will be awarded for the Community Change Grants under this NOFO. As provided in 42 U.S.C. § 7438(a)(1) and (b)(1), all the funds must be awarded by September 30, 2026, the grants cannot be longer than three years in duration, and no extensions will be granted.

Eligible entities and eligible activities are defined in 42 U.S.C. §7438(b)(2) and (3) and are further described below and in [Section I](#) and [Section III](#) of this NOFO.

Section 138(b)(2) of the CAA specifies that an eligible entity may use a grant awarded under this NOFO for:

1. community-led air and other pollution monitoring, prevention, and remediation, and investments in low and zero-emission and resilient technologies and related infrastructure and workforce development that help reduce greenhouse gas emissions¹ and other air pollutants;
2. mitigating climate and health risks from urban heat islands, extreme heat, wood heater emissions, and wildfire events;
3. climate resiliency and adaptation;
4. reducing indoor toxics and indoor air pollution; or
5. facilitating engagement of disadvantaged communities in state and federal advisory groups, workshops, rulemakings, and other public processes.

In addition, Section 102(2)(I) of the National Environmental Policy Act, 42 U.S.C. § 4332(2)(I) is applicable to international work, if any, under this NOFO. Further, all funded activities under this NOFO must comply with federal, state, and local laws and regulations, including but not limited to:

1. 2 CFR 200.435(b), which restricts the use of grant funds to defend a recipient that is subject to a criminal, civil or administrative proceeding against it commenced by any government for fraud or similar offenses;
2. 2 CFR 200.435(g), which precludes the use of grant funds to prosecute claims against the Federal Government; and
3. 2 CFR 200.450(c), which restricts the use of federal funds by nonprofit organizations for certain lobbying or electioneering activities but does not preclude the use of federal funds to promote adoption of local ordinances, including those related to zoning.

¹ “Greenhouse gas” means the air pollutants carbon dioxide, hydrofluorocarbons, methane, nitrous oxide, perfluorocarbons, and sulfur hexafluoride.

4. 40 CFR Parts 5 and 7, which prohibit discrimination on the basis of race, color, national origin (including limited-English proficiency), disability, sex, and age by recipients and subrecipients of federal financial assistance.

C. Community Change Grants Objectives

The Community Change Grants will support comprehensive community and place-based approaches to redressing environmental and climate injustices for communities facing legacy pollution, climate change, and persistent disinvestment. These concentrated local investments will fund community-driven, change-making projects that center collaborative efforts for healthier, safer, and more prosperous communities.

Designed with meaningful community, Tribal, and other stakeholder involvement, the investments EPA makes through the Community Change Grants are intended to achieve the following objectives:

1. Provide resources for community-driven projects to address environmental and climate challenges in communities facing disproportionate and adverse health, pollution, and environmental impacts, and suffering from generations of disinvestment.
2. Invest in strong cross-sectoral collaborations with partners who bring a robust commitment to working with and for communities with environmental and climate justice concerns.
3. Unlock access to additional and more significant resources to advance environmental and climate justice goals from across the federal government and other sources.
4. Empower communities and strengthen their capacity to drive meaningful positive change on the ground for years to come.
5. Strengthen community participation in government decision-making processes that impact them.

D. NOFO Competition Features

EPA anticipates awarding approximately \$2 billion in funding through this NOFO, depending on funding availability, quality of applications received, EPA priorities, and other applicable considerations. EPA will consider applications under two separate tracks.

- **Track I applications – Community-Driven Investments for Change** will focus on multi-faceted applications with Climate Action and Pollution Reduction Strategies to meaningfully improve the environmental, climate, and resilience conditions affecting disadvantaged communities. Awards under Track I are expected to be \$10-20 million each. EPA expects to award approximately \$1.96 billion for approximately 150 Track I awards, including those under the Target Investment Areas described in Section II.B.
- **Track II applications – Meaningful Engagement for Equitable Governance** will facilitate the engagement of disadvantaged communities in governmental processes to advance environmental and climate justice. Awards under Track II are expected to be \$1-3 million each. EPA will award approximately \$40 million for approximately 20 Track II awards.

The number of Track I and Track II awards are estimates, and EPA reserves the right to increase or decrease the total number of awards and dollar amounts for each track, contingent on the quality of applications received, the amount of funds awarded to selected applicants, budget availability, agency priorities, programmatic considerations, or a combination of these.

Target Investment Areas for Track I Applications: EPA has identified five Target Investment Areas (TIA) to help ensure that communities with unique circumstances, geography, and needs can equitably compete for funding (see [Section II.B](#)). Applicants applying under a specified TIA will compete against other applicants under the same TIA, as opposed to the broader application pool. Please note that applicants applying for the TIA for Alaska Tribal lands should review Appendix H for additional guidance pertaining to the Climate Action and Pollution Reduction Strategies to include in their application, including those related to the Alaska Native Claims Settlement Act (ANCSA).

Eligible Applicants: Eligible applicants for the Community Change Grants include a partnership between two community-based non-profit organizations (CBOs), or a partnership between a CBO and one of the following: a Federally recognized Tribe, a local government, or an institution of higher education (IHE), including Minority Serving Institutions as further described in [Section III.A](#). Other organizations and entities may participate in the Community Change Grants as Collaborating Entities through subawards, or as contractors selected in accordance with competitive procurement requirements. Further details about applicant eligibility, partnership requirements, Collaborating Entities, subawards, and procurement contracts are in [Section III](#).

Under this NOFO, Lead Applicants, as defined in [Section III.A](#), may submit a maximum of two eligible applications and may receive up to two awards, if they demonstrate the capacity and capabilities to effectively perform, manage, oversee, and complete the awards within the three-year grant period of performance. The two applications may be two Track I applications, two Track II applications, or one of each. Lead Applicants who submit more than two total eligible applications will be asked to withdraw the excess one(s). EPA will not review more than two eligible applications from any one Lead Applicant.

In addition, EPA is introducing several features to enhance community involvement and ease the application process. Unless otherwise noted, the following applies to both Track I and Track II applications:

- **Rolling Applications.** EPA will allow applications to be submitted on a rolling basis over a 12-month period, through November 21, 2024, and will permit applicants to resubmit an unsuccessful application after a debriefing with the agency. Further details about the rolling application and resubmission process are in Sections II and V.
- **Fast-Tracked Approach.** EPA will review and select high-quality applications to fund on a rolling basis to deliver results and benefits to disadvantaged communities.
- **Indirect Costs Limitation.** As further described in Appendix G, there is a 20% cap on indirect costs for certain recipients and subrecipients.

E. Technical Assistance

Under the IRA, EPA received \$200 million for technical assistance to eligible entities in connection with the ECJP. Technical assistance will be available for pre-award technical assistance including but not limited to designing a project, preparing an application, or facilitating partnerships, and for post-award technical assistance to help grant recipients manage, oversee, perform, and report on the grants. Further details about technical assistance can be found [here](#), and additional information on technical assistance that may be available through EPA's technical assistance contractor can be found [here](#). Receiving technical assistance does not guarantee that applicants will be selected for funding.

F. Community or Tribal Relocation Resources

Projects for community or Tribal relocation activities are not eligible for funding under this NOFO and will not be reviewed. For purposes of this NOFO, relocation activities generally include activities intended to plan or assist the moving of an individual from their residence or a business from its place of business.² EPA is working with other federal agencies on a separate and tailored effort to develop a support mechanism for communities that want to implement community-driven relocation plans. EPA intends to share relocation assistance information in future guidance [posted on the Community Change Grants website](#). In the interim, information related to Federally-assisted relocation can be found on [FEMA's webpage](#) and in the [HUD Climate Resilience Implementation Guide for Community Driven Relocation](#). Any questions about whether an activity is considered a relocation activity should be sent by email to CCGP@epa.gov prior to applying.

G. Funding Track I: Community-Driven Investments for Change

1. Track I Objectives

Track I is the primary emphasis for the Community Change Grants. These projects will be implemented through strong collaborations to achieve sustained impacts related to climate resilience, pollution reduction, community health, economic prosperity, and community strength. This approach catalyzes change by focusing on the following objectives:

- **Increase community resilience through climate action activities:** Implement comprehensive Climate Action Strategies and infrastructure that build the resilience and adaptive capacities of communities, reduce greenhouse gas (GHG) emissions, and better prepare for and reduce the impacts of climate change.
- **Reduce local pollution to improve public health:** Reduce and remediate quantifiable health-harming pollutants to improve public health.
- **Center meaningful community engagement:** Conduct robust community engagement throughout the project – from design to implementation.
- **Build community strength:** Develop strategies to increase the likelihood that benefits of the investments accrue to existing residents of disadvantaged communities, both immediately and sustainably beyond the grant period.
- **Reach priority populations:** Support people within the Project Area as described in Appendix A who are acutely exposed to and impacted by climate, pollution, and weather-related threats, and / or who exhibit acute vulnerabilities to the impacts of environmental pollution.³
- **Maximize integration across projects:** Ensure that the projects and activities within the Project Area are integrated and complement each other to maximize benefits.

² The Uniform Relocation Assistance and Real Property Acquisition Policies Act, 42 U.S.C. § 4601 et seq. (URA) would apply if a construction project funded through a Community Change Grant has an incidental effect of permanently displacing residents or businesses.

³ This may include populations of concern as identified in [The Impacts of Climate Change on Human Health in the United States: A Scientific Assessment \(2016\)](#) that “experience disproportionate, multiple, and complex risks to their health and well-being in response to climate change,” such as children and pregnant women, older adults, and those with low incomes, limited-English-proficiency, disabilities or chronic medical conditions, or other risks that may put them at greater vulnerability.

2. Track I Community Vision Description

Track I applications should be rooted in addressing specific, community-driven environmental justice challenges. Accordingly, Track I applications should begin with a Community Vision Description that, at a minimum, provides an overview of the Project Area (as described in Appendix A) to benefit from the grant, a clear description of the challenges the Project Area faces, and a vision for how the grant will respond to those challenges to advance environmental and climate justice in the Project Area. This description should provide essential context for the rest of the application, informing how the Climate Action and Pollution Reduction Strategies were selected and the positive impact the applicant envisions the grant will have in the Project Area. The Community Vision Description is further described in [Section IV.B: Content of Application Submission](#).

3. Track I Application Requirements

Track I applications must address the following six requirements, as further described below. Additional information about the contents of the Project Narrative for Track I applications can be found in [Section IV.B: Content of Application Submission](#) and information about how applications will be evaluated can be found in [Section V.C: Track I Application Review Process and Evaluation Criteria](#).

Requirement 1. Climate Action Strategy: Applications must include at least one project aligned with at least one of the Climate Action Strategies as described below. The Climate Action Strategies focus on strengthening the community’s climate resilience and / or reducing GHG emissions. Climate Action Strategies should be responsive to the community challenges described in the Community Vision Description.

Requirement 2. Pollution Reduction Strategy: Applications must include at least one project aligned with at least one of the Pollution Reduction Strategy as described below. The Pollution Reduction Strategy can include monitoring, prevention, reduction, and remediation activities that support community efforts to address quantifiable and health-harming pollutants. Pollution Reduction Strategies range broadly depending on the type and pathway of pollution (e.g., indoor, or outdoor air pollution, water pollution, soil pollution). Pollution Reduction Strategies should be responsive to the community challenges described in the Community Vision Description.

Requirement 3. Community Engagement and Collaborative Governance Plan: Successful implementation of environmental and climate justice projects requires relationships among an ecosystem of community leaders and members along with partners across varied sectors. To help ensure that the community itself drives project development and implementation, applicants must submit a Community Engagement and Collaborative Governance Plan which should demonstrate how the applicant will inform, respond to, and engage community members throughout project development and implementation. This plan should include a Collaborative Governance Structure, which describes the roles and responsibilities of the Lead Applicant, Collaborating Entities, and community residents in implementing the project.

Requirement 4. Community Strength Plan: Applicants must submit a Community Strength Plan that describes how their proposed projects will enhance the overall strength and economic prosperity of the community, including maximizing the benefits of the projects for existing residents and minimizing potential risks associated with investing significant resources into the Project Area. This should include strategies for how the projects will promote inclusive economic development, drive benefits of the projects to existing residents, and proactively address unintended displacement consequences. This plan should speak to how the projects will enhance the overall wellbeing of the community, ensuring existing

community members receive the benefits of these investments and can build on those benefits for future generations.

Requirement 5. Readiness Approach: Given the statutory requirement that all Community Change Grants must be completed within three years, applicants must describe how they will be able to initiate grant performance upon award, or generally no later than 120 days after award, so they can successfully complete the grant within the three-year period of performance.

Requirement 6. Compliance Plan: Applicants must submit a Compliance Plan that describes how they will: (1) ensure compliance with the grant's terms and conditions, including 2 CFR § 200.302(b) (financial management), 2 CFR § 200.303 (internal controls), and 2 CFR § 200.332 (requirements for pass-through entities); and (2) manage broader legal and compliance risks.

Details of Track I Application Requirements

Requirement 1. Climate Action Strategies: Applicants must include at least one project aligned with at least one of the Climate Action Strategies identified below. When addressing the strategy in their application, applicants should describe relevant challenges faced in the Project Area and how the selected Climate Action Strategy(ies) and associated project(s) will address those challenges. Each Climate Action Strategy outlined below is focused on building short-term and long-term climate resilience, reducing GHGs, and providing additional co-benefits so that impacted communities can adapt to the changing climate. Applicants are also encouraged, as applicable, to integrate processes that minimize burdens to human health and the environment while maximizing benefits to the Project Area through such means as integrating nature-based solutions, utilization of low-carbon building materials, or sourcing sustainable products and materials to perform the projects. When selecting a Climate Action Strategy and designing their climate action projects, applicants may refer to the [National Climate Resilience Framework](#) released in September 2023.

Examples of project activities and guidelines associated with the strategies can be found in Appendix C. While applicants may select from among the examples in the Appendix, applicants may also submit other types of project activities as long as they are consistent with a Climate Action Strategy described in [Section I.G](#) of the NOFO and are eligible for funding under §138(b)(2) of the CAA.

Strategy 1: Green Infrastructure and Nature-Based Solutions

Many disadvantaged communities face complex climate challenges, such as urban heat island effects and flooding risks. Strategy 1 supports using nature-based solutions (NBS), also referred to as green infrastructure, to address such climate risks. Nature-based solutions are generally actions to protect, sustainably manage, or restore natural systems to address the impacts of climate change, while simultaneously providing benefits for people and the environment.⁴ Projects under this strategy can include planting shade trees, restoring native plants and wetlands to capture stormwater, and deploying other green infrastructure solutions that often have the co-benefit of reducing GHG emissions. Communities also may incorporate vegetation or similar natural features into traditional infrastructure.

Strategy 2: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience

Many disadvantaged communities lack access to affordable low- or zero-emission transportation options, leading to disproportionate difficulties in daily life, limiting access to educational and

⁴ Applicants may use the White House's [Nature-Based Solutions Resource Guide](#) as a resource for integrating nature-based solutions.

economic opportunities, and creating vulnerability to climate risks. Strategy 2 focuses on providing community members with access to low- and zero-emission technologies to improve their overall health and well-being, reduce emissions, and increase access to important community destinations such as schools, workplaces, health care centers, and community spaces. Projects funded under this strategy may include installing protected bike lanes or walking paths, supplying traditional or electric bikes to community members, and deploying other low- or zero-emission transportation solutions. The impact of such projects could include improved public health outcomes, reduced GHG emissions from the transportation sector, more equitable access to community resources, increased community connectivity and safety, and greater community resilience to extreme weather events.

Strategy 3: Energy-Efficient, Healthy, and Resilient Housing and Buildings

Residential and commercial buildings are a significant source of GHG emissions due to the large amounts of electricity consumed for heating, cooling, lighting, and other similar functions. Many disadvantaged communities also face a disproportionately high energy burden, defined as the percentage of gross household income spent on energy costs. Many factors can influence high energy burden, including higher-cost fuels, such as propane or other bottled fuels, and energy-inefficient homes due to a lack of insulation in older homes or older appliances. Strategy 3 supports investments in low- and zero-emission technologies and energy efficiency upgrades that can help decarbonize residential and commercial buildings, decrease energy burden, and increase resilience for communities. Many of these activities also contribute to positive public health outcomes by improving indoor air quality and the safety and comfort of buildings. Co-benefits associated with this strategy can be maximized by combining additional Climate Action and Pollution Reduction Strategies to improve indoor air quality and / or produce additional resiliency benefits. This strategy can support a range of residential and commercial buildings, including single-family homes, multi-family housing buildings, small businesses, community health facilities, community centers, nonprofit offices, schools, and other similar community-serving buildings.

Strategy 4: Microgrid Installation for Community Energy Resilience

Many disadvantaged communities suffer from unreliable access to electricity, a problem that is becoming more acute due to increased heating and cooling demands during extreme weather events driven by climate change. Strategy 4 supports the installation of microgrids powered by low- and zero-emission renewable energy to improve electric reliability, enhance overall energy efficiency, reduce emissions of GHG and other air pollutants, and build a community's capacity to prepare for and withstand power disruptions. The U.S. Department of Energy [defines](#) microgrids as “a group of interconnected loads and distributed energy resources within clearly defined electrical boundaries that acts as a single controllable entity with respect to the grid.” A microgrid can operate autonomously when disconnected from the grid or when there is no grid to connect to, such as in some remote communities. When connected and operated with the grid, a microgrid can provide grid ancillary services.

Strategy 5: Community Resilience Hubs

Many disadvantaged communities lack the resources to evacuate in a safe and timely manner when disaster strikes or is imminent. Strategy 5 supports the creation of, or upgrades to, community-level resilience hubs, which are public-serving spaces that provide shelter and essential services during extreme weather, natural hazards, or other events causing or contributing to an emergency or disaster, such as dangerous wildfire woodsmoke, toxic releases, industrial fires, or similar hazardous chemical incidents. These community-level resilience hubs can also serve as community-convening spaces that provide educational activities and related emergency and disaster preparedness resources to community residents year-round.

Strategy 6: Brownfield Redevelopment for Emissions Reduction and Climate Resilience

Many disadvantaged communities contain brownfield sites that impede economic development. Redeveloping brownfields provides an opportunity to make investments that contribute to community revitalization, resilience, and GHG emissions reduction. Redeveloping brownfield sites also supports infill development that significantly reduces residential vehicle use and the associated GHG emissions. Strategy 6 supports the redevelopment of brownfield sites that have already been cleaned up, or where a site assessment indicates that cleanup is not necessary for reuse. These projects should seek to improve energy efficiency through investments in low- and zero-emission technologies, integrate climate resiliency, and / or mitigate climate change impacts while also promoting economic development and improving public health for residents. Examples could include construction of a public park or partnering on a LEED Certified low-income housing project on a former brownfield site.

Note: Projects funded under this Climate Action Strategy must be performed on sites where, at the time of application submission, the applicant demonstrates that cleanup is complete or that the site does not require any cleanup activities for the intended use or reuse of the site. See Section III.D.8 and Appendix C section on this Strategy.

Strategy 7: Waste Reduction and Management to Support a Circular Economy

Disadvantaged communities often bear the brunt of environmental contamination from improper disposal of physical waste, or from disposal in landfills adjacent to those communities. This strategy supports circular economy⁵ activities and promotes sustainable use of natural resources to keep materials and products in circulation for as long as possible, resulting in the reduction of GHG emissions and other pollution across a product's lifecycle. Examples of these projects may include efforts to reduce food waste (e.g., composting, anaerobic digestors), or to promote the reduction, reuse, and recycling of disaster debris, construction and demolition debris, and other materials and products. Project activities should demonstrate that they will result in materials being diverted from end-disposal facilities (e.g., landfills, incinerators) to reduce GHG emissions, toxic air pollution, and soil and water pollution.

Strategy 8: Workforce Development Programs for Occupations that Reduce Greenhouse Gas Emissions and Air Pollutants

Individuals in disadvantaged communities often lack pathways into fast-growing and well-paying job opportunities related to environmental and climate justice. This strategy allows applicants to propose workforce development programs to enable individuals in these communities to pursue career pathways in fields related to the reduction of GHG emissions and other air pollutants. Strong workforce development proposals should include all three of the following features, as detailed in Appendix C: (1) multi-sectoral partnerships that bring together workforce expertise and enable pathways into high-quality careers that help reduce GHG emissions and other air pollutants; (2) high-quality training models, such as pre-apprenticeships or Registered Apprenticeship Programs, that are worker-centered, demand-driven, and lead to good jobs that help reduce GHG emissions and other air pollutants; and (3) strategies for recruiting and retaining individuals from disadvantaged communities, especially for populations that face barriers to employment. Given that workforce development opportunities can be significant to achieving environmental and climate justice in many communities, EPA anticipates making a minimum of fifteen awards for high-ranking applications that include a workforce training program as further described in [Section V.E](#). Note that it is a statutory requirement that workforce development activities funded under this program be focused specifically on reducing greenhouse gas emissions and other air pollutants.

⁵ A circular economy keeps materials, products, and services in circulation for as long as possible.

Requirement 2. Pollution Reduction Strategies: Applications must include at least one project aligned with at least one of the Pollution Reduction Strategies identified below. When addressing the strategy in their application, applicants should describe relevant challenges faced in the Project Area and how the selected Pollution Reduction Strategy(ies) will address those challenges. Each Pollution Reduction Strategy outlined below is focused on pollution monitoring, prevention, and remediation of quantifiable and health-harming pollutants.

Applications that include activities to increase monitoring capabilities or raise community awareness of pollution must also include an associated remediation, implementation, or infrastructure pollution reduction project that addresses the identified pollution issue.

Examples of project activities and guidelines associated with the strategies can be found in Appendix D. While applicants may select from among the examples in the Appendix, applicants may also submit other types of project activities as long as they are consistent with a Pollution Reduction Strategy described in [Section I.G](#) of the NOFO and are eligible for funding under §138(b)(2) of the CAA.

Strategy 1: Indoor Air Quality and Community Health Improvements

Disadvantaged communities often face high levels of indoor air pollution from several sources, including mold, lead paint, radon, asbestos, fossil fuel combustion, and pollution from outdoors that seeps inside. These pollutants can have a detrimental impact to human health, particularly for vulnerable populations including children, the elderly, and people with health conditions like asthma and heart disease.⁶ Activities under Strategy 1 can include education on air toxins / toxics and how to monitor them (e.g., curriculum development, outreach strategies, public education activities) and direct assessment and remediation to reduce harmful air pollution (e.g., installation of filtration systems, building retrofits that address multiple sources of pollution, replacement of wood heaters that do not meet EPA standards, asbestos abatement in schools).

Strategy 2: Outdoor Air Quality and Community Health Improvements

Outdoor air pollution from mobile and stationary sources can compromise human health and the environment in many ways, including by triggering asthma attacks and heart attacks, exacerbating respiratory disease, and causing children and adults to miss school and work on bad air days. Activities funded under Strategy 2 could include: funding the purchase, upgrade, and / or maintenance of equipment and technology to allow for the inspection, testing, monitoring, and sampling of air pollution; purchasing equipment that limits community exposure to outdoor air pollutants; and reducing exposure to near-road pollution, pollution from airports and ports, and mobile source pollution. This could include land use and zoning policies that enable households to live in affordable, dense, and vibrant communities within urban and rural areas. These activities can be bolstered by educating the public on air toxins / toxics and how to monitor them (e.g., curriculum development, outreach, public education), and communication of air pollution assessment results to reduce exposure, including during environmental emergencies or events where the risk of pollution exposure is high.

Strategy 3: Clean Water Infrastructure to Reduce Pollution Exposure and Increase Overall System Resilience

Disadvantaged communities often lack access to clean water and clean drinking water. Functional water infrastructure is essential for protecting the quality of drinking water resources as well as the safety of recreational waters communities use for subsistence fishing, swimming, and other activities everyone deserves to enjoy. Strategy 3 addresses challenges communities face in accessing clean, reliable drinking water and wastewater treatment. Projects funded under this strategy may include focused

⁶ [Indoor Air Quality \(IAQ\)](#).

infrastructure investments that can be completed within the three-year project period and within the funding amounts specified in this NOFO, as well as assessment and planning that will enable communities to better access tens of billions of dollars in federal water infrastructure funding from other sources such as EPA’s Clean Water and Drinking Water State Revolving Funds. Targeted infrastructure projects can include identification and replacement of lead pipes in homes and public spaces, improved resilience of water systems through deployment of backup power such as onsite renewable energy and storage, targeted efficiency upgrades, septic to sewer conversions, lining waste lagoons, and investments in redundancy such as backup wells. Assessment and planning efforts could include, for example, a leak detection and pipe replacement plan, or a PFAS monitoring program that informs a funding application to one of several sources of state and federal funding.

Strategy 4: Safe Management and Disposal of Solid and Hazardous Waste

Disadvantaged communities are disproportionately exposed to solid and hazardous waste, which negatively impacts public health. This strategy supports pollution prevention, recycling, and disposal activities related to the management of solid and hazardous waste, such as discarded electronics, tires, single-use plastics, and other disposable items. Community-level responses to these challenges could include, for example, the purchase of equipment and the development of facilities to manage solid and hazardous waste to improve public health outcomes. Brownfields cleanup is not contemplated under this strategy and is not a Community Change Grants program priority.

Requirement 3. Community Engagement and Collaborative Governance Plan: Track I applications must include a Community Engagement and Collaborative Governance Plan. Successful implementation of environmental and climate justice projects requires relationships and meaningful engagement among an ecosystem of community leaders and members alongside partners across many sectors. This plan is required to help ensure that grant activities are driven and informed by the views of the Project Area community and are accomplished through collaboration among key stakeholders. The plan should describe how the applicant will engage, educate, and be responsive to community members throughout project development and / or implementation. Additionally, the plan should incorporate a Collaborative Governance Structure that demonstrates how the Lead Applicant and Collaborating Entities (as described in [Section III.A](#)) will work together to successfully implement the grant in a timely, effective, and equitable manner.

The Community Engagement and Collaborative Governance Plan cannot exceed 10 single spaced pages – excess pages will not be reviewed. It should address the following elements and any others the applicant deems relevant to their projects:

- **Past Community Outreach and Engagement Conducted:** The applicant should demonstrate what outreach and engagement methods were used to engage with the Project Area community, including any with specific neighborhoods or groups, and how this impacted the selection of the strategies and associated projects as well as the applicant’s implementation approach.
- **Community Engagement Plan Implementation:** The applicant should demonstrate the specific community engagement methods, as well as how they will mitigate barriers and involve relevant governmental stakeholders, necessary to support overall implementation including:
 - **Clear Methods for Engagement and Transparency:** The applicant should describe the following elements:
 - Outreach methods that provide opportunities for broad and diverse community member involvement in project development and / or implementation and feedback during grant performance.
 - Transparent mechanisms that will promote meaningful accountability to the needs and preferences of residents in the Project Area.

- Mechanism(s) that will be used to continuously inform the community before and during project implementation on project status, benefits available to them through the project, and indicators being tracked, such as air quality improvements or trees planted.
 - **Mitigating Barriers:** The applicant should describe measures to minimize and mitigate barriers around community engagement and participation in project development and / or implementation including but not limited to those related to linguistic differences, communication challenges, disabilities, inaccessible technology, lack of trust or awareness, transportation, childcare, and elderly / adult care.⁷
 - **Government Involvement:** As applicable, the applicant should demonstrate the support and involvement of government agencies needed to facilitate successful grant performance. For example, projects that intersect with local-government authorities such as permitting, planning, and zoning are encouraged to demonstrate the involvement and cooperation of local government authorities.
- **Collaborative Governance Structure:** The applicant should provide details regarding the roles and responsibilities of the Lead Applicant, Collaborating Entities, and community residents and / or community-selected representatives for implementing, managing, and overseeing the application's project activities, including how they should meet regularly to discuss project implementation. The description should include at a minimum:
 - Outreach methods to solicit community representatives and processes to choose representatives to enable a broad cross-section of community representatives to participate so different voices are heard.
 - An explanation of how the Lead Applicant and Collaborating Entities will coordinate with each other and community members to inform and engage the community on project development and progress.
 - An outline of the planned decision-making processes between the Lead Applicant and Collaborating Entities, including procedures to ensure that decisions are transparent and can be made in an expedited manner when necessary.
 - Processes for replacing a Collaborating Entity to ensure that the replacement entity has comparable skills, qualifications, expertise, community support, and experience to avoid any adverse impact on grant performance. EPA approval of the qualifications, expertise, and experience of the replacement Collaborating Entity will be required pursuant to 2 CFR 200.308I(2) and / I(c)(6).

Note: Awards may include terms and conditions requiring that subaward agreements between the Lead Applicant and Collaborating Entities (including the Statutory Partner described in [Section III.A](#)) contain provisions reflecting certain of the requirements above.

Requirement 4. Community Strength Plan: Track I applications must include a Community Strength Plan. Advancing environmental and climate justice requires bolstering the strength and economic prosperity of a community for the benefit of local residents, while also ensuring those residents can remain within the community and benefit from the investments over the long term. [Executive Order 14096](#), *Revitalizing Our Nation's Commitment to Environmental Justice for All*, states, "Advancing environmental justice will require investing in and supporting culturally vibrant, sustainable, and resilient communities in which every person has safe, clean, and affordable options for housing, energy, and transportation. It is also necessary to prioritize building an equitable, inclusive, and sustainable economy that offers economic opportunities.

⁷ Refer to the EPA Office of Grants and Debarment Guidance on Selected Items of Cost for Recipients, EPA Guidance on Participant Support Costs, and EPA Subaward Frequent Questions, including for additional information on paying for light refreshments, providing dependent care stipends or services for community meeting participants, and meeting participant transportation stipends. See Appendix G for additional information.

Pursuing these and other objectives integral to advancing environmental justice can successfully occur only through meaningful engagement and collaboration with underserved and overburdened communities to address the adverse conditions they experience and ensure they do not face additional disproportionate burdens or underinvestment.”

In alignment with this Executive Order and to help EPA assess whether the proposed projects will benefit disadvantaged communities, as required by §138(b)(1) of the CAA, this plan should describe how the projects in the application are intended to (1) maximize the economic benefits of the projects for existing residents in the Project Area, and (2) avoid unintended consequences for existing residents in the Project Area including the displacement of residents in the Project Area.

This plan cannot exceed 5 single-spaced pages – excess pages will not be reviewed. Consistent with the above discussion, the plan should address the following elements.

1. Maximizing Economic Benefits of Projects:

The plan should describe how the projects included in the application will maximize economic benefits for individuals in the Project Area, including priority populations defined in footnote 3.

Examples of economic benefits, as described below, could include (1) opportunities for local small businesses or contractors; (2) jobs for community members; (3) financial savings for residents; and other similar benefits, in alignment with EPA grant regulations and applicable law.⁸

- **Business Opportunities:** Applicants may need to hire contractors to carry out certain project activities. Applicants may inform local businesses of open solicitations and encourage them to compete for contracts. For example, applicants may consider partnering with their local government’s small business office to broadly advertise contracting opportunities. Similarly, applicants should make a “good faith effort” to provide disadvantaged business enterprises (DBEs) with an opportunity to compete for contracts in accordance with [EPA’s 40 CFR Part 33 Disadvantaged Business Enterprise rule](#).⁹
- **Job Opportunities:** Applicants may propose measures to facilitate the employment and retention of workers from disadvantaged communities on funded projects. For example, applicants may propose developing recruitment strategies in partnership with their local workforce development board; funding supportive services for workers on grant-funded projects (e.g., transportation, childcare, mental health supports), coordinating such services with local social service providers; or establishing goals for hiring individuals from disadvantaged communities on the projects and transparently tracking progress toward those goals. Applicants may propose measures to increase community awareness of these job opportunities and the associated skill requirements, such as hiring workshops or job fairs. Applicants may also describe specific measures that will ensure Project Area residents are developing skills that are necessary to take advantage of existing or future jobs in professions contributing to the reduction of GHG emissions and other air pollutants.

⁸ Note that applicants are not bound by statutory or administrative local-preference requirements, per 2 CFR 200.319(c).

⁹ Note: Please carefully review Section IV.d, “Contracts and Subawards,” of EPA’s Solicitation Clauses that are incorporated by reference in this NOFO in [Section I.J](#). EPA expects recipients of funding to comply with competitive procurement contracting requirements. The Agency does not accept justifications for sole source contracts for services or products available in the commercial marketplace based on a contractor’s role in preparing an application or a firm or individual’s “unique” qualifications. For example, applicants cannot name local contractors as part of this Community Strength Plan without adhering to these competitive procurement requirements.

Note: Jobs funded under this program should be high-quality jobs, in alignment with the U.S. Department of Labor and Commerce’s [Good Jobs Principles](#), as described in Appendix E. Applicants may propose measures to increase the likelihood that these will be good jobs for individuals from disadvantaged communities, such as training for employers / contractors on grant-funded projects to promote best practices such as equal opportunity recruitment and hiring practices, good benefits, healthy organizational culture, and opportunities for advancement. Additionally, jobs for construction activities funded under this grant will be required to pay prevailing wage rates, as required by CAA § 314 and the Davis-Bacon and Related Acts.

- **Financial Savings:** Applicants may also describe how and the extent to which Project Area residents will receive direct economic benefits from the Climate Action and Pollution Reduction projects in the applications, such as through energy bill savings or affordable zero- or low-emission transportation solutions. The plan may also discuss how the applicant plans not only to deliver these benefits for residents in the short-term but also to preserve them for the long-term. As an example, applicants working on a transportation project that will deliver immediate cost savings for residents may negotiate with a vendor / contractor to lock-in long-term cost savings for community members.

Applicants may consider using tools to align stakeholders around these benefits, such as a Community Benefits Agreement (CBA), which is a legally binding contract that defines benefits. Parties to a CBA may include CBOs, neighborhood associations, local government entities, contractors and developers, and other similar project stakeholders. Applicants are reminded of the three-year period of performance for the grant and should be prepared to expeditiously begin the negotiation of community benefits to prevent project delays.

2. Displacement Avoidance:

Benefits to disadvantaged communities can be evaluated by whether residents are able to retain the benefits of EPA-funded projects over the short and long-term. While climate action and pollution reduction can have a positive impact on a community, those benefits can also lead to unintended consequences, such as increased costs of living in a Project Area. Given that the purpose of CAA §138 is to fund activities that will benefit disadvantaged communities, applicants should describe measures to increase the likelihood that existing community members of the Project Area will benefit from investments in both the immediate and long term.

Applicants should discuss potential short-term and long-term risks associated with the proposed projects to residents, small businesses, nonprofits, and other community members in the Project Area. Applicants should assess and describe the community’s vulnerability to rising costs attributable to the proposed projects and assess potential impacts to households, small businesses, and other existing groups. Based on the specific risks identified, applicants should describe measures for mitigating those risks as applicable. Some measures can mitigate these displacement vulnerabilities in the short-term, whereas other measures can have long-term impacts. For example, for projects that increase the energy efficiency of multi-family housing facilities, and that may have the unintended effect of raising rents for those facilities, the approach may focus on outreach / education to residents, such as information packets, tenant protection workshops that feature information about tenant rights under applicable state and local laws, or other educational activities. Other approaches may focus on securing commitments from landlords benefiting from EPA-funded property improvements to extend affordable housing covenants or agree not to raise rents

unnecessarily.¹⁰ Applicants can also describe how they will work with relevant entities, such as local governments, to create policies, plans, or programs to mitigate unintended impacts of the EPA-funded investments.

Applicants should describe any work already underway in the Project Area that would mitigate these risks, or existing policies, ordinances, or programs that are relevant. For example, an applicant could describe any ordinances in the Project Area designed to expedite construction or availability of additional affordable housing. Applicants can also describe any Climate Action and Pollution Reduction Strategies proposed as part of this application that might help mitigate displacement risks by providing project co-benefits. For example, a strategy that promotes increased housing density as a tool to reduce emissions could have the co-benefit of reducing housing costs by increasing housing supply.

Requirement 5. Readiness Approach: Given the statutory requirement that all Community Change Grants must be completed within three years, applicants must describe their approach for initiating grant performance upon award, or generally within 120 days after award, in compliance with the requirements in 2 CFR Parts 200 and 1500, 40 CFR Part 33 that apply to all EPA grants so they can successfully complete the grant within the three-year period.

This includes addressing the readiness considerations listed below, and any others, that are applicable to the projects and how they will be met. If any of the below considerations are not applicable, the application should explain why not.

- **Government Approvals:** If government approval at any level (e.g., construction permits) is necessary to implement or perform a project, the applicant must demonstrate that they have obtained such approval. If such approval has not been obtained, then the applicant must demonstrate how they will obtain it immediately after award, so it does not impede grant implementation.
- **Federal Requirements for Construction Projects:** Applicants must demonstrate that they have systems in place, or a plan to have such systems in place immediately after the grant award, to comply with CAA § 314 and the Davis-Bacon and Related Acts prevailing wage requirement, the Build America Buy America domestic preference requirement, and other cross-cutting statutory and Executive Order requirements that apply to Federally funded construction projects.
- **Alignment with Existing Plans:** Applicants must demonstrate that the project(s) in the Project Area as defined in Appendix A are consistent with any community development, climate resilience, or hazard mitigation plans, or other comparable government land use restrictions.
- **Site Control:** Applicants must demonstrate that they own or control the site where a project will be performed or that they will have legally binding access or permission to the site so they can perform the project(s).
- **Operations and Maintenance:** Applicants must describe their operations and maintenance plan and financing approach for their project's infrastructure investments, if relevant, which may include long-term service costs, fee structures, detailed indebtedness for all properties, and other relevant information demonstrating how operations and maintenance of the investment will be assured during and after the grant award.

¹⁰ Note that any agreements must be in alignment with local and state housing laws. For example, in some instances, state or local law may allow a landlord to raise rents to compensate for increases in property taxes attributable to the value of EPA funded improvements.

Requirement 6. Compliance Plan: Applicants must submit a Compliance Plan that describes how they will: (i) ensure compliance with the grant’s terms and conditions, including 2 CFR § 200.302(b) (financial management), 2 CFR § 200.303 (internal controls), and 2 CFR § 200.332 (requirements for pass-through entities); and (ii) manage broader legal and compliance risks. This plan cannot exceed 5 single-spaced pages – excess pages will not be reviewed.

H. Funding Track II: Meaningful Engagement for Equitable Governance

Under this track, eligible applicants may submit projects, as described in CAA § 138(b)(2)(E), for “facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.” EPA has interpreted “other public processes” as encompassing local, Tribal, and other governmental processes. All funded activities under this NOFO must comply with federal, state, and local laws and regulations, including but not limited to:

1. 2 CFR 200.435(b), which restricts the use of grant funds to defend a recipient that is subject to a criminal, civil or administrative proceeding against it commenced by any government for fraud or similar offenses;
2. 2 CFR 200.435(g), which precludes the use of grant funds to prosecute claims against the federal Government; and
3. 2 CFR 200.450(c), which restricts the use of federal funds by nonprofit organizations for certain lobbying or electioneering activities but does not preclude the use of federal funds to promote adoption of local ordinances, including those related to zoning.
4. 40 CFR Parts 5 and 7, which prohibit discrimination on the basis of race, color, national origin (including limited-English proficiency), disability, sex, and age by recipients and subrecipients of federal financial assistance.

Track II Objectives

Section 138 of the CAA provides that grants may be awarded for the purpose of “facilitating engagement of disadvantaged communities in State and Federal advisory groups, workshops, rulemakings, and other public processes.” Accordingly, Track II applications intend to build the capacity of communities and governments to evaluate and redress environmental and climate injustices by giving disadvantaged communities a meaningful voice in government decision-making processes. By supporting direct participation of disadvantaged communities in the development and implementation of solutions, policies, and programs, the Community Change Grants can help close equity gaps and redress environmental and climate injustices.

Track II applications should focus on breaking down systemic barriers to community participation in government processes impacting environmental and climate justice. This can be done by creating engagement and feedback mechanisms with two-way communications between community members and government decision-makers. Applications should focus on ways to provide disadvantaged communities with information about issues that directly impact them, while simultaneously creating mechanisms for the government to gather input to ensure community needs inform decision-making and are integrated into government processes and policies. Applications in this track should strive to enable communities to play a meaningful role in making and implementing decisions.

Effective projects should also involve partnerships between community organizations, governments, philanthropic organizations, the private sector, and / or third-party facilitators and evaluators who can support collaboration across sectors to facilitate the engagement of disadvantaged communities in governmental decision-making processes.

Track II Project Examples

The following are examples of activities that may be proposed under Track II. Applicants may expand or refine these examples or submit projects that are not listed below if they demonstrate how they will facilitate the engagement of disadvantaged communities in governmental processes.

Example 1. Educational and Training Programs

These projects prepare, train, and educate members of disadvantaged communities on how to engage in government processes related to environmental and climate justice activities.

Examples of activities that could be performed under this type of project include but are not limited to:

- Creating a leadership development program that trains community members to identify environmental and climate justice challenges, devise strategies to address them, and recommend actions to governmental authorities. Example topics could include how to review public sector budgets, navigate specific processes such as land-use ordinances or National Environmental Policy Act (NEPA) reviews, and participate effectively in public meetings. The [EPA EJ Academy](#) is an example of a type of project applicants may consider developing for their own community.
- Designing and implementing a training program to help members of disadvantaged communities effectively participate in advisory boards, commissions, land use authorities, or other bodies that involve community members in environmental and climate related policy making.
- Partnering with a government to develop and / or implement Equity Action Plans that identify and address barriers to equity and opportunity and discrimination that disadvantaged communities may face. Equity Action Plans should meaningfully incorporate community input and result in city-or-statewide transformational, equitable change in environmental or climate related policies. For informational purposes only, please find [here](#) a link to Equity Action Plans developed by federal agencies that may help applicants with designing and preparing these types of projects.

Example 2. Environmental Advisory Boards (EABs)

These are projects that facilitate the engagement of disadvantaged communities in environmental decision-making by establishing advisory councils, taskforces, or similar bodies to engage with government. These boards should have regular meetings to create consistent opportunities for disadvantaged communities to provide recommendations on actions government entities should take to address environmental and climate justice challenges. These bodies should include members from disadvantaged communities, may include additional representatives from other stakeholder groups that can effectively represent important and related perspectives (including Tribal, academia, youth / elderly / disability populations, government, etc.).

Examples of activities under an EAB-type project may include but are not limited to facilitating the engagement and involvement of disadvantaged communities in governmental processes at different levels of government to provide input, recommendations, and advice on matters such as:

- Permitting decisions for factories or industrial sites.
- Community infrastructure upgrades to address pollution and climate concerns.

- Zoning and siting guidance for fence-line / frontline communities¹¹ such as new school placements, highway construction, and industrial and commercial uses of land.
- Issues and actions of municipal and public utilities related to workforce development, drinking water shutoffs, drinking water quality and affordability, and aging wastewater treatment infrastructure in / near disadvantaged communities.

Example 3. Collaborative Governance Activities

These are projects that facilitate the process of providing recommendations and implementing decisions that will benefit disadvantaged communities. Projects can focus on creating collaborative bodies with members from and / or representing the interests of disadvantaged communities, governmental entities, and other stakeholders to work on environmental and climate justice issues.

Functions these bodies may focus on include co-producing solutions with disadvantaged communities to identify and address environmental issues. This could be done through obtaining feedback from a wide range of experts and stakeholders, including but not limited to those working in public health, housing, economic development, environmental justice, and other relevant fields, to identify environmental and directly related public health issues, develop solutions, and then work towards implementing the ideas with the necessary parties.

Examples of activities under a collaborative governance project may include but are not limited to facilitating the engagement and involvement of disadvantaged communities in governmental processes on matters such as:

- Participating in the development of one or more community benefits agreements to help ensure that environmental projects funded by federal, state, and / or private entities meaningfully engage and account for community needs. For informational purposes only, the resource [here](#) from the Department of Energy provides information that may help applicants with designing and preparing these types of projects.
- Creating a governance body or “development community” for a brownfields post-cleanup redevelopment project.¹²
- Creating a source water protection plan to protect public health and reduce burdens on water systems.
- Recommending organizational changes to government entities that make them more receptive and sensitive to the environmental and climate justice concerns of disadvantaged communities.

Example 4. Participation in Governmental Funding and Budgeting Processes

These are projects that use participatory budgeting to inform public spending on environmental priorities. Participatory budgeting is an approach to making decisions about governmental spending that is focused on meaningfully and deeply engaging the community in governmental funding processes. Projects can enable community-based organizations to partner with a public entity to design and implement processes whereby members of disadvantaged communities have input into, and influence, decisions about how to allocate public budgets for environmental and climate justice priorities. An example of a project using participatory budgeting could involve designing a program where the community identifies problems,

¹¹ A fence-line community or frontline community is generally one immediately adjacent to high polluting facilities such as industrial parks, manufacturing facilities, or commercial facilities and is directly affected by the noise, odors, traffic, and chemical and pollution emissions of the operations of these entities.

¹² U.S. Department of Health & Human Services. [Build a Development Community](#).

evaluates proposals, and recommends decisions for public funding of projects that implicate environmental and climate justice issues.

I. EPA Strategic Plan Linkage, Anticipated Outputs, Outcomes & Performance Measures

1. Strategic Plan Linkage

Awards made under this NOFO will support the following goals and objectives of the [FY 2022-2026 EPA Strategic Plan](#). Applications must explain how their projects will further these goals and objectives.

Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights

- Objective 2.1: Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels which includes the strategy of Building Community Capacity and Climate Resilience and Maximizing Benefits to Overburdened and Underserved Communities: EPA will increase support for community-led action by providing unprecedented investments and benefits directly to communities with environmental justice concerns and by integrating equity throughout Agency programs.

Depending on the projects included in them, awards will also support and advance the following EPA [Strategic Plan Goals](#) as applicable:

- Goal 1: Tackle the Climate Crisis
- Goal 4: Ensure Clean and Healthy Air for All Communities
- Goal 5: Ensure Clean and Safe Water for All Communities
- Goal 6: Safeguard and Revitalize Communities; and
- Goal 7: Ensure Safety of Chemicals for People and the Environment.

2. Environmental Results: Outputs and Outcomes

Pursuant to [EPA Order 5700.7A1, Environmental Results under Assistance Agreements](#), applicants must describe the environmental outputs and outcomes to be achieved under the award. Applicants should specifically describe the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to the goals and objectives of the Community Change Grants program.

The following questions may be useful to consider when developing output and outcome measures of quantitative and qualitative results:

- What measurable short- and longer-term results will the grant achieve?
- How will the Lead Applicant and Collaborating Entities measure progress in achieving the expected results (including outputs and outcomes), and how will the approach to measuring progress use resources effectively and efficiently?
- Are the projected outputs and outcomes specific and detailed? Are specific target measures included where possible? Are target measures reasonable and achievable within the project period and for the funding amount?

See Appendix F for further details on expected outputs and outcomes from Track I and II awards.

3. Performance Measurement Plan

The evaluation component of the Community Change Grants is essential. In their Performance Measurement Plan, applicants should describe how they plan to track and measure their project implementation and progress towards achieving the expected outputs and outcomes, including those identified in Appendix F, throughout the performance period.

Generally, higher quality performance measurement plans include specific target metrics for both outputs and outcomes. The applicant's performance measurement plan should help gather insights, will be a mechanism to track progress toward output and outcome objectives, and may provide the basis for developing lessons learned to inform future funding recipients.

Applicants should incorporate program evaluation activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting project goals. Applications may include funding in the budget for personnel with expertise in planning, designing, developing, implementing, and evaluating programs.

J. Additional Provisions for Applicants Incorporated into the NOFO

Additional provisions that apply to Sections III, IV, V, and VI of this NOFO and / or awards made under this NOFO can be found at [EPA Solicitation Clauses](#). These provisions are important for applying to this NOFO, and applicants must review them when preparing applications for this NOFO. If you are unable to access these provisions electronically at the website above, please email CCGP@epa.gov to obtain the provisions.

Section II. Federal Award Information

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A. Number and Amount of Awards

EPA anticipates awarding approximately \$2 billion in funding through this NOFO depending on funding availability, quality of applications received, EPA priorities, and other applicable considerations. Awards under Track I are expected to be between \$10-20 million each. Awards under Track II are expected to be between \$1-3 million each. EPA expects to award approximately \$1.96 billion for about 150 Track I awards, including those under the Target Investment Areas described below in B, and approximately \$40 million for about 20 Track II awards. These amounts are estimates only, and EPA reserves the right to increase or decrease the total number of awards and funding amounts for each Track contingent on the quality of applications received, the amount of funds awarded to selected applicants, budget availability, and / or agency priorities and programmatic considerations. In addition, given that workforce development programs as described in [Section I.G](#) can be significant to achieving environmental and climate justice in many communities, EPA anticipates making a minimum of fifteen awards for high-ranking applications that include a workforce training program(s) as further described in [Section V.E](#).

B. Target Investment Areas (TIA) for Track I Applications

Out of the approximate \$2 billion in funding, EPA has identified five Target Investment Areas (TIA) listed below to help ensure that communities with unique circumstances, geography, and needs can equitably compete for funding. The amounts are estimates only and subject to change based on the number and quality of applications received, funding considerations, and agency priorities. Applicants interested in submitting an application for projects benefitting a TIA must identify this in their application. Consistent with the Track I evaluation process described in [Section V](#), the TIA applications will be ranked and selected per TIA. Applications for the TIAs must address the Track I application requirements identified in [Section I.G](#).

- TIA A: Tribes in Alaska: an estimated \$150 million for projects benefitting Indian Tribes in Alaska. As noted in Appendix H and Section V.E below, the EPA anticipates making a minimum of 5 awards for high-ranking applications under this TIA that include projects to assess and/or clean up lands conveyed under the Alaska Native Claims Settlement Act that were contaminated at the time of their conveyance from the federal government to an Alaska Native Corporation.
- TIA B: Tribes in the Continental United States: an estimated \$300 million for projects benefitting Tribal communities outside Alaska, which include Indian Tribes as defined by the Clean Air Act in Section III.A.3 below and Tribal Lands included in the EPA Disadvantaged Community Environmental and Climate Justice Program Map referenced in Appendix A. This also includes projects benefitting such Tribal communities that are located in the Border Area identified below in TIA E.
- TIA C: Territories: an estimated \$50 million for projects benefitting disadvantaged communities in the United States' territories of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.
- TIA D: Disadvantaged Unincorporated Communities: an estimated \$50 million for projects benefitting disadvantaged unincorporated communities as defined in Appendix A.
- TIA E: United States (U.S). – Southern Border Communities: Consistent with EPA's longstanding approach to addressing transborder climate and pollution challenges, an estimated

\$100 million for projects benefitting non-Tribal disadvantaged communities within 100 kilometers north of the U.S.-Mexico border.

Special Requirements for Cross-Border Projects to Benefit U.S. Disadvantaged Communities

EPA's strong preference is that the work for all projects to be performed under the awards made through this NOFO will be performed entirely within the United States. However, in limited circumstances, projects to benefit U.S. disadvantaged communities near an international border may require some international work to be performed within 100 kilometers of that border (e.g., within 100 km south of the U.S.-Mexico border for a TIA E application, or within 100 km north of the U.S.-Canada border for any application). In those limited cases, to be eligible for funding consideration, the applicant must demonstrate in their application that:

- The project(s) will directly and predominantly benefit disadvantaged communities in the U.S., for example by monitoring and / or preventing pollution from an international source that is impacting the disadvantaged community in the U.S.
- Any work outside of the U.S. is necessary for the project(s) to be successful in benefitting the disadvantaged communities in the U.S. — e.g., the project(s) will not be effective otherwise.
- Any work outside of the U.S. will not be a substantial part of the project.
- The applicant will ensure that any work outside of the U.S. will be timely and properly completed and monitored to ensure it is effectively performed.

Failure to address how the application meets these conditions will render the application ineligible for review as stated in Section III.D. Applications involving cross-border work that are selected for award must address any cross-border work issues (e.g., site access and control) during the workplan negotiations following selection and before award. The appropriate terms and conditions will be included in the grant. Projects benefitting Project Areas along the U.S.-Mexico Border should be consistent with guidance and best practices outlined by EPA's Border Program.^{13 14}

C. Rolling Application Submittal and Review Process, Application Award Limits, and Application Resubmission Procedures

1. Applications may be submitted under this NOFO through November 21, 2024, to provide applicants, to the maximum extent practicable, flexibility on when to submit an application. Applications will be reviewed and evaluated on a rolling basis as described in [Section V](#) to facilitate and expedite the review and award process. EPA cannot guarantee that funding will be available through the end of the NOFO 12-month application period as funding availability is dependent on the volume and quality of applications received, as well as other applicable programmatic and funding considerations. As such, it is possible that funding could be exhausted before the conclusion of the 12-month rolling application period.
2. Under this NOFO, Lead Applicants, as defined in [Section III.A](#), may submit a maximum of two eligible applications and receive up to two awards if they demonstrate their capacity and capabilities to effectively perform, manage, oversee, and complete both awards within the three-year grant period of performance. The two applications may be either two Track I applications or two Track II applications, or one of each. Lead Applicants who submit more than two total eligible

¹³ [United States – Mexico Environmental Program.](#)

¹⁴ [U.S.-Mexico Border Program – Borderwide Resources.](#)

applications will be asked to withdraw the excess one(s). EPA will not review more than two eligible applications from any one Lead Applicant.

3. Lead Applicants whose initial eligible application(s) is not selected for funding may, after timely requesting and receiving a debriefing on the application (as described in the Section VI Debriefings and Disputes clauses included in the [EPA Solicitation Clauses](#)), resubmit a revised application one additional time while the NOFO remains open. For example, if a Lead Applicant submits two eligible applications and both are not initially selected for funding, they may resubmit each application one additional time within the 12-month NOFO open period as explained above and further below. There is no guarantee that resubmissions, even after a debriefing, will be selected for funding. In addition, applicants who submit applications towards the end of the 12-month rolling period may not have an opportunity to resubmit the application because the NOFO is expected to close for applications on November 21, 2024. While EPA intends to review applications and provide debriefings as expeditiously as possible, applicants should keep this in mind when determining the timing of their application submission to ensure there is sufficient time for a resubmission.
4. The resubmitted application must be clearly identified as a resubmission of a previously submitted application by providing the date of the original submission through www.grants.gov and / or the date of the EPA debriefing in the updated application package. The resubmission should take into consideration the feedback received during a debriefing and any other relevant considerations, and it cannot be a completely different application from the one initially submitted. If EPA determines, in its sole discretion, that it is a different application bearing little resemblance to the original application, it may be rejected and not reviewed.

D. Conditional Awards

EPA may make conditional awards under this NOFO, which will be subject to applicable terms and conditions in the grant award.

E. Period of Performance

The period of performance of every grant funded under this NOFO cannot by statute exceed three years. There can be no extensions. Projects must be designed to be successfully and effectively completed within three years. EPA anticipates that the first awards under this NOFO will be made in the fall of 2024 and will continue to be made on a rolling basis until funding is exhausted. EPA cannot predict when funding will be exhausted since it is dependent on the volume and quality of applications received, as well as other applicable programmatic and funding considerations. As such, it is possible that funding could be exhausted before the 12-month rolling application period is over.

F. Partial Funding

EPA reserves the right to partially fund applications by funding discrete portions or phases of applications. If EPA decides to partially fund an application, it will do so in a manner that does not prejudice any applicants or affect the basis upon which the application, or portion thereof, was evaluated and selected for award, and therefore maintains the integrity of the competition and selection process. **To facilitate consideration of an application for partial funding, if applicable, EPA recommends that applications separate costs for the proposed grant in the program budget by project category, to the extent practicable.**

G. Additional Awards

EPA reserves the right to make additional awards under this NOFO, consistent with EPA policy and guidance, if additional funding becomes available after all the selections are made under this NOFO. For this NOFO, this only applies to making additional awards for those applications considered during the final monthly review, described in [Section V](#). Any additional selections for awards will be made no later than 6 months after the final monthly review.

H. Funding Type

EPA anticipates awarding cooperative agreements under this NOFO because it is expected that there will be substantial Federal involvement through the EPA Project Officer with selected applicants in the performance of the grant and for effective EPA oversight of grantee performance. Although EPA will negotiate precise terms and conditions relating to substantial federal involvement as part of the award process with each grantee awarded a cooperative agreement, the anticipated substantial federal involvement may include:

- Closely monitoring the grantee's performance to verify the results reported by the applicant;
- Reviewing proposed procurement, in accordance with the Procurement Standards in 2 CFR Parts 200 and 1500;
- Reviewing evidence of completion of project phases (e.g., planning) before providing approval for the grantee to begin work on the next project phase (e.g., implementation);
- Reviewing the substantive terms of contracts, subawards, or other financial transactions (EPA will not select contractors, subrecipients, or program beneficiaries);
- Approving qualifications of key personnel (EPA will not select employees or contractors employed by the grantee);
- Reviewing and commenting on reports prepared under the cooperative agreement (the final decision on the content of reports will rest with the grantee); and
- Addressing compliance with Build America, Buy America requirements, in accordance with 2 CFR § 184, and providing technical assistance, if necessary, on compliance with CAA § 314 and the Davis-Bacon and Related Acts.

In addition, there may be Federal involvement with selected applicants in the performance of the grant, which may include co-sponsoring community meetings and other events and collaborating during performance of the scope of work.

Section III. Eligibility Information

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Note: Additional provisions that apply to this section of the NOFO can be found in the [EPA Solicitation Clauses](#).

A. Eligible Applicants

Consistent with CAA §138(b)(3) and Assistance Listing 66.616, applicants eligible to apply and receive grants under this NOFO are (1) a partnership between two community-based nonprofit organizations (CBOs) as defined below, or (2) a partnership between a CBO and one of the following: a federally recognized Tribe, a local government, or an institution of higher education. These types of partnerships for eligibility purposes are known as Statutory Partnerships. Further eligibility requirements are described below.

1. Community-Based Non-Profit Organization (CBO)

To qualify as a CBO for eligibility purposes, an organization must demonstrate that they are a “nonprofit organization” as defined at 2 CFR 200.1, which “means any corporation, trust, association, cooperative, or other organization that is operated mainly for scientific, educational, service, charitable, or similar purpose in the public interest and is not organized primarily for profit; and uses net proceeds to maintain, improve, or expand the operation of the organization.”

Applicants must include documentation in their application demonstrating that they are a nonprofit organization by one of two ways: 1) a written determination by the Internal Revenue Service that they are exempt from taxation under Section 501 of the Internal Revenue Code, or 2) based on a written determination by the state, territory, commonwealth, Tribe, or other United States governmental entity in which they are located. This can be done, for example, by submitting a letter, certificate, or articles of incorporation from the state where the organization is located that recognizes them as a nonprofit organization. Nonprofit organizations described in Section 501I(4) of the Internal Revenue Code that engage in lobbying activities as defined in Section 3 of the Lobbying Disclosure Act of 1995 are not eligible to apply. Foreign non-profit organizations cannot qualify as a CBO for eligibility purposes.

In addition to being considered a nonprofit organization, an organization must demonstrate that they are a public or private nonprofit organization that supports and / or represents a community and/or certain populations within a community through engagement, education, and other related services provided to individual community residents and community stakeholders. A “community,” for these purposes, can be characterized by a particular geographic area and / or by the relationships among members with similar interests and can be characterized as part of a local, regional, or national community where organizations are focused on the needs of urban, rural, and / or Tribal areas, farmworkers, displaced workers, children with high levels of lead, people with asthma, subsistence fishers, and other similar groups. For purposes of this NOFO, the CBO must have a geographic presence or connection in, or relationship with, the specified community that the projects are intended to benefit. For example, national or statewide CBOs must demonstrate the CBO’s connection to the community that will benefit from the grants.

For the purposes of this NOFO, applicants that demonstrate that they are Alaska Native Nonprofit Organizations or Alaska Native Nonprofit Associations are considered CBOs. In addition, Intertribal Consortia may be able to qualify as CBOs if they meet the above requirements and 40 CFR 35.504(a) and (c). The for-profit Alaskan Native Corporations are not eligible under the CBO definition and therefore are unable to apply as CBOs.

2. Local Government (in partnership with a CBO)

The following units of government within a state, as defined by the regulations in [2 CFR 200.1](#), are eligible to enter a Statutory Partnership with a CBO:

- County
- Borough
- Municipality
- City
- Town
- Township
- Parish
- Local public authority, including any public housing agency under the United States Housing Act of 1937
- Special district
- School district
- Intrastate district
- Council of governments, whether incorporated as a nonprofit corporation under State law; and
- Any other agency or instrumentality of a multi-, regional, or intra-State or local government.

3. Federally Recognized Tribe (in partnership with a CBO)

For the purposes of eligibility for entering into a Statutory Partnership with a CBO, EPA uses the definition of “Indian Tribe” in §302I of the CAA which provides that the term “...means any Indian Tribe, band, nation, or other organized group or community, including any Alaska Native village, which is Federally recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.” Note that this definition does not include Alaskan Native Corporations or State-recognized Tribes.

4. Institutions of Higher Education (in partnership with a CBO)

For the purposes of eligibility for entering into a Statutory Partnership with a CBO, the grant regulations at [2 CFR 200.1](#) state that Institutions of Higher Education (IHEs) are defined at [20 U.S.C. § 1001](#).

EPA also recognizes that it is important to engage all available minds to address the environmental and climate justice challenges the nation faces. Accordingly, EPA encourages Minority Serving Institutions (MSIs) to participate in the grants under this NOFO, including by partnering with a CBO.

For purposes of this NOFO, the following are considered MSIs:

1. Historically Black Colleges and Universities, as defined by the Higher Education Act (20 U.S.C. § 1061(2)). A list of these schools can be found at [Historically Black Colleges and Universities](#).
2. Tribal Colleges and Universities (TCUs), as defined by the Higher Education Act (20 U.S.C. § 1059c(b)(3) and (d)(1)). A list of these schools can be found at [American Indian Tribally Controlled Colleges and Universities](#).
3. Hispanic-Serving Institutions (HSIs), as defined by the Higher Education Act (20 U.S.C. § 1101a(a)(5)). A list of these schools can be found at [Hispanic-Serving Institutions](#).
4. Asian American and Native American Pacific Islander-Serving Institutions; (AANAPISIs), as defined by the Higher Education Act (20 U.S.C. § 1059g(b)(2)). A list of these schools can be

found at [Asian American and Native American Pacific Islander-Serving Institutions](#).

5. Predominantly Black Institutions (PBIs), as defined by the Higher Education Act of 2008, 20 U.S.C. § 1059e(b)(6). A list of these schools can be found at [Predominantly Black Institutions](#).

B. Statutory Partnership Requirements and Collaborating Entities

Please refer to Section III.A above for who is eligible to apply for the grants. The Statutory Partnership application is comprised of one Lead Applicant (an eligible CBO, Federally recognized Tribe, local government, or institution of higher education) who enters into a Partnership Agreement with one Statutory Partner (which is one of the following eligible entities– a CBO, Federally recognized Tribe, local government, or institution of higher education) to carry out the grant activities if the application is selected for funding. Please note that a CBO must be either the Lead Applicant or a Statutory Partner in every Statutory Partnership (e.g., there cannot be a statutory partnership of a local government and an institution of higher education or either of these entities and an Indian Tribe). In other words, as identified in Section III.A all Statutory Partnerships must include a CBO. If the application is selected for award, the Lead Applicant will enter into a subaward with the Statutory Partner that must contain the elements of the Partnership Agreement in Appendix B. The Lead Applicant must include a copy of a written and signed Partnership Agreement with their application to be eligible for funding consideration.

To ensure effective grant performance to meet the objectives of the Community Change Grants outlined in [Section I](#), subawards from the Lead Applicant to other entities to implement and perform specific grant project activities identified in the application will be necessary. These other entities, including the Statutory Partners, are collectively referred to as Collaborating Entities in the NOFO. Given the community centered focus of the Community Change Grants, applications that do not include Collaborating Entities will likely not score well during the evaluation process. Collaborating Entities may include Statutory Partners (CBOs, Federally-recognized Tribes, local governments, and institutions of higher education) and entities that cannot legally be Statutory Partners (e.g., states, territorial governments, and international organizations). However, for-profit firms and individual consultants or other commercial service providers cannot be Collaborating Entities. Subawards made by the Lead Applicant and Collaborating Entities to implement the project strategies and activities under the application must be made consistent with the grant regulations at 2 CFR 200.331 and as permitted in [Appendix A of the EPA Subaward Policy](#).

If selected for award, the Lead Applicant will become the grantee, operating as a pass-through entity for purposes of 2 CFR Part 200 and the [EPA Subaward Policy](#), and taking responsibility for making subawards to Collaborating Entities. The Lead Applicant will also be accountable to EPA for effectively carrying out the full scope of work and the proper financial management of the grant (including the subawards it makes under the grant, and contracts to consultants and procurement contractors selected in accordance with the competitive procurement requirements in 2 CFR Parts 200 and 1500 as well as EPA’s 40 CFR Part 33 Disadvantaged Business Enterprise rule). Additionally, as provided in 2 CFR § 200.332, the Collaborating Entities, and other subrecipients, will be accountable to the Lead Applicant for proper use of EPA funding. Note that pursuant to 2 CFR § 200.332(a)(2), as implemented in Items 2 and 4 of EPA’s *Establishing and Managing Subawards* [General Term and Condition](#), successful Lead Applicants in the Statutory Partnership must ensure that the terms and conditions of the grant agreement “flow down” to all subrecipients in the subawards. EPA has developed an optional template for subaward agreements, available in [Appendix D of the EPA Subaward Policy](#).

As noted above, Collaborating Entities cannot include for-profit procurement contractors or individual consultants who may be involved in project performance but who receive procurement awards made in compliance with the competitive procurement requirements in 2 CFR Parts 200 and 1500 and 40 CFR Part 33. Further information on procurement and distinguishing between subawards and procurement

transactions can be found in the [Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#) and in [EPA Subaward Policy](#).

C. Cost-Sharing or Matching Funds

No cost-sharing or matching is required as a condition of eligibility under this NOFO.

D. Threshold Eligibility Criteria

Applications must meet the threshold eligibility criteria below to be considered for funding. **Applications that do not meet all the applicable threshold eligibility criteria will be deemed ineligible for funding consideration and will not be considered further.** If necessary, EPA may contact applicants to clarify issues relating to threshold eligibility criteria compliance prior to making an eligibility determination. In addition, applicants should contact EPA with any questions about the threshold eligibility criteria prior to submission of their applications. Applicants whose applications are deemed ineligible for funding consideration because of the threshold eligibility review will be notified within 15 calendar days of the ineligibility determination.

Applications must meet the following threshold eligibility criteria to be considered eligible for funding under this NOFO:

1. Applications must comply with the content and submission requirements listed below.
 - Applications must substantially comply with the application submission instructions and requirements set forth in [Section IV](#) of this NOFO or else they will be rejected. However, where a page limit is expressed in [Section IV](#) with respect to the application, or parts thereof, pages in excess of the page limitation will not be reviewed. Applicants are advised that readability is of paramount importance and should take precedence in application format, including selecting a legible font type and size for use in the application.
 - In addition, initial applications must be submitted through Grants.gov as stated in [Section IV](#) of this NOFO (except in the limited circumstances where another mode of submission is specifically allowed for as explained in [Section IV](#)) on or before the application submission deadline published in [Section IV](#) of this NOFO. Applicants are responsible for following the submission instructions in [Section IV](#) of this NOFO to ensure that their application is timely submitted. Please note that applicants experiencing technical issues with submitting through Grants.gov should follow the instructions provided in [Section IV](#), which include both the requirement to contact Grants.gov and email a full application to EPA prior to the deadline.
 - Applications submitted outside of Grants.gov will be deemed ineligible without further consideration unless the applicant can clearly demonstrate that it was due to EPA mishandling or technical problems associated with Grants.gov or SAM.gov. An applicant's failure to timely submit their application through Grants.gov because they did not timely or properly register in SAM.gov or Grants.gov will not be considered an acceptable reason to consider a submission outside of Grants.gov.

DO NOT WAIT! Register in SAM.gov or Grants.gov as soon as possible. Finalizing these registrations could take a month or more. You do not want a late registration to prevent you from being able to properly submit your application through [Grants.gov](#).

2. All applicants must meet the eligibility and statutory partnership requirements in III.A and include a Partnership Agreement (See Appendix B) with the application.

3. All applications must demonstrate, as required by CAA § 138(b)(1), that the projects will benefit disadvantaged communities as defined in Appendix A. While projects may have an incidental benefit to census block groups or other areas that are not considered disadvantaged communities as defined in Appendix A, the applicant must demonstrate how all the projects in the application will primarily benefit disadvantaged communities as defined in Appendix A.
4. Track I applications proposing to serve a geographically defined community identified as disadvantaged in Appendix A must submit a Project Area Map that defines which specific census block groups are designated as disadvantaged within the Project Area. Track I applications proposing to serve a farmworker community or DUC as defined in Appendix A must submit a Project Area Map showing where the communities that will benefit from the project are located.
5. Given the requirement under CAA § 138(b)(1) that all grants must be completed within three years, all applications must describe how the projects in the application, including any construction projects, can be completed within three years of award.
6. All Track I applications must include projects under at least one [Climate Action Strategy and at least one Pollution Reduction Strategy](#) as described in [Section I.G](#). Track I applications also must include a [Community Engagement and Collaborative Governance Plan](#), [Community Strength Plan](#), [Readiness Approach](#), and [Compliance Plan](#) as described in [Section I.G](#).
7. All Track I applications including a workforce development project under the Climate Action Strategy must demonstrate how it will help reduce air pollutants and GHG emissions.
8. Track I applications that include projects under Climate Action Strategy 6, Brownfields Redevelopment, must demonstrate that the project will be performed on sites where, at the time of application submission, cleanup is complete or where the site does not require any cleanup activities for the intended use or reuse of the site. Please refer to the Climate Action Strategy 6 section in Appendix C for how to show that cleanup is complete or is not necessary.
9. All Track I applications for Pollution Reduction activities to increase monitoring capabilities or raise community awareness of pollution must also include an associated remediation, implementation, or infrastructure pollution reduction project that addresses the identified pollution issue.
10. Track I applications cannot request more than \$20 million in EPA funding and Track II applications cannot request more than \$3 million in EPA funding. Applications requesting more than these amounts will be rejected. If necessary, EPA will clarify any questions about the funding amounts requested prior to application review.
11. A Track I application for a TIA defined in [Section II.B](#) can only address one TIA. An application cannot address more than one TIA.
12. Track I applications submitted for TIA A benefitting Alaskan Tribal lands that include a project(s) for the assessment and cleanup of sites covered by the Contaminated ANCSA Lands Assistance Program must meet the relevant requirements specified in Appendix H.

13. Applications submitted for TIA E for U.S.-Southern Border Communities projects, as well as any including projects that may include project activities within 100 km of a U.S. border as discussed in [Section II.B](#), must meet the special requirements identified in [Section II.B](#).
14. Applications must be submitted in English only. Applications written in languages other than English will not be reviewed or considered for award. If you need assistance to submit the written application in English, technical assistance may be available. Please refer to [Section I.E](#).
15. Multiple Applications. Lead Applicants may submit no more than two eligible applications under this NOFO, and receive no more than two awards, as explained in [Section II](#). Excess applications will not be reviewed. If a Lead Applicant submits more than two eligible applications, they will be contacted by EPA to determine which one(s) to withdraw. Notwithstanding this limitation, a Lead Applicant may be a Statutory Partner or Collaborating Entity on other applications.
16. Resubmissions. As stated in [Section II.C](#), a resubmitted application must be clearly identified as a resubmission of a previously submitted eligible application through such means as providing the date of the original submission and / or date of the EPA debriefing. It cannot be a completely different application from the one originally submitted. If EPA determines, in its sole discretion, that it is a completely different application bearing little resemblance to the original application, it may be rejected and not reviewed.
17. EPA will not consider any application that includes projects that are exclusively designed to conduct scientific research. However, applications may include research components such as building blocks for outreach, training, and program implementation projects. In such cases, applications should clearly articulate this link, explain why the research is necessary for the project's success, and ensure that such research does not already exist.
18. EPA will not consider any application requesting funding for assessment, removal, or remediation of Superfund sites.

Note: If an application is submitted that includes any ineligible projects, tasks, or activities, including but not limited to ones that EPA determines cannot be funded under the statutory / regulatory authorities for the grant, that portion of the application will be ineligible for funding and may, depending on the extent to which it affects the application, render the entire application ineligible for funding. This includes but is not limited to projects requesting funding for relocation activities as described in [Section I.F](#).

Applicants who have any questions about whether their project can be funded under the statutory / regulatory authorities for the grants and this NOFO, or whether certain costs related to the project are allowable costs, should clarify the issue with EPA prior to submitting their application. Failure to do so may result in the projects and / or costs being ineligible for funding and may impact the eligibility of the entire application.

Section IV. Application and Submission Information

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Note: Additional provisions that apply to this section of the NOFO, including those related to Intergovernmental Review, can be found in the [EPA Solicitation Clauses](#).

A. Requirement to Submit through Grants.gov and Limited Exception Procedures

Applicants must apply electronically through [Grants.gov](#) under this NOFO based on the grants.gov instructions below. If your organization has no access to the internet or access is very limited, you may request an exception from applying through Grants.gov for the remainder of this calendar year by following the procedures outlined [here](#).

Issues with submissions with respect to this NOFO only are addressed in section 3: *Technical Issues with Submission* below.

1. SAM.gov (System for Award Management) Registration Instructions

Organizations applying to this funding opportunity must have an active SAM.gov registration. If you have never done business with the Federal Government, you will need to register your organization in SAM.gov. If you do not have a SAM.gov account, then you will need to create an account using [login.gov](#) to complete your SAM.gov registration.

SAM.gov registration is FREE. The process for entity registration includes obtaining a Unique Entity ID (UEI), a 12-character alphanumeric ID assigned an entity by SAM.gov, and requires assertions, representations and certifications, and other information about your organization. Please review the [Entity Registration Checklist](#) for details on this process.

If you have done business with the Federal Government previously, you can check your entity status using your government issued UEI to determine if your registration is active. SAM.gov requires you renew your registration every 365 days to keep it active.

Please note that SAM.gov registration is different than obtaining a UEI only. Obtaining an UEI only validates your organization's legal business name and address. Please review the [Frequently Asked Question](#) on the difference for additional details.

Organizations should ensure that their SAM.gov registration includes a current e-Business (EBiz) point of contact name and email address. The EBiz point of contact is critical for Grants.gov Registration and system functionality.

Contact the [Federal Service Desk](#) for help with your SAM.gov account, to resolve technical issues or chat with a help desk agent: (866) 606-8220. The Federal Service desk hours of operation are Monday – Friday 8am – 8pm ET.

2. Grants.Gov Registration Instructions

Once your SAM.gov account is active, you must register in Grants.gov. Grants.gov will electronically receive your organization information, such as e-Business (EBiz) point of contact email address and UEI. Organizations applying to this funding opportunity must have an active Grants.gov registration. Grants.gov registration is FREE. If you have never applied for a federal grant before, please review the [Grants.gov](#)

[Applicant Registration instructions](#). As part of the Grants.gov registration process, the EBiz point of contact is the only person that can affiliate and assign applicant roles to members of an organization. In addition, at least one person must be assigned as an Authorized Organization Representative (AOR).

Only person(s) with the AOR role can submit applications in Grants.gov. Please review the [Intro to Grants.gov-Understanding User Roles](#) and [Learning Workspace – User Roles](#) and [Workspace Actions](#) for details on this important process.

Please note that **registering in grants.gov for the first time can take a month or more** for new registrants. Applicants must ensure that all registration requirements are met to apply for this opportunity through Grants.gov and should ensure that all such requirements have been met well in advance of the application submission deadline.

Contact [Grants.gov](#) for assistance at 1-800-518-4726 or support@grants.gov to resolve technical issues with Grants.gov. Applicants who are outside the U.S. at the time of submittal and are not able to access the toll-free number may reach a Grants.gov representative by calling 606-545-5035. The Grants.gov Support Center is available 24 hours a day 7 days a week, excluding federal holidays.

Application Submission Process

To begin the application process under this NOFO, go to Grants.gov and click the red “Apply” button at the top of the view grant opportunity page associated with this opportunity.

The electronic submission of your application to this NOFO must be made by an official representative of your organization who is registered with [Grants.gov](#) and is authorized to sign applications for Federal financial assistance. If the submit button is grayed out, it may be because you do not have the appropriate role to submit in your organization. Contact your organization’s EBiz point of contact or contact [Grants.gov](#) for assistance at 1-800-518- 4726 or support@grants.gov.

Applicants need to ensure that the Authorized Organization Representative (AOR) who submits the application through [Grants.gov](#) and whose UEI is listed on the application is an AOR for the applicant listed on the application. Additionally, the UEI listed on the application must be registered to the applicant organization's SAM.gov account. If not, the application may be deemed ineligible.

Application Submission Deadline

Your organization's AOR must submit your complete application package (including any resubmission as explained in Section II.C) electronically to EPA through [Grants.gov](#) no later than November 21, 2024, at 11:59 PM ET. Please allow for enough time to successfully submit your application and allow for unexpected errors that may require you to resubmit. Please see [Section II](#) and [Section V](#) describing the rolling application submittal and review process for this NOFO.

Applications submitted through Grants.gov will be time and date stamped electronically. Please note that successful submission of your application through Grants.gov does not necessarily mean your application is eligible for award. Any application submitted after the application deadline time and date deadline will be deemed ineligible and not considered.

3. Technical Issues with Submission

If applicants experience technical issues during the submission of an application that they are unable to

resolve, follow these procedures **before** the application deadline date:

- a. Contact the Grants.gov Support Center **before** the application deadline date.
- b. Document the Grants.gov ticket / case number.
- c. Send an email with EPA-R-OEJECR-OCS-23-04 in the subject line to CCGP@epa.gov before the application deadline time and include the following information:
 - i. Grants.gov ticket / case number(s)
 - ii. Description of the issue
 - iii. The entire application package in PDF format

Without this information, EPA may not be able to consider applications submitted outside of Grants.gov. Any application submitted after the application deadline will be deemed ineligible and **not** be considered.

Please note that successful submission through Grants.gov or email does not necessarily mean your application is eligible for award.

EPA will make decisions concerning acceptance of each application submitted outside of Grants.gov on a case-by-case basis. EPA will only consider accepting applications that were unable to submit through Grants.gov due to [Grants.gov](https://www.grants.gov) or relevant [SAM.gov](https://www.sam.gov) system issues or for unforeseen exigent circumstances, such as extreme weather interfering with internet access. Failure of an applicant to submit the application prior to the application submission deadline time and date because they did not properly or timely register in SAM.gov or Grants.gov is **not** an acceptable reason to justify acceptance of an application outside of Grants.gov.

4. Required Forms and Documents

The following forms and documents are required under this NOFO:

Mandatory Documents for Track I and Track II Applications

1. **Application for Federal Assistance** (SF-424)
2. **Budget Information for Non-Construction Programs** (SF-424A)
3. **EPA Key Contacts Form** 5700-54
4. **EPA Preaward Compliance Review Report Form** 4700-4 (Please see these [Useful Tips](#) for completing this form)
5. **Project Narrative Attachment Form**: Use this to prepare your Project Narrative as described in [Section IV.B](#) below.
6. **Attachments**: Use the “Other Attachments Form” in Grants.gov for the following additional documents. These attachments are not subject to the page limitation that applies to the Project Narrative identified below and some have their own page limitation as identified below:
 - **Attachments for Track I and Track II Applications:**
 - **Attachment A**: Program Budget Template (See below in [Section IV.B](#) and also optional template in Appendix G)
 - **Attachment B**: Partnership Agreement (See [Section III.A](#) and Appendix B)
 - **Attachment C**: Indirect Cost Rate Agreement, if applicable.
 - **Attachments for Track I Applications Only:**
 - **Attachment D**: Project Area Map as described in Appendix A.
 - **Attachment E**: Community Engagement and Collaborative Governance Plan as described in [Section I.G](#) that does not exceed 10 single spaced pages-excess pages will not be reviewed.

- **Attachment F:** Community Strength Plan as described in [Section I.G](#) that does not exceed 5 single spaced pages--excess pages will not be reviewed.
- **Attachment G:** Readiness Approach Information as described in [Section I.G](#).
- **Attachment H:** Compliance Plan as described in Section I.G that does not exceed 5 single-spaced pages--excess pages will not be reviewed.

B. Content of Application Submission

Applicants should read the following sections very carefully. A complete application package includes the forms, documents, and attachments listed above in [Section IV.A.4: Required Forms and Documents](#), which includes the materials further described below.

Applicants should ensure that their application materials, including attachments, address all the applicable evaluation criteria in Section V, and applicable threshold eligibility criteria in Section III.D, for Track I and II applications. The evaluation criteria in Section V place increased emphasis on certain evaluation criteria that are integral to ensuring that the application will advance environmental and climate justice, meet CCG objectives, and maximize benefits to disadvantaged communities.

Project Narrative for Track I and II Applications

Below are the instructions for both Track I and Track II applications. There are different instructions for each track, so applicants should carefully read the instructions and contact EPA at CCGP@epa.gov with any questions. There are also certain attachments for Track I and II applications that must be submitted as identified in Section IV.A.4 above.

The Project Narrative for both application tracks are comprised of Sections A and B as described below for each track and should include the information and content below. Applicants should ensure they include information addressing the relevant evaluation criteria in [Section V](#) for Track I or II applications and any applicable threshold eligibility criteria in [Section III.D](#). Please make sure the required attachments identified in Section IV.A.4 for Track I and II applications also include the applicable information.

- The Project Narrative for Track I applications must not exceed twenty (20) single-spaced pages and be on letter size pages (8 ½ X 11 inches). Excess pages will not be reviewed. The attachments for Track I described in Section IV.A.4 are not part of the Project Narrative.
- The Project Narrative for Track II applications must not exceed fifteen (15) single spaced pages and be on letter size pages (8 ½ X 11 inches). Excess pages will not be reviewed. The attachments for Track II described in Section IV.A.4 are not part of the Project Narrative.

Applicants are encouraged to be concise and do not need to use all the pages within the page limit. Links to external websites or content will not be reviewed or considered. Any pages beyond the page limitations will not be reviewed by the Review Panel. It is recommended that applicants use a standard font (e.g., Times New Roman, Calibri, and Arial) and a 12-point font size with 1- inch margins. While these guidelines establish the acceptable type size requirements, applicants are advised that readability is of paramount importance and should take precedence in selection of an appropriate font for use in the application. **The grant application forms and other attachments identified in [Section IV.A.4: Required Forms and Documents](#) above are not included in the Project Narrative page limits for Track I and II applications.**

To assist EPA reviewers, applicants should reference the numbers and titles of the evaluation criteria identified in Section V.C in their Project Narratives (and attachments) to help identify where the criteria are being addressed as applicable. Applicants should contact EPA with any questions about the application content requirements.

Track I Project Narrative

Track I applications include a Project Narrative with two sections as identified below: (A) Executive Summary and (B) Project Workplan. Together these cannot exceed 20 pages as described above.

Section A. Executive Summary

The Executive Summary should contain the elements below and should not exceed three pages.

- **Application Title:** Provide a name for the application.
- **Lead Applicant:** Name of the Lead Applicant.
- **Statutory Partner to the Lead Applicant:** Name of the Statutory Partner.
- **Contact Information:** Include a name, title, email address, and phone number for key personnel for the Lead Applicant and, Statutory Partner.
- **Eligibility:** Describe how the Lead Applicant and Statutory Partner meet the eligibility requirements in [Section III.A](#) of the NOFO.
- **Climate Action Strategy:** Specify which Climate Action Strategy(ies) is addressed in the application.
- **Pollution Reduction Strategy:** Specify which Pollution Reduction Strategy(ies) is addressed in the application.
- **Grant Award Period and Completion:** Provide estimated beginning and ending dates for the period of performance for your proposed grant. Given the requirement under CAA § 138(b)(1) that all grants must be completed within three years, all applications must state how the projects in the application, including any construction projects, can be completed within three years of award.
- **Amount of EPA Funding Requested:** See award sizes specified in [Section II.A](#).
- **Target Investment Area:** If the application is for a Target Investment Area as defined in Section II.A, please identify which one. If the application is not for a Target Investment Area, put N/A.
- **Disadvantaged Community to benefit from the projects:** Identify and describe the disadvantaged community, as defined in Appendix A, intended to benefit from the projects in the application.
- **Other Sources of Funding:** Briefly explain, to the extent you can, whether funding for the projects in your application is available under the Infrastructure Investments and Jobs Act (IIJA), other IRA programs, or other funding streams and if so your reasons for seeking funding for these projects under this NOFO. Please also note the Duplicate Funding clause included in Section IV of [the EPA Solicitation Clauses](#) incorporated by reference in this NOFO and referenced in Section V.E.
- **Resubmission Status:** Specify if the application is for a resubmission of a previously submitted and reviewed application. If so, please identify the date of the original submission and the date of EPA debriefing of the previously submitted application (See Section II.C for further information on the resubmission process).

Section B. Project Workplan

The Project Workplan should contain the elements below.

Part 1. Community-Driven Investments for Change

1.1 Community Vision Description.

- **Community Description:** Provide an overview of the Project Area described in Appendix A,

including its resources, assets, and characteristics. Describe how the boundary of the Project Area was determined and demonstrate how the project activities in the Project Area are designed and focused to provide impactful benefits to the residents of disadvantaged communities in the Project Area as defined in Appendix A.¹⁵

Applicants should note that while they can determine the Project Area for their projects consistent with the instructions in Appendix A, concentrated and compact Project Areas may maximize benefits to the residents of the disadvantaged communities in the Project Area. Activities spread across a large Project Area may be more dispersed and less impactful. As described in Section V.C, EPA will evaluate applications based in part on the extent and quality to which project benefits will accrue to the residents of disadvantaged communities in the Project Area as defined in Appendix A in an impactful manner.

- **Community Challenges:** Describe the needs and challenges the Project Area is facing, including climate impacts, climate change risks / exposures, and / or localized pollution. Describe the impact of these challenges on the residents of the disadvantaged communities in the Project Area as defined in Appendix A and particularly on priority populations within the Project Area who are acutely exposed to and impacted by climate, pollution, and weather-related threats, and / or who exhibit acute vulnerabilities or susceptibilities to the impacts of environmental pollution. See footnote 3 for more information on priority populations.
- **Community Vision:** Articulate an overall vision for the impact and benefits the grant would have on the Project Area in the near and long term, including the effect it will have on reducing and preventing pollution; building resilience to climate change and mitigating current and future climate risks; creating high-quality jobs and expanding economic opportunity through workforce development; and bolstering Project Area strength by ensuring that residents of the disadvantaged communities in the Project Area receive the benefits of investments and have the opportunity to build on them for current and future generations.

1.2 Selected Strategies: As described in [Section I.G](#), applications must address at least one Climate Action Strategy and at least one Pollution Reduction Strategy. Accordingly, applications should address the following requirements:

- **Strategy Overview** – for each selected Climate Action and Pollution Reduction Strategy:
 - Provide an overview of the strategy and associated projects and describe how they will be implemented during the grant term.
 - Describe how the strategies and associated projects in the application are integrated and / or designed to complement each other to provide impactful benefits to the residents of disadvantaged communities within the Project Area as defined in Appendix A and describe how the scale and scope of the Project Area was designed to accomplish this.
 - Explain how the amount / proportion of the requested funding was determined for each strategy and associated project in the application.
- **Climate Action Strategies**

¹⁵ Disadvantaged communities as defined in Appendix A include census block groups designated as geographically defined disadvantaged communities, as well as farmworker communities and DUCs.

- Describe how the project(s) associated with the Climate Action Strategy(ies) will address the climate impacts, risks, and / or challenges facing the Project Area and especially the residents of disadvantaged communities within the Project Area as defined in Appendix A; will decrease GHG emissions within the Project Area and increase the overall resilience of the Project Area to current and anticipated climate impacts; and are responsive to the Project Area needs and challenges identified in the Community Vision Description.
- **Pollution Reduction Strategies**
 - Describe how the project(s) associated with the Pollution Reduction Strategy(ies) will address the localized pollution challenges facing the Project Area and especially the residents of disadvantaged communities within the Project Area as defined in Appendix A; will make substantial and measurable (i.e., quantifiable) progress towards preventing, reducing, and / or mitigating existing and future sources of pollution to benefit the Project Area; and are responsive to the Project Area needs and challenges identified in the Community Vision Description.

Part 2. Program Management, Capability and Capacity

- 2.1 **Performance Management Plan, Outputs / Outcomes:** Applicants should describe the environmental results of the proposed project in terms of well-defined outputs and, to the maximum extent practicable, well-defined outcomes that will demonstrate how the project will contribute to the Community Change Grants goals and objectives. (See [Section I.I](#) and [Appendix F](#) for more detail on expected outputs and outcomes). In addition to identifying expected project outputs and outcomes, applicants should describe how they plan to track and measure their project performance, including through indicator tracking, to monitor progress towards achieving the expected outputs and outcomes throughout the performance period.

Applicants should also:

- Describe how they selected the expected outputs and outcomes and how they will lead to improvements to the environmental conditions and public health of the community members of the Project Area in the short and long term.
 - Describe how the expected project outputs and outcomes are specific and include achievable and reasonable target measures within the project period.
 - Describe how the recipient will use program evaluation activities (e.g., utilizing proper evaluation tools and personnel / organizations with experience in evaluating program and project progress / success) from project initiation through project completion to meaningfully document and measure their progress towards achieving project goals.
- 2.2 **Project Linkages to the EPA Strategic Plan:** Applications should describe how the proposed project activities support and advance EPA Strategic Plan Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights), Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels). See [Section I.I](#). In addition, applications, depending on the projects included in them, should also address how they support and advance the following EPA Strategic Plan Goals as applicable:

- Goal 1 - Tackle the Climate Crisis

- Goal 4 - Ensure Clean and Healthy Air for All Communities
- Goal 5 - Ensure Clean and Safe Water for All Communities
- Goal 6 - Safeguard and Revitalize Communities; and
- Goal 7 - Ensure Safety of Chemicals for People and the Environment

Refer to the [EPA Strategic Plan](#).

2.3 **CBO Experience and Commitment:** Applications should describe the following for the Lead Applicant and / or Statutory Partner for the proposed grant:

- Their history and experience as a CBO.
- The depth of their commitment, connections, and relationships with the disadvantaged communities the application is intended to benefit.

2.4 **Programmatic and Managerial Capability and Resources:** Applications should provide information demonstrating the Lead Applicant's and Statutory Partner's ability to successfully complete, oversee, and manage the award including:

- Their organizational experience and capacity related to performing the proposed projects or similar activities (e.g., experience in managing projects and activities like those in the application).
- Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period.
- Their financial stability, controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls to be in place for project oversight and to manage program risk. This includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and abuse, by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections), and risk management.
- A projected milestone schedule for the proposed projects (up to three years) with a breakout of the project activities into phases with associated tasks and timeframes for completion of tasks, including the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable.

2.5 **Past Performance:** Describe federally funded and / or non-federally funded assistance agreements (assistance agreements include grants and cooperative agreements but not contracts) that the Lead Applicant performed within the last three years (no more than three agreements in total) and provide the information below for them. EPA agreements are preferred to be included.

- Describe whether, and how, the Lead Applicant was able to successfully complete and manage the agreements.
- Describe the history of the Lead Applicant in meeting the reporting requirements under the agreements including submitting acceptable final technical reports.

- Describe how the Lead Applicant documented and / or reported on whether progress towards achieving the expected results (i.e., outputs and outcomes) under those agreements was being made. If progress was not made, please indicate whether, and how, that was documented.

Note: In evaluating the Lead Applicant's past performance, the Agency will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and / or from current and prior federal agency grantors (e.g., to verify and / or supplement the information provided by the applicant). If there is no relevant or available past performance information, please indicate this in the application, and you will receive a neutral score for these factors under Section V. Failure to provide any past performance information, or to include a statement that you do not have any relevant or available past performance or reporting information, may result in a zero score for these factors (see also Section V).

Part 3. Feasibility, Sustainability, and Budget: Provide the following information:

- 3.1 **Feasibility:** Demonstrate that all the projects in the application can be successfully and effectively performed within the three-year grant period of performance, and the degree of risk that they cannot be. This includes describing how the strategies and associated projects can individually and collectively be completed within three years.
- 3.2 **Sustainability:** Demonstrate the extent to which the benefits and outcomes from the projects can be sustained after the three-year grant period of performance based on factors including but not limited to whether (i) the applicant will leverage funding and / or resources from other sources to ensure the sustainability of the projects beyond the three-year grant term and (ii) the description of an operations and maintenance approach including plans and commitments to ensure there is continued funding available for operation and maintenance activities of infrastructure activities for the projects after the grant term is over (e.g., are there demonstrated commitments for continuing operation and maintenance funding / resources from the appropriate parties after the three year grant term is over) including coordination with appropriate responsible parties.
- 3.3 **Program Budget Description:** Provide a detailed budget description and estimated funding amounts for each project component / task similar to that on the budget found in SF-424A, which includes the EPA funding requested to be expended over the three-year period of performance. This section provides an opportunity for a narrative description of the budget or aspects of the budget found in the SF-424A. In the description, explain how the budget is reasonable to accomplish the projects, and the cost-effectiveness of the budget in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs).

Note: A template to depict the program budget description is included as Appendix G and may be used to supplement the budget description in the Project Narrative. Applicants that do not use the template will not be penalized and applicants can convey the information in other forms. While the program budget description is part of the Project Narrative page limit, the template is not part of the page limit for the Project Narrative and will not count against the 20-page Project Narrative page limit for Track I applications.

C. Track I Application Attachments. These attachments must be submitted with the application as stated in Section IV.A.4 above and are not part of the Project Narrative described above. Please note any page limits that apply to these attachments.

- Project Area Map (Attachment D). Submit a Project Area Map as described in Appendix A.
- Community Engagement and Collaborative Governance Plan (Attachment E). Applications must include a Community Engagement and Collaborative Governance Plan that should address the elements of the plan as described in [Section I.G.](#) This plan cannot exceed 10 pages (excess pages will not be reviewed).
- Community Strength Plan (Attachment F). Applications must include a Community Strength Plan that should address the elements of the plan as described in [Section I.G.](#) This plan cannot exceed 5 pages (excess pages will not be reviewed).
- Readiness Approach (Attachment G). Applicants must demonstrate, based on the Readiness Approach Requirements described in [Section I.G.](#), their ability and readiness to proceed with grant performance for the projects in the application upon receiving an award, and generally no later than 120 days after award, in order to ensure that the projects can be completed within the statutory three-year grant period. As appropriate, this may include a description of the completed project planning and design phases related to the project(s) as well as demonstrating that the applicant has obtained and / or complied with the necessary approvals, permits, permissions, and any other applicable requirements, to commence project performance upon award, and if not their plan for doing so within 120 days of award. There is no page limit for this information, but applicants should be as concise as possible.
- Compliance Plan (Attachment H). Applications must include a Compliance Plan as described in [Section I.G](#) that does not exceed 5 pages (excess pages will not be reviewed).

Track II Application Requirements

Track II applications include a Project Narrative with two sections as identified below: (A) Executive Summary and (B) Project Workplan. Together these cannot exceed 15 pages as described above.

Section A. Executive Summary

The Executive Summary should contain the elements below and should not exceed two pages.

- **Application Title:** Provide a name for the application.
- **Lead Applicant:** Name of the organization applying.
- **Statutory Partner to the Lead Applicant:** Name of the Statutory Partner.
- **Contact information:** Include a name, title, email address, and phone number for key personnel for Lead Applicant, Statutory Partner.
- **Eligibility:** Describe how the Lead Applicant and Statutory Partner meet the eligibility requirements in [Section III.A](#) of the NOFO.
- **Disadvantaged Community to benefit from the projects:** Identify and describe the disadvantaged communities, as defined in Appendix A, intended to benefit from the projects in the application.
- **Grant Award Period and Completion:** Provide estimated beginning and ending dates for the period of performance for your proposed grant. Given the requirement under CAA § 138(b)(1) that

all grants must be completed within three years, all applications must state how the projects in the application can be completed within three years of award.

- **EPA Funding Requested:** See award sizes specified in [Section II.A.](#)
- **Other Sources of Funding** Briefly explain, to the extent you can, whether funding for the projects in your application is available under the Infrastructure Investments and Jobs Act (IIJA), other IRA programs, or other funding streams and, if so, your reasons for seeking funding for these projects under this NOFO. Please also note the Duplicate Funding clause included in Section IV of [the EPA Solicitation Clauses](#) incorporated by reference in this NOFO and referenced in Section [V.E.](#)
- **Resubmission Status:** Specify if the application is for a resubmission of a previously submitted and reviewed application. If so, please identify the date of the original submission and date of EPA debriefing of the previously submitted application (See Section II.C for further information on the resubmission process).

Section B. Project Workplan

1. **Track II Program Objectives:** Applications should describe the following:

- How the application addresses the Track II objectives identified in [Section I.H.](#)
- What methods, tools, and trainings the applicant will use to facilitate the engagement of disadvantaged communities in state and Federal advisory groups, workshops, rulemakings, and / or other public processes, including local, Tribal, and other governmental processes, related to environmental and climate justice.
- How the application addresses the disadvantaged community's lack of access to, or weak relationships with, governmental entities, including how the application improves those relationships, increases points of access for disadvantaged communities with government entities, and creates channels to work cooperatively to promote environmental and climate justice
- How the application will result in governmental entities better understanding the root causes of environmental and climate justice issues that impact disadvantaged communities, so government leaders and decision-makers are better prepared to proactively address concerns before issues materialize.

2. **Project Collaboration and Participation:** Applications should describe the following:

- How meaningful input and feedback was considered from the disadvantaged community and other stakeholders in designing and developing the project and how input will continue to be obtained and considered during grant performance.
- The facilitation and accountability measures to establish and maintain trust between the disadvantaged community and government officials to ensure the community can collaborate in an authentic and meaningful way, rather than an insincere manner, on environmental and climate justice issues with governmental bodies.
- The applicant's and any Collaborating Entities' history of relationships and collaborations with disadvantaged communities, governmental bodies, and other stakeholders to address environmental and environmental / climate justice issues.

3. **Project linkages:** Applicants should describe how their application supports and advances [EPA Strategic Plan](#) Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights), Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels).

4. **Program Budget Description:** Provide a detailed budget description and estimated funding amounts for each project component / task similar to that on the budget found in SF-424A, which includes the EPA funding requested to be expended over the three-year period of performance. This section provides an opportunity for a narrative description of the budget or aspects of the budget found in the SF-424A. In the description, explain how the budget is reasonable to accomplish the projects, and the cost-effectiveness of the budget in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs).

Note: A template to depict the program budget description is included as Appendix G and may be used to supplement the budget description in the Project Narrative. Applicants that do not use the template will not be penalized and applicants can convey the information in other forms. While the program budget description is part of the Project Narrative page limit, the template is not part of the page limit for the Project Narrative and will not count against the 15-page Project Narrative page limit for Track II applications.

5. **Environmental Results:** Applicants should describe the following:
- Their plan, with associated timeframes, for tracking and measuring their progress in achieving the expected project outcomes and outputs for Track II applications. See [Section I.I and Appendix F](#) for more detail on expected outputs and outcomes.
 - Whether and how the projects and their outcomes are sustainable beyond the three-year grant period, and how they will leverage resources, community support, etc. to facilitate this. The quality and specificity of the proposed outputs and outcomes, and how they will lead to the success of the grants, should also be addressed.
6. **CBO Experience and Commitment:** Applicants should describe the following for the Lead Applicant and / or Statutory Partner for the proposed grant:
- Their history and experience as a CBO.
 - The depth of their commitment, historical connections, and relationships with the disadvantaged community the application is intended to benefit.
7. **Programmatic and Managerial Capability and Resources:** Provide information demonstrating the Lead Applicant's and Statutory Partner's ability to successfully complete, oversee, and manage the award including:
- Their organizational experience and capacity related to performing the proposed projects or similar activities (e.g., experience in managing projects and activities like those in the application).
 - Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period.
 - Their milestone schedule for the proposed projects (up to three years) including the breakout of the project activities into phases and timeframes for completion of tasks, and the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable.
 - Their legal and financial controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls for project oversight and program risk. This includes the extent and quality to which the application includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and

abuse by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections).

8. **Past Performance:** Describe federally funded and / or non-federally funded assistance agreements (assistance agreements include grants and cooperative agreements but not contracts) that the Lead Applicant performed within the last three years (no more than three agreements in total) and provide the information below for them. EPA agreements are preferred to be included.
- Describe whether, and how, the Lead Applicant was able to successfully complete and manage the agreements.
 - Describe the Lead Applicant's history of meeting the reporting requirements under the agreements including submitting acceptable final technical reports.
 - Describe how the Lead Applicant documented and / or reported on whether progress towards achieving the expected results (i.e., outputs and outcomes) under those agreements was being made. If progress was not being made, please indicate whether, and how, this was documented.

Note: In evaluating the Lead Applicant's past performance, the Agency will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and / or from current and prior federal agency grantors (e.g., to verify and / or supplement the information provided by the applicant). If there is no relevant or available past performance information, please indicate this in the application, and you will receive a neutral score for these factors under Section V. Failure to provide any past performance information, or to include a statement that you do not have any relevant or available past performance or reporting information, may result in a zero score for these factors (see also Section V).

C. Informational Webinars and Application Assistance

EPA will host and/or participate in a series of webinars about this NOFO while it remains open for application submission. EPA will post information about the webinars, schedule for webinars, as well as additional information about this NOFO (e.g., frequently asked questions, technical assistance) on the [Inflation Reduction Act Community Change Grants Program](#) page. A recording of each webinar will be posted at the link above along with presented materials.

In addition, EPA's technical assistance contractor may host webinars related to the NOFO and information on that will be posted on their [website](#).

Please note that in accordance with [EPA's Policy for Competition of Assistance Agreements](#), EPA Order 5700.5A1, EPA staff will not meet with individual applicants to discuss draft applications, provide informal comments on draft applications, or provide advice to applicants on how to respond to evaluation criteria. Please note, however, that as stated in Section I, technical assistance will be available to eligible applicants for help with this NOFO.

Applicants are responsible for the contents of their applications. However, consistent with the provisions in the NOFO, EPA will respond to questions from individual applicants regarding threshold eligibility criteria, administrative issues related to the submission of the application, and requests for clarification about this NOFO.

[Section V. Application Review Information](#)

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Note: Additional provisions that apply to this section can be found at [EPA Solicitation Clauses](#).

A. Threshold Eligibility Review Process

All applications will be evaluated for threshold eligibility purposes based on the threshold eligibility criteria described in [Section III.D](#).

B. Review Panel and Evaluation Process

All applications that pass the threshold eligibility review process will be evaluated and scored by review panels, on a rolling basis, using the track-specific evaluation criteria and processes described below. Review panels will be comprised of EPA staff and / or external reviewers. See below for additional detail about the evaluation criteria and processes for each track.

C. Track I Application Review Process and Evaluation Criteria

All eligible Track I applications (including those for the TIAs described in [Section II.B](#)) will be evaluated, on a rolling basis, based on the 155 point scale described below.

Track I Application Criteria

Section	Possible Points
Part 1. Community Driven Investments for Change	80 total
1.1 Community Overview	10
1.2 Selected Strategies	45
1.3 Community Engagement and Collaborative Governance Plan	15
1.4 Community Strength Plan	10
Part 2. Program Management, Capability, and Capacity	35 total
2.1 Performance Management Plan, Outputs / Outcomes	6
2.2 Project Linkages to the EPA Strategic Plan	4
2.3 CBO Experience and Commitment	5
2.4 Programmatic and Managerial Capability and Resources	15
2.5 Past Performance	5
Part 3. Readiness to Perform, Feasibility, and Sustainability	40 total
3.1 Readiness Approach	8
3.2 Feasibility	9
3.3 Sustainability	5
3.4 Program Budget Description	8
3.5 Compliance Plan	10
TOTAL	155

Evaluation Criteria for Track I Applications (155 points total)

Part 1. Community Driven Investments for Change (80 points total)

1.1 Community Vision Description (10 points)

- **Community Description:** Applications will be evaluated based on their description of the Project Area including its resources, assets, and local characteristics, as well as how the project activities in the Project Area are designed and focused to maximize benefits for the residents of disadvantaged communities in the Project Area. Please note that in evaluating applications under this criterion, EPA will evaluate the extent and quality to which project benefits will accrue to the residents of the disadvantaged communities in the Project Area, as defined in Appendix A, in an impactful manner. (4 points)
- **Community Challenges:** Applications will be evaluated based on how well they describe the challenges and needs the residents of the disadvantaged communities in the Project Area, as defined in Appendix A, are facing, including climate impacts, climate change risks / exposures, and / or localized pollution, and the impact these challenges have on priority populations within the Project Area who are acutely exposed to and impacted by climate, pollution, and weather-related threats, and / or who exhibit acute vulnerabilities or susceptibilities to the impacts of environmental pollution. See footnote 3 for more information on priority populations. (3 points)
- **Community Vision:** Applications will be evaluated based on the quality and extent to which they articulate an overall and clear vision for the impacts and benefits the grant would have on the residents of the disadvantaged communities in the Project Area as defined in Appendix A in the near and long term. (3 points).

1.2 Selected Strategies (45 points)

- **Strategy Overview (15 points).** Applications will be evaluated based on the quality and extent to which they:
 - Provide an overview of the strategies and associated projects and describe how they will be implemented during the grant term. (5 points)
 - Describe how the strategies and associated projects in the application are integrated and / or designed to complement each other to benefit the residents of the disadvantaged communities in the Project Area, and how the scale and scope of the Project Area was developed to accomplish this. (7 points)
 - Explain how the amount / proportion of the requested funding was determined for each strategy and aligned project in the application. (3 points)
- **Climate Action Strategies (15 points).** Applications will be evaluated based on the quality and extent to which they:
 - Describe how the associated projects will address the identified climate impacts and / or climate change risk(s) / exposure(s) within the Project Area, and especially those facing residents of disadvantaged communities in the Project Area as defined in Appendix A and explain how the project(s) will decrease GHG emissions within the Project Area and / or increase overall Project Area resilience to current and anticipated climate impacts. (8 points)
 - Describe how the selected Climate Action Strategies and associated projects help meet the needs and challenges of the Project Area as articulated in the Community Vision Description. (7 points)
- **Pollution Reduction Strategies (15 points).** Applications will be evaluated based on the

quality and extent to which they:

- Describe how the associated project(s) will address the identified localized pollution challenges facing the Project Area, and especially the residents of disadvantaged communities within the Project Area as defined in Appendix A, and will make substantial and measurable (i.e., quantifiable) progress towards preventing, reducing, and / or mitigating existing and future sources of pollution to benefit the Project Area. (8 points)
- Describe how the selected Pollution Reduction Strategies help meet the needs and challenges of the Project Area as articulated in the Community Vision Description. (7 points)

1.3 **Community Engagement and Collaborative Governance Plan (15 points):** The Community Engagement and Collaborative Governance Plan described in [Section I.G will be evaluated based on the quality and extent to which it demonstrates:](#)

- **Past Community Outreach and Engagement Conducted:** How the applicant’s past engagement with the Project Area community impacted the Strategy and associated project selection and implementation approach included in the application, including the outreach and engagement methods used for the Project Area and specific neighborhoods or groups within the Project Area. (4 points)
- **Community Engagement Plan Implementation:** The specific community engagement methods used by the applicant, as well as how they will mitigate barriers and involve relevant governmental stakeholders necessary to support overall project implementation. (6 points)
- **Collaborative Governance Structure:** The details regarding the roles and responsibilities of the Lead Applicant, Collaborating Entities, and community residents and / or community-selected representatives for implementing, managing, and overseeing the application’s project activities, including how regularly they will meet to discuss project implementation. (5 points)

1.4 **Community Strength Plan (10 points):** The Community Strength Plan as described in [Section I.G will be evaluated based on the quality and extent to which it demonstrates:](#)

- **Maximizing Economic Benefits of Projects:** How the projects included in the application are intended to provide economic benefits for individuals in the Project Area, including priority populations as defined in footnote 3. (5 points)
- **Displacement Avoidance:** The measures for mitigating potential near-term and long-term risks associated with the proposed projects to residents, small businesses, nonprofits, and other community members, the vulnerability the community faces to rising costs attributable to their proposed project, and the potential project impacts to households, small businesses, and other existing groups. (5 points)

Part 2. Program Management, Capability, and Capacity (35 points total)

2.1 **Performance Management Plan and Outputs / Outcomes (6 points):** Applications will be evaluated based on:

- Whether the application describes an effective plan, with associated timeframes, for tracking and measuring progress in achieving the expected project outcomes and outputs including those identified in Appendix F, as appropriate, and any additional ones identified in the application. (2 points)
- The quality and specificity of the proposed outputs and outcomes and how they will lead to improvements to the environmental conditions and public health of the disadvantaged communities in the short and long term. (2 points)
- Whether, and how, the applicant has incorporated program evaluation activities (e.g., utilizing proper evaluation tools and personnel / organizations with experience in evaluating program and project progress / success) from project initiation through project completion to meaningfully document and measure their progress towards achieving project goals and how they will use the results of the evaluations to meet the project goals within the required timeframes. (2 points)

2.2 **Project Linkages to the EPA Strategic Plan (4 points):** Applications will be evaluated based on the extent and quality to which the proposed project activities support and advance EPA Strategic Plan Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights), Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels).

In addition, applications, depending on the projects included in them, will also be evaluated based on the quality and extent to which they also support and advance the following EPA Strategic Plan Goals as applicable:

- Goal 1 - Tackle the Climate Crisis
- Goal 4 - Ensure Clean and Healthy Air for All Communities
- Goal 5 - Ensure Clean and Safe Water for All Communities
- Goal 6 - Safeguard and Revitalize Communities; and
- Goal 7 - Ensure Safety of Chemicals for People and the Environment

2.3 **CBO Experience and Commitment (5 points):** The CBO(s) that are either the Lead Applicant and / or Statutory Partner for the proposed grant will be evaluated based on their history and experience as a CBO and the depth of their commitment, connections, and relationships with the disadvantaged communities the application is intended to benefit.

2.4 **Programmatic and Managerial Capability and Resources (15 points):** The Lead Applicant and Statutory Partner will be evaluated based on their ability to successfully complete, oversee, and manage the award considering:

- Their organizational experience and capacity related to performing the proposed project(s) or similar activities (e.g., experience in managing projects and activities like those in the application). (4 points)
- Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period (4 points)

- The milestone schedule for the proposed projects (up to three years) including the breakout of the project activities into phases and timeframes for completion of tasks, and the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable. (3 points)
- Their financial stability, controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls for project oversight and program risk. This includes the extent and quality to which the application includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and abuse by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections). (4 points)

2.5 **Past Performance (5 points):** The Lead Applicant will be evaluated based on their ability to successfully complete and manage the proposed projects considering their:

- Past performance in successfully completing and managing the assistance agreements identified in response to [Section IV.B](#). (3 points)
- History of meeting the reporting requirements under the assistance agreements identified in response to [Section IV.B](#) including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not. (2 points)

Note: The focus of this criterion is on the Lead Applicant's past performance and not that of any other Collaborating Entities or contractors / consultants who may be assisting the applicant with performance of the award. In evaluating the Lead Applicant under these factors, EPA will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and from current / prior grantors. If the Lead Applicant does not have any relevant or available past performance related to federal or non-federal grants, this should be stated explicitly in the application (e.g., our organizations have no relevant past grants experience). Including this statement will ensure you receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). Failure to include this statement may result in your receiving a score of 0 for these factors.

Part 3. Readiness to Perform, Feasibility, and Sustainability (40 points total):

- 3.1 **Readiness Approach (8 points):** Applications will be evaluated based on the applicant's ability and readiness to proceed with grant performance for the projects in the application, based on the Readiness Approach Requirements described in [Section I.G](#), upon receiving an award, or generally no later than 120 days after award, to ensure that the projects can be completed within the statutory three-year grant period. As appropriate, this may include evaluating the description of the completed project planning and design phases related to the project(s) as well as demonstrating that the applicant has obtained and / or complied with the necessary approvals, permits, permissions, and any other applicable requirements, to commence project performance upon award, and if not generally within 120 days of award.
- 3.2 **Feasibility (9 points):** Applications will be evaluated based on whether it is demonstrated that all the projects in the application can be successfully and effectively performed within the three-year grant period of performance, and the degree of risk that they cannot be. This includes also

evaluating how the strategies and associated projects can individually and collectively be completed within three years.

- 3.3 Sustainability (5 points):** Applications will be evaluated based on whether it is demonstrated that the benefits and outcomes from the projects in the application can be sustained after the three-year grant period of performance based on factors including but not limited to whether (i) the Applicant will leverage funding and / or resources from other sources to ensure the sustainability of the projects beyond the three-year grant term and (ii) the description of an operations and maintenance approach including the plans and commitments to ensure there is continued funding available for operation and maintenance activities of infrastructure activities for the projects after the grant term is over (e.g., are there demonstrated commitments for continuing operation and maintenance funding / resources from the appropriate parties after the three year grant term is over) including coordination with appropriate responsible parties.
- 3.4 Program Budget Description (8 points):** The program budget will be evaluated based on:
- The reasonableness of the budget and allowability of the costs for each component / activity of the projects in the application. This includes evaluating whether funding is well balanced and equitably distributed to project partners, including sub-awardees, commensurate with their role in the project, and whether funding is categorized into the proper budget categories providing clarity, accuracy, and granularity on the applicant’s planned use of the grant funds during the project period. (4 points)
 - The cost effectiveness of the budget / project in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs to the greatest extent practicable). (4 points)
- 3.5 Compliance Plan (10 points):** Applications will be evaluated based on the quality and extent to which the Compliance Plan addresses the elements for the Compliance Plan described in [Section I.G.](#)

D. Track II Application Review Process and Evaluation Criteria

All eligible Track II applications will be evaluated, on a rolling basis, based on a 100-point scale using the criteria specified below.

Evaluation Criteria for Track II Applications

Track II applications will be evaluated using the criteria below on a 100-point scale.

Track II Evaluation Criteria

Section	Possible Points
1. Program Objectives	35
2. Project Collaboration and Participation	20
3. Project Linkages	4
4. Budget	8
5. Environmental Results	6

6. CBO Experience & Commitment	5
7. Programmatic and Managerial Capability and Resources	16
8. Past Performance	6
TOTAL	100

1. **Track II Program Objectives (35 points):** Applications will be evaluated based on the quality and extent to which they demonstrate:
 - How the project(s) in the application address the Track II objectives identified in [Section I.H.](#) (10 points)
 - The methods, tools, and trainings, the applicant will use to facilitate the engagement of disadvantaged communities in state and Federal advisory groups, workshops, rulemakings, and / or other public processes, including local, Tribal, and other governmental processes, related to environmental and climate justice. (10 points)
 - How the project(s) in the application address and improve the disadvantaged community’s lack of access to, or weak relationships with, governmental entities and changes those relationships to increase points of access for disadvantaged communities with government to work cooperatively to promote environmental and climate justice. (8 points)
 - Will result in governmental entities better understanding the root causes of environmental and climate justice issues that impact disadvantaged communities, so the communities are better prepared to proactively address them before the issues materialize. (7 points)

2. **Project Collaboration and Participation (20 points):** Under this criterion, applications will be evaluated based on the quality and extent to which they:
 - Demonstrate that meaningful input and feedback was considered from the disadvantaged community and other stakeholders in designing and developing the applications and how feedback / input will continue to be obtained and considered during grant performance. (10 points)
 - Describe the facilitation and accountability measures to establish and maintain trust between the disadvantaged community and government officials to ensure the community can collaborate in a meaningful manner on environmental and climate justice issues with governmental bodies. (5 points)
 - Demonstrate the applicant’s and Collaborating Entities relationships and history of collaborations with disadvantaged communities, governmental bodies, and other stakeholders to address environmental and environmental / climate justice issues. (5 points)

3. **Project linkages (4 points):** Applications will be evaluated based on the extent and quality to which the proposed project activities support and advance EPA Strategic Plan Goal 2 (Take Decisive Action to Advance Environmental Justice and Civil Rights), Objective 2.1, (Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels).

4. **Budget (8 points):** Under this criterion, applicants will be evaluated based on:

- The reasonableness of the budget and allowability of the costs for each component / activity of the project and their approach, procedures, and controls for ensuring that awarded grant funds will be expended in a timely and efficient manner to comply with the statutory 3-year project period limitation. (4 points)
 - The cost effectiveness of the budget / project in terms of maximizing the share of funds used for the delivery of benefits to disadvantaged communities (both the direct costs of funds passed through for financial assistance as well as associated indirect costs to the greatest extent practicable). (4 points)
5. **Environmental Results (6 points):** Applications will be evaluated based on the quality and extent to which:
- They describe an effective plan, with associated timeframes, for tracking and measuring their progress in achieving the expected project outcomes and outputs for Track II applications including those identified in Appendix F. (2 points)
 - They demonstrate that the project can ensure sustainability of outcomes beyond the three-year grant period, and how they will leverage resources, community support, etc. to facilitate this. (2 points)
 - The quality and specificity of the proposed outputs and outcomes, and how they will lead to the success of the grants, are described. (2 points)
6. **CBO Experience and Commitment (5 points):** The CBO(s) that are either the Lead Applicant and / or Statutory Partner for the grant will be evaluated based on their history and experience as a CBO and the depth of their commitment, connections, and relationships with the disadvantaged communities the application is intended to benefit.
7. **Programmatic and Managerial Capability and Resources (16 points):** The Lead Applicant and Statutory Partner will be evaluated based on their ability to successfully complete, oversee, and manage the award considering:
- Their organizational experience and capacity related to performing the proposed projects or similar activities (e.g., experience in managing projects and activities like those in the application). (4 points)
 - Their resources, capacity, capabilities, staff (e.g., project manager and other key personnel), expertise, and skills to perform and manage the award activities effectively during the three-year award period. For Lead Applicants submitting two applications under this NOFO, this includes how they demonstrate they have the above attributes to perform, manage, and oversee two awards effectively within the three-year award period. (4 points)
 - The milestone schedule for the proposed projects (up to three years) including the breakout of the project activities into phases and timeframes for completion of tasks, and the approach, procedures, and controls for ensuring that the award funds will be expended in a timely and efficient manner while ensuring that costs are eligible, reasonable, and allowable. (3 points)
 - Their legal and financial controls in place, and capacity to manage taxpayer dollars ethically and efficiently as well as the policies and controls for project oversight and

program risk. This includes the extent and quality to which the application includes controls to identify waste, fraud, and abuse, and reduce the potential for waste, fraud, and abuse by including plans and policies for program oversight, including confidential reporting (e.g., whistleblower protections). (5 points)

8. **Past Performance (6 points total):** The Lead Applicant will be evaluated based on their ability to successfully complete and manage the proposed projects considering their:

- Past performance in successfully completing and managing the assistance agreements identified in response to Section IV. (3 points)
- History of meeting the reporting requirements under the assistance agreements identified in response to Section IV including whether the applicant submitted acceptable final technical reports under those agreements and the extent to which the applicant adequately and timely reported on their progress towards achieving the expected outputs and outcomes under those agreements and if such progress was not being made whether the applicant adequately reported why not. (3 points)

The focus of this criterion is on the Lead Applicant's past performance and not that of any other Collaborating Entities or contractors / consultants who may be assisting the applicant with performance of the project. In evaluating the Lead Applicant under these factors, EPA will consider the information provided in the application and may also consider relevant information from other sources, including information from EPA files and from current / prior grantors. If you do not have any relevant or available past performance related to federal or non-federal grants, you should state this explicitly in your application (e.g., our organization has no relevant past grants experience). Including this statement will ensure you receive a neutral score for these factors (a neutral score is half of the total points available in a subset of possible points). Failure to include this statement may result in your receiving a score of 0 for these factors.

E. Final Selection Process and Other Factors

The Selection Official will make the final selection recommendations for Track I and II applications based on the evaluation criteria and process described above on a rolling basis. In addition, in making the final selection recommendations for award, the Selection Official may also consider any of the "other" factors below.

Further, as noted in Sections I.G and II.A, EPA anticipates making a minimum of fifteen awards for high-ranking applications that include a workforce training project(s) as described in Section I.G. In addition, as noted in Sections II.B and Appendix H, EPA anticipates making a minimum of five awards for high-ranking applications under the Target Investment Area A-Tribes in Alaska (projects benefitting Alaska Tribal lands) that include projects to assess and/or clean up lands conveyed under the Alaska Native Claims Settlement Act that were contaminated at the time of their conveyance from the federal government to an Alaska Native Corporation.

In making the final selection recommendations for award, the Selection Official may consider any of the following "other factors":

1. Geographic diversity to promote a mix of high-scoring applications benefitting disadvantaged communities located in urban, rural, or remote areas, different regions of the country, territories, as well as the geographical nature or impact of the project(s).

2. Program priorities- how the application supports and advances EPA and OEJEER's goals and priorities, including those in EPA's Strategic Plan that focus on environmental climate and justice issues. This may also include considering how the application promotes Community Change Grant program objectives, the depth and extent of community involvement in project development and implementation, the extent and quality to which the project activities will provide impactful benefits to the residents of disadvantaged communities in the Project Area as defined in Appendix A rather than attenuated benefits spread out throughout a large Project Area, and the priority that the grants must be able to be successfully completed within three years to meet CAA § 138 statutory requirements.
3. Organizational diversity in terms of applicant type and size to ensure a broad representation of applicants receiving awards to improve program effectiveness and equity.
4. Whether the applicant is participating in a federal capacity building program as part of the Thriving Communities Network (please see complete list at [Federal Interagency Thriving Communities Network](#) or the [Rural Partners Network](#)).
5. Whether the projects support, advance, or complement funding related to [Community Disaster Resilience Zones \(CDRZs\)](#) as designated by FEMA.
6. The capacity and capabilities of Lead Applicants, who are selected for two awards under this NOFO, to successfully perform, manage, and oversee both grants within the three-year grant term and the risks posed by multiple awards to successful grant performance.
7. The extent to which the EPA funding may complement or be coordinated with other EPA funding or other Federal and / or non-Federal sources of funds / resources to leverage additional resources to contribute to the performance and success of the grant. This includes but is not limited to funds and other resources leveraged from businesses, labor organizations, non-profit organizations, education and training providers, and / or Federal, state, Tribal, and local governments, as appropriate.
8. Duplicate funding considerations as stated in Section IV of [the EPA Solicitation Clauses](#) incorporated by reference in this NOFO. This includes considering whether funding for the projects in the application is available under the Infrastructure Investments and Jobs Act (IIJA), other IRA programs, or other funding streams and if so the applicant's reasons for seeking funding for these projects under this NOFO.
9. Consistent with the language in Section II.B and Appendix H for Target Investment Area A-Tribes in Alaska (projects benefitting Alaska Tribal lands), whether an application includes projects to assess and/or clean up lands conveyed under the Alaska Native Claims Settlement Act that were contaminated at the time of their conveyance from the federal government to an Alaska Native Corporation.
10. Availability of funds.

In addition, because the objectives of this NOFO are part of a government-wide effort to address environmental and climate justice concerns and challenges, information pertaining to proposed selection recommendations may be shared by EPA with other Federal, state, local, territorial, or Tribal governmental departments or agencies before final selections are made in order to determine whether potential selections under this NOFO: (1) are expected to be funded by another department or agency to minimize the possibility of duplicate funding, (2) could be affected by permitting, regulatory or other issues involving another department or agency, and / or (3) will complement or can be used to leverage funding and capacity-building by another department or agency to maximize value. Note that this process is separate from the Intergovernmental Review requirements in 40 CFR Part 29.

F. Anticipated Announcement and Federal Award Date

As stated in [Section II.C](#), applications will be reviewed and selected on a rolling basis and may be submitted through November 21, 2024. EPA announced initial selection decisions for awards in July 2024 and expects initial awards being made in November 2024.

Section VI. Award Administration Information

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Note: Additional provisions that apply to this section of the NOFO, including those related to responsibilities under civil rights laws, can be found in the [EPA Solicitation Clauses](#).

A. Award Notification and Disputes

EPA anticipates that the first notification of selected applicants will be made via electronic mail in July 2024 and will continue to be done on a rolling basis. The notification will be sent to the original signer of the application, or the contact listed in the application. This notification, which informs the applicant that its application has been selected, is not an authorization to begin work. The official notification of an award will be made by the EPA Award Official. Applicants are cautioned that only a grants officer is authorized to bind the Government to the expenditure of funds; selection does not guarantee an award will be made. For example, statutory authorization, funding, readiness to perform projects, or other issues discovered during the award process may affect the ability of EPA to make an award to an applicant. The award notice, signed by a grants officer, is the authorizing document and will be provided through electronic mail. The successful applicant may be requested to prepare and submit additional documents and forms that must be approved by EPA before the grant can officially be awarded. The time between notification of selection and finalization of the award agreement can take up to 90 days or longer.

Assistance agreement competition-related disputes will be resolved in accordance with the dispute resolution procedures published in 70 FR (Federal Register) 3629, 3630 (January 26, 2005), which can be found at [Grant Competition Dispute Resolution Procedures](#). Copies of these procedures may also be requested by contacting the person listed in [Section VII](#) of the announcement. Note, the FR notice references regulations at 40 CFR Parts 30 and 31 that have been superseded by regulations in 2 CFR Parts 200 and 1500. Notwithstanding the regulatory changes, the procedures for competition-related disputes remain unchanged from the procedures described at 70 FR 3629, 3630, as indicated in 2 CFR Part 1500, Subpart E.

Non-profit applicants that are recommended for funding under this announcement are subject to pre-award administrative capability reviews consistent with Section 8b, 8c, and 9d of [EPA Order 5700.8: EPA's Policy on Assessing Capabilities of Non-Profit Applicants for Managing Assistance Awards](#). In addition, non-profit applicants selected for awards over \$200,000 may be required to fill out and submit to the grants management office EPA Form 6600.09, United States Environmental Protection Agency Administrative Capability Questionnaire with supporting documents as required in EPA Order 5700.8.

Depending on the projects in the grant award, EPA will impose programmatic terms and conditions to ensure successful and timely grant performance. In addition, if applicants have any questions about whether a proposed project cost is eligible or allowable, they should contact EPA for clarification prior to application submittal.

B. Administrative and National Policy Requirements

Grantees will be subject to administrative and national policy requirements. Note that EPA plans to establish programmatic requirements in the terms and conditions of each grant agreement to implement these administrative and national policy, and other relevant, requirements, which will include but not be limited to: this award is subject to the requirements of the Uniform Administrative Requirements, Cost

Principles and Audit Requirements for Federal Awards; Title 2 CFR, Parts 200 and 1500. EPA also has programmatic regulations located in 40 CFR Chapter 1 Subchapter B.

A listing and description of general EPA regulations applicable to the award of assistance agreements is available on the [EPA Policies and Guidance for Grants](#) page.

Readiness to Perform Requirements: Following selection and before award, EPA may work with selected applicants to ensure that all approvals, requirements, permits, and permissions that are needed to begin performance will, if not already obtained or complied with, be resolved by the time of award, and if not generally within 120 days of award (unless extended by EPA). A term and condition may also state that EPA may terminate the award for the recipients' failure to meet these requirements.

State / Territories Operation and Maintenance: Because of their unique roles, State and territorial governments may receive subawards to help implement specific project activities such as an infrastructure project in which they own the land or where they have governmental technical expertise and staffing necessary to effectively implement activities of an infrastructure or other type of project. The terms of the EPA award will also require, if applicable, that state and territorial subrecipients commit to operation and maintenance funding for any infrastructure constructed or improved on land they own with funding available under the NOFO.

Build America, Buy America Act (BABA): Certain projects under this NOFO may be subject to the Buy America domestic content sourcing requirements under the Build America, Buy America (BABA) provisions of the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117-58, §§ 70911-70917). These provisions apply when using Federal funds for the purchase of goods, products, and materials on any form of construction, alteration, maintenance, or repair of infrastructure in the United States. BABA requires that all iron, steel, manufactured products, and construction materials consumed in, incorporated into, or affixed to federally funded infrastructure projects must be produced in the United States. Please consider this information when preparing budget information and your application. The award recipient must implement these requirements in its procurements, and these requirements must flow down to all subawards and contracts at any tier. For more information, consult EPA's Build America, Buy America [website](#). When supported by rationale provided in the Infrastructure Investments and Jobs Act (IIJA) §70914, the recipient may submit a BABA waiver request to EPA. The recipient should request guidance on the submission instructions of an EPA waiver request from their EPA Project Officer. A list of approved EPA waivers is available on the BABA website. In addition to BABA requirements, all procurements under grants may be subject to the domestic preference provisions of 2 CFR §200.322.

Davis-Bacon and Related Acts (DBRA): The Davis-Bacon and Related Acts (42 U.S.C. §§ 3141-3144) set labor standards, including prevailing wages and fringe benefits, and apply to most federally funded contracts for construction of public works. The DBRA labor standards and reporting requirements apply to construction projects assisted with grants authorized by the CAA, including this program, as provided in CAA § 314 (42 U.S.C. § 7614).¹⁶ A term and condition specifying DBRA compliance requirements will be included in the grant agreement.

Uniform Relocation Assistance and Real Property Acquisition Policies Act (URA): The URA applies to acquisitions of property and displacements of individuals and businesses that result from federally

¹⁶ EPA will use the definition of *Construction* in 40 CFR 33.103 to determine whether funding will be for a construction project. That definition defines *Construction* as “. . . erection, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, or other improvements to real property, and activities in response to a release or a threat of a release of a hazardous substance into the environment, or activities to prevent the introduction of a hazardous substance into a water supply.”

assisted programs. The URA and Federal Highway Administration's implementing regulations at 49 CFR Part 24 require grantees to follow certain procedures for acquiring property for grant purposes, such as notice, negotiation, and appraisal requirements. The statute and regulations also contain requirements for carrying out relocations of displaced persons and businesses, such as reimbursement requirements for moving expenses and standards for replacement housing. A term and condition specifying URA compliance requirements will be included in the grant agreement.

National Historic Preservation Act (NHPA): Section 106 of the NHPA requires all federal agencies to consider the effects of their undertakings, including the act of awarding a grant agreement, on historic properties. If NHPA compliance is required, necessary Section 106 consultation activities, such as historic or architectural surveys, structural engineering analysis of buildings, public meetings, and archival photographs, can be considered allowable and allocable grant costs. A term and condition specifying NHPA compliance requirements will be included in the grant agreement.

Note that Section 7(c) of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. § 793(c)(1)) exempts all actions under the CAA from the requirements of NEPA (National Environmental Policy Act). This Section states: "No action taken under the Clean Air Act shall be deemed a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969." Therefore, as a grant program authorized under the CAA, NEPA will not apply to projects funded under the Community Change Grants.

Justice40 Reporting: The activities to be performed under the awards are expected to contribute to the President's goal that 40% of overall benefits of certain federal investments flow to disadvantaged communities (the Justice40 Initiative. See Section I.A). Recipients, therefore, will be expected to report on certain metrics to demonstrate to what extent the activities contribute to the 40% goal. A term and condition specifying reporting of metrics demonstrating the extent to which the grant's activities advance this 40% goal will be included in each grant agreement.

Signage: The activities to be performed under the awards are expected to publicize that they were funded by the U.S. Environmental Protection Agency and the Inflation Reduction Act (e.g., via signs at the place(s) of performance. The award will include appropriate terms and conditions about signage requirements.

Environmental Justice Grant Applicant Database: The Community Change Grants program strives to support as many CBOs that apply regardless of their ultimate success in receiving a grant, by, as appropriate 1) familiarizing applicants with federal grant application requirements, 2) sharing expectations and responsibilities of managing federal grants, 3) providing constructive feedback and recommendations on ways to strengthen unselected applications, 4) helping organizations build sustainability into projects so they continue to grow and develop after the project period is over, and 5) facilitating connections with other potential resources that can help organizations address community needs. To facilitate the achievement of these, all applicants who apply under this NOFO will be added to our Environmental Justice Grant Applicant Database.

Reporting Requirements: Grantees will be subject to both program performance as well as financial and administrative reporting requirements, as described below. Note that EPA will only collect reporting information from the Lead Applicant (rather than from any subrecipients), but each Lead Applicant may need to collect reporting information from subrecipients (e.g., Collaborating Entities, Statutory Partners) to meet these reporting requirements.

Program Performance Reporting: In accordance with 2 CFR § 200.329, each grantee will be subject to program performance reporting requirements. Reporting requirements effective during the period of

performance will be established in the grant agreement's terms and conditions, and reporting requirements effective after the period of performance will be established in a closeout agreement.

During the period of performance, EPA will require each grantee to submit quarterly performance reports within 30 days after the end of each reporting period (and with additional requirements every fourth quarterly report i.e., annually) as well as a final performance report within 90 days after the end of the period of performance. EPA will require that each grantees chief executive officer or equivalent review and submit each of these reports. EPA will use information from these reports as part of program-wide public reporting, except to the extent such information includes confidential business information (CBI) or personally identifiable information (PII) pursuant to 2 CFR § 200.338.¹⁷ Included below is information that EPA may require in these reports.

Financial and Administrative Reporting Requirements: Each grantee will be subject to financial and administrative reporting requirements, which will be included in the grant agreement's terms and conditions ([EPA's General Terms and Conditions](#)). These requirements will include, but not be limited to:

- **Federal Financial Report:** In accordance with 2 CFR § 200.328 and 2 CFR § 200.344, each grantee must submit the Federal Financial Report ([SF-425](#)) at least annually and no more frequently than quarterly. The frequency of reporting and report submission instructions will be specified in the terms and conditions.
- **Financial Records Retention:** In accordance with 2 CFR § 200.334, each grantee will be required to retain financial records, supporting documents, statistical records, and all other non-Federal entity records pertinent to the grant award for a period of three years from the date of submission of the final expenditure report. Additional record retention requirements on program income used after the end of the period of performance will be specified in close-out agreements.
- **MBE / WBE Utilization:** When required, each grantee must complete and submit a "MBE/WBE Utilization Under Federal Grants and Cooperative Agreements" report ([EPA Form 5700-52A](#)) on an annual basis.
- **Real Property Status Report:** In accordance with 2 CFR § 200.329, each grantee must submit a "Real Property Status Report" ([SF-429](#)) to report real property status or request agency instructions on real property that was / will be provided as Government Furnished Property (GFP) or acquired (i.e., purchased or constructed) in whole or in part under a federal financial assistance award.

C. Audit Requirements

In accordance with 2 CFR § 200.501(a), each grantee will be required to obtain a single audit from an independent auditor, if the grantee expends \$750,000 or more in total federal funds in the grantee's fiscal year. Audits will be made public in accordance with the process described in 2 CFR § 200.512. The grantee must submit the form SF-SAC and a Single Audit Report Package within 9 months of the end of the grantee's fiscal year or 30 days after receiving the report from an independent auditor. The SF-SAC and a Single Audit Report Package MUST be submitted using the [Federal Audit Clearinghouse's Internet Data Entry System](#). In addition, each grantee may be subject to additional audit requirements, including but not limited to compliance requirements as part of any compliance supplement to the single audit.

D. Remedies for Non-Compliance

¹⁷ Information claimed as CBI in accordance with this Notice will be disclosed only to the extent, and by means of the procedures, set forth in 40 CFR Part 2, Subpart B.

In accordance with 2 CFR § 200.208, 2 CFR § 200.339, and 2 CFR § 200.340, EPA is provided authority for multiple potential responses if a grantee violates the terms of the grant agreement.

E. Program Administration Activities

Under 2 CFR § 200.403 and other applicable provisions of 2 CFR Part 200, Subpart E, costs are allowable under federal awards so long as they are necessary and reasonable for the performance of the grant award. Under this NOFO, consistent with these regulations, program administration activities are allowable costs, with such activities supporting administration of the grant program. Program administration activities include (but are not limited to) conducting due diligence and underwriting financial transactions; establishing and convening advisory councils; conducting program performance and other reporting activities (e.g., expenditures for personnel and equipment to procure technology infrastructure and expertise for data analysis, performance, and evaluation); and supporting, monitoring, overseeing, and auditing subrecipients, contractors, and program beneficiaries.

F. Fraud, Waste, and Abuse Awareness

Recipients of awards under this NOFO need to be alert and sensitive to indicators of fraud, waste, and abuse regarding the use of federal funds under the award. Fraud generally is a false representation about a material fact and can be any intentional deception designed to unlawfully deprive the United States or the EPA of something of value or to secure for an individual a benefit, privilege, allowance, or consideration to which he or she is not entitled. Waste generally involves the taxpayers not receiving a reasonable value for money in connection with any government-funded activities due to an inappropriate act or omission. Most waste does not involve a violation of law; rather, waste relates primarily to mismanagement, inappropriate actions, and inadequate oversight. Abuse generally involves behavior that is deficient or improper when compared with behavior that a prudent person would consider reasonable and necessary business practice given the facts and circumstances. Abuse may also include misuse of authority or position for personal financial interests of those of an immediate or close family member or business associate. Abuse does not necessarily involve fraud or violation of always, regulations or grant provisions. Indicators of fraud, waste, and abuse can be found on the EPA Office of Inspector General [website](#). Recipients should report any suspected fraud, waste, and / or abuse to the EPA Project Officer for the award or the EPA Office of Inspector General. Note that EPA Project Officers will refer matters to the EPA Office of Inspector General as appropriate.

G. Quality Management Plans (QMPs) & Quality Assurance Project Plans (QAPPs)

Quality assurance documentation is required for awards that involve environmental information operations. EPA Project Officers will work with all selected recipients on quality assurance (QA) requirements. Once the award is made, if a QMP and / or QAPP is required for the project, the applicant will develop the document and submit for EPA's approval. Selected applicants cannot begin environmental information operations until EPA approves the QMP and / or QAPP.

Environmental Information Operations: A collective term that encompasses the collection, production, evaluation, or use of environmental information and the design, construction, operation, or application of environmental technology. Environmental information includes data and information that describe environmental processes or conditions. Examples include but are not limited to: direct measurements of environmental parameters or processes, analytical testing results of environmental conditions (e.g., geophysical, or hydrological conditions), information on physical parameters or processes collected using environmental technologies, calculations or analyses of environmental information, information provided by models, information compiled or obtained from databases, software applications, decision support tools,

websites, existing literature, and other sources, and development of environmental software, tools, models, methods, and applications.

Quality Management Plan (QMP): The recipient may need to develop a QMP. The QMP describes an organization's Quality Program. Requirements for QMPs are found in the most recent version of EPA's [Quality Management Standard](#). A QMP documents the technical activities to be performed and how the program will integrate QA, quality control, QAPPs, training, etc., into all its environmental information operations.

Quality Assurance Project Plans (QAPP): The recipient may need to develop a QAPP(s). A QAPP describes how environmental information operations are planned, implemented, documented, and assessed during the life cycle of a project. Requirements for QAPPs are found in the most recent version of [EPA's Quality Assurance Project Plan Requirements / Standard Quality Assurance Project Plans \(QAPP\)](#). Quality assurance is sometimes applicable to assistance projects (see 2 CFR 1500.12). Quality assurance requirements apply to the collection of environmental data. Environmental (data are any measurements or information that describe environmental processes, location, or conditions; ecological or health effects and consequences; or the performance of environmental technology. Environmental data include information collected directly from measurements, produced from models, and compiled from other sources, such as databases or literature. Once the award is made, if a Quality Assurance Project Plan is required for the project, the applicant will have to draft a QAPP prior to beginning work on the project. You must reserve time and financial resources in the beginning of your project to prepare your QAPP and include the cost for developing your QAPP in your Detailed Budget. Selected applicants cannot begin data collection until EPA approves the QAPP.

Section VII. Contact Information

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For information or questions about this NOFO, please email: CCGP@epa.gov

Appendix A. Definition of Disadvantaged Communities and Mapping Requirements

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Applicants must demonstrate that the projects in their application would benefit a disadvantaged community. EPA is defining a disadvantaged community as one that meets at least one of the following criteria:

1. A geographically defined community designated as disadvantaged by the [EPA Disadvantaged Community Environmental and Climate Justice Program Map](#), which includes the following components:
 - a. EPA IRA Disadvantaged Communities 1.0 map
 - b. EPA IRA Disadvantaged Communities 2.0 map
 - c. Any area of American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, or the U.S. Virgin Islands.
2. A community that falls into one of the following two categories:
 - a. A farmworker community comprised of individuals with no fixed work address, who travel from their permanent residence to work in agriculture on a temporary or seasonal basis and may relocate several times throughout the year. Applicants can demonstrate that a farmworker community is comprised of such individuals by submitting verification documentation from an authorizing governmental entity or through comparable means.
 - b. A Disadvantaged Unincorporated Community (DUC). For purposes of this NOFO, DUCs are generally defined as Census Designated Places¹⁹ that lack fixed legally determined geographic boundaries and have certain common characteristics and conditions (e.g., the absence of adequate potable permanent water, adequate sewage systems, or acceptable housing). For example, all areas defined as Colonias by the U.S. Department of Housing and Urban Development (HUD),²⁰ and Colonias that are not defined by HUD but are identifiable on the “Colonias” layer in [EJScreen](#), are considered DUCs for purposes of this NOFO. In other cases, DUC status can be demonstrated through submitting localized data that represent similar characteristics. Applicants who seek funding for projects benefitting DUCs need to explain in their Project Narrative (e.g., in the Executive Summary) that the projects will either benefit Colonias as defined above or show how the projects otherwise meet the DUC criteria listed above, including demonstrating how the area to be benefitted is both unincorporated and shares “common characteristics and conditions” with DUCs as described above.

Project Area and Project Area Map for Track I Applications

Track I Applications

For Track I applications to benefit geographically defined communities identified as disadvantaged communities on the [EPA Disadvantaged Community Environmental and Climate Justice Program Map](#),

¹⁹ [Census Designated Places](#) (CDPs) are statistical equivalents of incorporated places and represent unincorporated communities that do not have a legally defined boundary or an active, functioning governmental structure.

²⁰ [Colonias History – HUD Exchange](#).

applicants must identify the specific census block groups designated as disadvantaged communities that the projects and supporting activities will benefit by submitting to EPA one contiguous Project Area Map with an outlined boundary as instructed below. Applicants should note that while they can determine the Project Area for their projects consistent with the instructions in Appendix A and the other relevant parts of the NOFO, concentrated and compact Project Areas may maximize benefits to the residents of the census block groups designated as disadvantaged communities in the Project Area. Activities spread across large Project Areas may be more dispersed and less impactful to the residents of the census block groups designated as disadvantaged communities in the Project Area.

The Project Area Map should also reflect where each project submitted under the application is located within the Project Area. The Project Area may include multiple census block groups that are designated as a disadvantaged community by EPA as defined above, but the disadvantaged census block groups need not be fully contiguous with each other.

For Track 1 applications addressing farmworker communities or DUCs as defined above, applicants must submit a Project Area Map specifying where the communities and projects designed to benefit them are located. Applications addressing these communities are not required to submit a map showing census block groups designated as disadvantaged.²¹

All projects and activities should be located within the Project Area, except in cases where the project is located outside of the Project Area to address the localized pollution (or other) issue at the source, or where otherwise necessary to ensure and/or facilitate that disadvantaged communities as defined above will benefit from the project. One such example is if the project addresses water quality issues upstream to benefit a downstream disadvantaged community. While projects and activities may have an incidental benefit to census block groups (or other areas) that are not considered disadvantaged communities, the applicant must demonstrate that the projects' primary benefits will flow to disadvantaged communities in the Project Area.

Applicants may submit a map generated in EPA's [EJScreen](#) tool. Applicants also have the option to submit a map in another geospatial format such as a shapefile (.shp), geodatabase (.gdb), or map service.

The submitted Project Area Map should include the following:

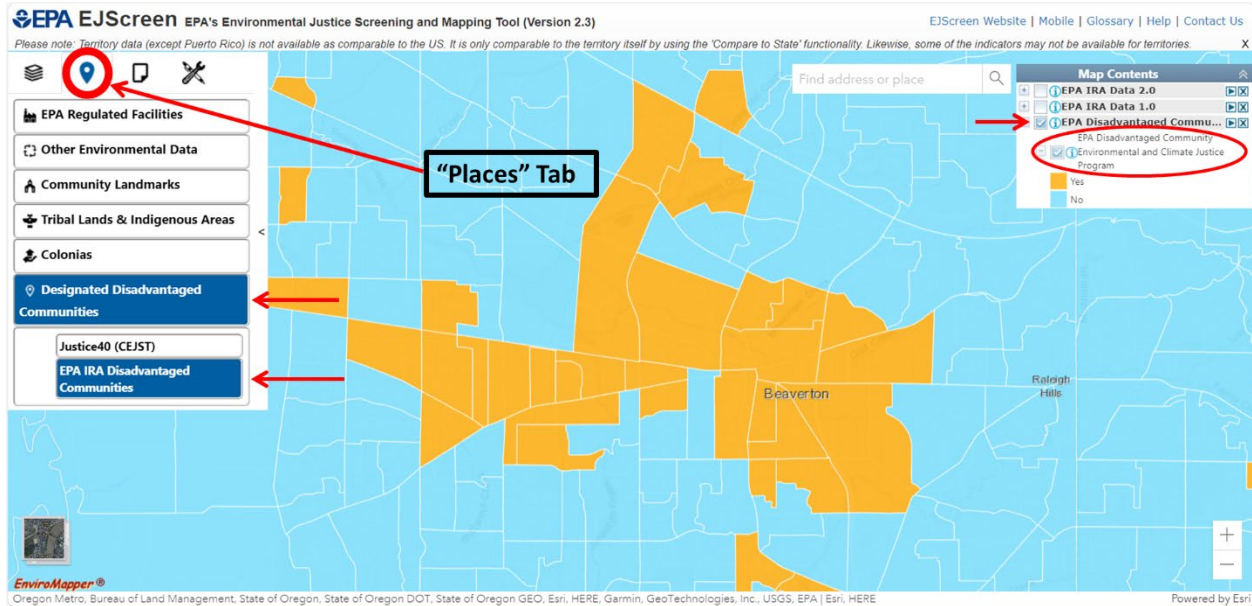
- a. The Project Area with an outlined boundary.
- b. The disadvantaged communities intended to benefit from the projects as identified on the [EPA Disadvantaged Community Environmental and Climate Justice Program Map](#).
- c. Main streets, landmarks, community assets (e.g., parks or play areas, schools, community centers), and/or any other attributes that may provide important context about the Project Area.
- d. Jurisdictional boundaries, including incorporated and unincorporated areas.

Note: While Track II applications are not required to submit a Project Area Map, they must still use the EPA Disadvantaged Community Environmental and Climate Justice Program Map layer in [EJScreen](#) to describe and identify in their application (e.g., Executive Summary) the disadvantaged communities as defined above that will benefit from the projects as required by Section III.D.

²¹ However, applicants are encouraged to indicate in the relevant portion of the Executive Summary whether projects benefitting DUCs or farmworkers would also benefit areas identified as disadvantaged as described in #1.

EPA’s Disadvantaged Community Environmental and Climate Justice Program Map Availability

Within [EJScreen](#), the EPA Disadvantaged Community Environmental and Climate Justice Program Map can be found in the “Places” tab by clicking the “Designated Disadvantaged Communities” category and then “EPA IRA Disadvantaged Communities”. Please note, applicants must turn on the layer in the legend on the right of the screen. See screenshot below.



Please see the [video](#) that EPA’s technical assistance contractor prepared that may be useful in helping to create a Project Area Map.

If you would like the data products and technical document associated with this map layer, please visit: [Inflation Reduction Act Disadvantaged Communities Map](#).

Appendix B. Partnership Agreement between the Lead Applicant and Statutory Partner

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To be eligible for funding, the Lead Applicant must include in the application a copy of a written and signed Partnership Agreement with the Statutory Partner that is legally binding. At a minimum, the Partnership Agreement must specify the following:

- Who will be the Lead Applicant and the Statutory Partner.
- The Lead Applicant is responsible for the overall management, performance, oversight, and reporting responsibilities under the grant, and for making subawards to Collaborating Entities.
- The Lead Applicant will be responsible for the receipt of federal funds from EPA and the proper expenditure of these funds and will bear liability for unallowable costs.
- The roles and responsibilities of the Lead and Statutory Partner for project activities and how disputes between them will be handled and resolved. Please note that EPA is not a party to the Partnership Agreement, and any disputes between the parties must be resolved under the law applicable to the Partnership Agreement.
- The Lead Applicant is responsible for compliance and legal issues, and managing risks associated with the project. It must also describe the procedures for replacing a Statutory Partner with another Statutory Partner, and for ensuring the replacement has the comparable expertise, experience, knowledge, and qualifications of the replaced Statutory Partner to ensure successful grant completion within 3 years. Replacement may be necessary for various reasons including performance issues. Note that replacement requires prior approval by an authorized EPA official pursuant to 2 CFR 200.308(c)6).
- The Lead Applicant and Statutory Partner's agreement, if the proposed application is selected for award, to enter a subaward that complies with the subaward requirements in the grant regulations at 2 CFR 200.331 and in EPA's Subaward Policy and related guidance and that contains terms and conditions including those above.

Appendix C. Climate Action Strategies and Associated Project Activities

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Eligible project activities associated with each Climate Action Strategy identified in Section I.G. of the NOFO could include but are not limited to the following examples. Applicants may propose different activities as long as they are consistent with the applicable Climate Action Strategy as described in Section I.G of the NOFO and are eligible for funding under section 138(b)(2) of the Clean Air Act.

Strategy 1: Green Infrastructure and Nature-based Solutions

Examples:

- **Building climate resilience and carbon sequestration through tree planting**
 - Mitigate urban heat islands through reflective surfaces and shade trees or other vegetation, including preparing planting sites and establishing and caring for trees and other vegetation.
 - Plant trees in public spaces.
 - Plant trees in sites that are strategically selected to shade buildings (i.e., planted within 60 feet of a building).
- **Multi-benefit stormwater projects**
 - Construct permeable surfaces, collection basins, rain gardens, bioswales and other green infrastructure.
 - Restore and / or protect wetlands.
 - Improve urban forest site(s) to create new or more functional planting locations for trees and other vegetation, such as bioswales, which contribute to:
 - Greening to protect and conserve community lands and water;
 - Watershed protection that supports sensitive wildlife habitat and enhances water access.; and / or
 - Replacement of concrete or pavement and restoring spaces to more natural conditions to restore water to the community, reduce flooding, and improve public greenspace.
- **Public parks and open spaces**
 - Create new parks or enhance / expand existing parks to provide climate resilience benefits like heat island reduction and flood mitigation or other demonstrable environmental benefits.
 - Green existing schoolyards to protect vulnerable populations by adding nature-based solutions.

Strategy 2: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience

Examples:

- Construct new, expanded, or enhanced bikeways, walkways, or non-motorized urban trails that reduce vehicle miles traveled and related air pollution by providing safe routes for zero-emission travel between residences, workplaces, commercial and community centers, and schools.
- Implement “[Complete Streets](#)” projects to improve walkability, bike-ability, and transit use, including improved access for people with disabilities. projects to improve walkability, bike-ability, and transit use, including improved access for people with disabilities that reduce vehicle miles traveled and related air pollution.

- Implement climate resilience measures on bikeways or trailways such as raising the elevation or installing permeable pavers to reduce flooding or increasing shade coverage to mitigate extreme heat.
- Conduct the measurement, analysis, design, planning and engineering work necessary to submit a competitive application for state and / or federal funding that will fund large-scale improvements (larger than this competition is able to fund) to significantly reduce a community’s Greenhouse Gas (GHG) emissions and / or improve climate resilience.
- Purchase, lease, or contract for the use of zero-emission vehicles for community car sharing, vanpooling, ride-sharing, and related mobility options.
- Purchase, construct, and / or install infrastructure, equipment, or facilities to create and / or support low or zero-emission transportation options.

Guidelines:

- Transportation projects that involve public transit or improvements to public property should include a governmental agency as a Collaborating Entity that will help perform and oversee the project.

Strategy 3: Energy-Efficient, Healthy, Resilient Housing and Buildings

Examples:

- Install energy efficiency measures such as insulation, double or triple glazed windows, “cool roofs” that reflect sunlight, and energy management systems in public buildings.
- Install ventilation systems to help improve indoor air quality during pollution-related events such as wildfires.
- Install or retrofit homes or multi-family housing with higher-efficiency electric heating, cooling, and cooking systems (e.g., heat pumps, heat pump water heaters, electric and induction stoves, electric clothes dryers).
- Reduce heat island effects by installing cool roofs on homes, multi-family housing, or public buildings.
- Implement other similar projects qualified under [HUD’s Green and Resilient Retrofit Program \(GRRP\)](#). Note that applicants who have received or will receive HUD funding under this program must have internal controls in place to ensure that the same costs are not charged to more than one Federal grant.²⁶

Guidelines:

- In their Project Narrative, applicants should describe how low-income residents will directly benefit from the project through lower costs and how residents will be trained on how to operate and maintain new technology and equipment, where applicable.
- For projects that will fund home or multi-family housing improvements, applicants should include details of their target tenants or homeowners, such as with those incomes at or below the greater of:
 - For Metropolitan Areas: (1) 80% Area Median Income (AMI) and (2) 200% of the Federal Poverty Level

²⁶ Refer to 2 CFR 200.403(f).

- For Non-Metropolitan Areas: (1) 80% AMI; (2) 80% Statewide Nonmetropolitan Area AMI; and (3) 200% of the Federal Poverty Level
- Applicants may also target community housing (e.g., land bank, housing conservancy, cooperative, or other community-based nonprofit) or public housing for this strategy.
- Applicants should refer to the description of the Community Strength Plan in the NOFO, particularly the need to minimize the risks associated with displacing current residents due to EPA-funded investments for this strategy.

Strategy 4: Microgrid Installation for Community Energy Resilience

Examples:

- Construct microgrid infrastructure.
- Install microgrids with onsite renewable energy generation and storage.
- Install ancillary energy infrastructure necessary to support microgrids.
- Install other energy infrastructure for microgrid operations.

Guidelines:

- The application should include details that demonstrate the extent to which the microgrid will serve the target community, such as: that the microgrid will be used to ensure that reliable power is provided for any community-serving buildings or critical facilities during extreme weather emergencies or any weather-related outages; that the community lacks an external grid, and the microgrid will be used to meet local energy consumption needs during normal or “blue sky” conditions; or where an external grid is available, that the microgrid will be capable of interconnecting with that grid to meet peak energy consumption demands and increase grid reliability.

Strategy 5: Community Resilience Hubs

Examples:

- Assess the most acute climate risks facing a community (e.g., extreme heat, flooding, wildfire), identify where the community has gaps in its resilience strategy, then design a plan to mitigate specific risks by creating or upgrading community facilities to serve as resilience hubs that remain operable during an emergency.
- Purchase and install backup power equipment such as generators or onsite solar and storage at one or more resilience hubs.
- Implement structural and non-structural retrofits to enhance the resilience of the hub (e.g., raise the building elevation to reduce flood risk, improve cooling systems and / or insulation to reduce extreme heat risk).
- Implement wildfire mitigation measures such as retrofitting the hub to reduce flammability, creating a defensible space between the hub and its surrounding environment, and installing air filtration equipment to reduce the risks of smoke inhalation.
- Purchase and install communications devices that can operate even with loss of local power and telecommunications systems.

Guidelines:

- The resilience hubs should be operable during an emergency. Applicants are encouraged to develop plans that will help ensure the facility is operable, including an emergency communications plan,

plan for backup power during emergencies, and agreements and processes for activating the facility in the event of an emergency.

- The community resilience hub should be a community-convening space that provides climate resilience and related resources and services to community residents.
- Applicants should demonstrate how they will work with relevant emergency response organizations to maximize the efficacy and use of the resilience hub.

Strategy 6: Brownfields Redevelopment

Examples:

- Build and / or upgrade existing structures and sites to improve community use while reducing GHG emissions and / or improving climate resilience.
- Implement greening efforts (tree-planting, park construction or renovations, community garden developments, etc.) that mitigate GHG emissions and / or improve climate resilience.
- Install low or zero emission energy infrastructure such as solar and storage.
- Conduct deconstruction and green demolition activities to support adaptive reuse or new construction. Applicants can refer to EPA’s Climate Smart Brownfields Manual for information about green demolition activities.
- Acquire land to enable a brownfield redevelopment that has emissions mitigation and / or climate resilience benefits.

Guidelines:

- Redevelopment sites eligible for funding must be consistent with the federal definition of a Brownfield site in 42 U.S.C. 9601(39) as follows: a brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
- Projects for adaptive reuse should explore and can leverage national and state historic preservation tax credits to maximize funding streams.²⁷
- In order for a Brownfields Redevelopment project to be eligible, the applicant must demonstrate at time of application submission that all cleanup activities have been completed at the site and / or that cleanup activities are not necessary at the site for the intended use or reuse. This can be demonstrated by, for example, one of the following:
 - A completed Phase I Environmental Site Assessment with no recognized environmental conditions (RECs) at actionable levels;
 - A completed Phase II Environmental Site Assessment with sampling result levels below actionable levels;
 - Lead or asbestos building survey or equivalent environmental or building investigation to determine no likely sources of contamination or hazardous materials will be encountered on site that pose risks to the adjacent community or occupational health and safety risks to workers; or
 - No Further Action letter from the state or Tribal Brownfields response program.

²⁷ See guidelines for [Tax Incentives for Preserving Historic Properties](#).

Strategy 7: Waste Reduction and Management to Support a Circular Economy²⁸

Examples:

- Implement a community-scale composting program to reduce emissions from food waste that includes an educational campaign to inform Project Area residents about climate benefits of reducing food waste.
- Implement a community-scale recycling program.
- Reduce emissions from food waste by implementing programs that distribute unused food to project area residents.

Guidelines:

- Where relevant, applicants should demonstrate that all inedible food scraps derived from projects are composted, and that other materials are diverted from landfills and support a circular economy.
- Where relevant, project activities should demonstrate how they are using EPA best practices related to the circular economy or other sources of guidance.²⁹ Resources include the [Planning for Natural Disaster Debris](#) guidance and [Sustainable and Resilient Communities Through Solid Waste Investments and Best Practices After Disasters](#).
- Applicants should consider EPA's ranking of [wasted food management pathways](#) and [EPA Waste Management hierarchy](#) for sustainable materials management.

Strategy 8: Workforce Development Programs for Occupations that Reduce GHG Emissions and Air Pollutants

This strategy allows applicants to propose workforce development programs that will help reduce GHG emissions and other air pollutants to benefit disadvantaged communities.

This strategy allows applicants to propose workforce development programs for employment in fields that will help reduce GHG emissions and other air pollutants to benefit disadvantaged communities. A wide range of occupations support the reduction of GHG emissions and air pollutants. Because EPA cannot provide an exhaustive list of such occupations, applicants should describe how their workforce development program will support the reduction of GHG emissions or other air pollutants.

Examples of career pathways that may be part of a workforce development program include but are not limited to: electricians, steamfitters, pipefitters, laborers, and other skilled trades occupations that support building electrification, renewable energy projects, and other similar activities; occupations related to the manufacturing of low- and zero-emission technologies; careers in low- and zero-emissions transportation such as vehicle mechanics supporting electric vehicle technologies; community health and outreach workers that assist households in reducing their emissions and addressing sources of pollution; and other careers related to emissions reduction, such as methane mitigation or agricultural carbon mitigation. Applicants should describe how their workforce development program will support the reduction of GHG emissions or other air pollutants.

Guidelines:

²⁸ A circular economy is generally described as a model of production and consumption, which involves sharing, leasing, reusing, repairing, refurbishing, and recycling materials and products as long as possible and based on three main principles: eliminate waste and pollution, circulate products and materials, and regenerate nature.

²⁹ Refer to EPA's guidance on the [Circular Economy | US EPA](#)

As noted in Section I.G of the NOFO, strong workforce development programs should include the following three features at a minimum:

1. Multi-sectoral partnerships that bring together workforce expertise and enable pathways into high-quality careers.

The foundation of a strong workforce development initiative is a set of partners that represent diverse expertise, community and worker voice, and employer needs. For these programs, applicants may collaborate with organizations with workforce development expertise, such as labor unions, tradeswomen organizations, local workforce development boards (locate yours using this U.S. Department of Labor [search tool](#)), career and technical schools, community colleges, workforce development nonprofits, and other similar organizations.

Examples of the types of expertise and experience that are important for a successful workforce development program include, but are not limited to:

- Technical skills and experience to lead classroom and on-the-job training, including equipping students and individuals with the skills needed to succeed and be safe on the job, including knowledge of new and emerging greenhouse gas and other air emissions-reduction technologies;
- Knowledge of the local, State, and regional labor market and relevant relationships to have a deep understanding of employer hiring, staffing, and skilling needs, emerging trends especially related to the clean energy transition, and considerations for local job quality and worker voice;
- Strong awareness of the barriers individuals in the community face to training and employment, including an understanding of unique barriers specific populations face, and clear strategies for how to address those barriers; and
- Established relationships of trust within the community, including knowledge of relevant history and community dynamics, in addition to meaningful, long-lasting relationships in the community that will support trainee recruitment and participation.

2. High-quality training models that are worker-centered, demand-driven, and lead to good jobs.

Workforce development projects should be focused on training individuals for high-quality, long-term career pathways in family-sustaining jobs, rather than short-term or temporary, low-wage jobs. Applications should demonstrate that the workforce development project fulfills an industry demand in the Project Area and surrounding region, is informed and supported by employers, and has a clear pathway to long-term employment with family-sustaining wages. This will be key to delivering programs that enable true economic mobility for individuals in disadvantaged communities and bolster the capacity of communities to respond to environmental justice concerns in a sustained fashion.

Examples of high-quality, evidence-backed training models are: Apprenticeship readiness programs (or “pre-apprenticeships”) with a connection to one or more Registered Apprenticeship Programs; Registered Apprenticeship Programs (registered via the U.S. Department of Labor (DOL) Office of Apprenticeship or State Apprenticeship Agency); Joint Labor-Management Training Programs; paid internships; partnerships with community colleges or vocational schools that award an industry-recognized credential; and similar models that combine on-the-job learning, classroom learning, and mentorship. DOL has a resource on “high-road training programs” that applicants are invited to review [here](#).

Workforce development programs can serve adult or youth populations. Applicants may consider high-quality youth-serving training models, including: pre-apprenticeship programs that prepare young people to enter Registered Apprenticeship Programs; career and technical education programs (as described by the

[U.S. Department of Education](#)); and other similar models. Please note that applicants may propose programs to be included in the [American Climate Corps](#) (ACC), which is a federal government initiative focused on training young people for high-demand skills for jobs in the clean energy economy. To qualify as an ACC program, the program must provide youth with at least 300 hours of paid skills-based training and / or service. Applicants submitting a workforce development project to be considered for the ACC should note that in their application.

3. Strategies for recruiting and retaining individuals from disadvantaged communities, especially for populations that face disproportionate barriers to employment.

It is a statutory requirement (section 138(b)(1) of the Clean Air Act) for this program to benefit disadvantaged communities. These benefits may include providing opportunities to individuals with barriers to training and / or employment, so they can find long-term employment and economic opportunity in fields associated with air pollutants and GHG reduction. Projects should be designed with comprehensive research and evidence-based strategies for addressing barriers to recruitment, training, employment, and retention. Examples include supportive services to meet the needs of the disadvantaged community, such as childcare and transportation assistance; life skills and basic skills training, such as financial literacy and job readiness, to prepare for a career related to GHG and air pollutant reduction; career services, such as developing individualized employment plans; peer-to-peer mentorship programs to connect experienced workers with new workers to help them learn the job and find a sense of belonging in the workplace; reasonable accommodations consistent with federal equal employment opportunity laws; coaching to support work-based learning; and case workers to support workers with barriers to employment.

Applicants proposing a workforce development project are encouraged to describe the following elements and any additional details identified by the applicant:

- Design of the program, including if the applicant is proposing a high-quality, evidence-backed training model as described above, and a description of the credential(s) the participants will earn.
- Duration of the program and program components, such as time spent in classroom and on-the-job training. Applicants are encouraged to also describe ongoing support participants will receive once they exit the training program and connect to full-time employment to support retention.
- How applicants will engage employers and how the program will connect to high-quality jobs. Applicants can review the federal Good Jobs Principles [here](#).
- Estimated number of participants that will be trained in the program.
- Plan for how the program will recruit participants and how the program will build visibility and trust among residents of the Project Area.
- Curriculum the program will use and how it is informed by industry standards and employer demand.
- Wages or stipends for the duration of the program. Applicants are strongly encouraged to provide reasonable compensation for time spent in training to increase participation and retention.
- Strategies the program will use to meet the needs of populations that experience barriers to training and employment.
- Applicant's approach to administering supportive services to mitigate barriers to training and employment.
- Indicators the program will use to evaluate success as well as the methodology the program will use to track the progress of participants during and after the program. Applicants may review the Six Primary Indicators of Performance used by the public workforce system, as described by the Department of Labor [here](#).

Appendix D. Pollution Reduction Strategies and Associated Project Activities

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Eligible project activities associated with each Pollution Reduction Strategy could include but are not limited to the following examples. Applicants may propose different activities as long as the activities are consistent with the applicable Pollution Reduction Strategy described in Section I.G of the NOFO and are eligible for funding under section 138(b)(2) of the Clean Air Act.

Strategy 1: Indoor Air Quality and Community Health Improvements

Examples:

- Remediate or mitigate harmful substances in buildings, including lead, mercury, pesticides, radon, mold, PCBs (caulk, flooring, etc.), lead-based paint, asbestos, and other toxic substances.³⁰
- Install, upgrade, or replace HVAC and / or filtration systems that improve indoor quality in schools, community-serving buildings, and single-and-multifamily homes. These upgrades may be done in conjunction with climate strategies that reduce building GHG emissions.
- Equip community centers and community buildings in agricultural worker communities with decontamination stations (e.g., publicly available shower and laundry stations) to eliminate take-home pesticide exposures.
- Purchase equipment that can enable “do-it-yourself” upgrades using research-based methods, to distribute within communities impacted by smoke.
- Replace wood heaters that do not meet EPA’s New Source Performance Standards with more efficient, cleaner heaters certified by EPA, and independently verified to meet (or to have emissions below) the most stringent Step 2 emission reduction standards described in Standards of Performance for New Residential Wood Heaters, New Residential Hydronic Heaters, and Forced-Air Furnaces heaters.

Strategy 2: Outdoor Air Quality and Community Health Improvements

Examples:

- Reduce exposure from mobile and stationary sources by:
 - developing or expanding vegetative barriers.
 - creating alternate truck route programs to decrease impacts to sensitive communities.
 - providing grants, rebates, or subsidies for households, small businesses, public partners, and community organizations to replace portable diesel equipment such as leaf blowers and lawn mowers with zero-emission alternatives.
 - retrofitting spray booths in local small businesses to reduce VOC contamination from auto body painters.
 - providing grants, rebates, or subsidies for backup battery systems to replace diesel backup generators in homes, public facilities, or small businesses.
- Create clean air zones or low-emission zones such as:

³⁰ The prohibition on using Community Change Grant funding to remediate Brownfields sites does not apply to this activity.

- Encouraging “last-mile” delivery through electric delivery vehicles (e.g., trucks, vans, cargo bikes).
- Electrifying local government-owned fleets providing services to communities (e.g., sanitation trucks, public buses).
- Implementing urban designs that promote air flow and reduce the concentration of pollution along street corridors (e.g., remove or reduce costly parking mandates, reduce idling of diesel vehicles).
- Implement sustainable construction practices such as minimizing dust and emissions during building projects (e.g., electrify equipment, cover construction sites, utilize water sprays, properly manage waste).
- Replace toxic play surfaces that emit harmful pollutants (e.g., tire crumb and certain turfs at schools, community playgrounds, and fields) with non-toxic, permeable options to provide safe places for children to play.
- Develop other policies that promote reductions in air pollution from transportation such as land use and zoning policies that enable households to live in affordable, dense, and vibrant communities within urban and rural areas.

Guidelines:

- Communities seeking funding for zero-emission school buses should encourage their local school district apply to EPA’s \$5 billion [Clean School Bus program](#).

Strategy 3: Clean Water Infrastructure to Reduce Pollution Exposure and Increase Overall System Resilience

Examples:

- Perform targeted infrastructure upgrades such as:
 - Replacing private-side lead lines in a home, childcare facility, school, or other community-serving building during full lead service line replacement³¹
 - Septic to sewer conversions that connect homes to nearby community water systems.
 - Installing working water fountains at schools and parks where there are no fountains or they are inoperable, malfunctioning, or contaminated.
 - Installing water conservation and efficiency technologies that will allow utilities to better monitor and reduce energy consumption onsite.
 - Installing water reuse technologies that allow for system decreases in both energy and water use efficiencies through water capture, loss prevention, and closed loop approaches.
- Prepare and apply for state and / or federal water infrastructure funding to address larger community needs (e.g., a leak detection and pipe replacement plan, a PFAS action plan, or upgrades to water and wastewater treatment facilities that reduce pollution) by:
 - Assessing the problem through water sampling and monitoring.
 - Developing a plan, which could include the necessary design and engineering work.
 - Preparing an application for federal funding to one of several sources such as to EPA’s State Revolving Loan funds.
- Provide emergency interventions such as:

³¹ [EPA’s Drinking Water Regulations for Lead. Lead Service Lines. Strategies to Achieve Full Lead Service Line Replacement.](#)

- providing recurring point-of-use filters while communities await lead service line replacement.
- providing alternate water supplies for communities and buildings that have contaminated water (PFAS, lead, PCBs, arsenic, nitrates, etc.) in communities with contaminated water systems.
- adopting facility procedures or system upgrades that allow for service flexibilities, mobility, and continuity in the event of an emergency due to climate-related disaster events.

Guidelines:

- The projects should also include a public outreach / education campaign on safe drinking water and / or wastewater, working with the public water system where possible.^{32 33}
- Activities should be coordinated with the EPA funded [Environmental Finance Centers](#) to minimize duplication of effort.

Strategy 4: Safe Management and Disposal of Solid and Hazardous Waste

Examples:

- Purchase equipment for hazardous waste sampling to determine classification.
- Collect, process, recycle, or otherwise dispose of household hazardous waste and electronics programs and infrastructure.
- Conduct compliance oversight for the collection, processing, recycling, storage and disposition of household hazardous waste and electronics.
- Develop or expand hazardous waste collection, recycling, and safe recycling programs and infrastructure.
- Develop or expand safe disposal technologies for hazardous waste.
- Reduce demand for single-use plastic products (by installing public water bottle refill stations and water fountains or implementing community and city-scale water reuse and refill systems) and phasing out single-use products that may be unnecessary.

³² [EPA on Reducing Lead in Drinking Water](#), [EPA Communication Plan 3Ts](#), [Basic Information about Your Drinking Water](#).

³³ [Drinking Water Analytical Methods](#).

Appendix E. Job Quality & Equitable Employment Opportunities

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It is a priority of the EPA that this grant program supports high-quality, family-sustaining, community-strengthening jobs with the free and fair choice to join a union, consistent with [Executive Order 14082, Implementation of the Energy and Infrastructure Provisions of the Inflation Reduction Act of 2022](#). As such, EPA is interested in funding proposals that have a commitment to creating good jobs and utilizing a diverse, highly skilled workforce, including an emphasis on creating employment opportunities for populations living in communities that are disadvantaged.

This supports the broader goals of environmental justice by making sure federal funds are spent on Climate Action and Pollution Reduction projects that have a commitment to strong labor standards, creating stronger communities where worker, employer, and community needs are collectively met. Characteristics of a good job include strong wages and family-sustaining benefits; worker empowerment and neutrality with respect to union organizing and collective bargaining; work environments that promote worker health and safety; job security; equitable workforce development pathways and opportunities for career advancement; and supportive services, such as childcare and transportation, to support individuals that face barriers to employment; among others. When considering how to support job quality, EPA encourages applicants to review the eight [Good Jobs Principles](#) developed by the U.S. Department of Labor and Department of Commerce. The Department of Labor has produced several resources that help potential applicants understand the Good Jobs Principles and implement them through federal funding programs including: [Good Jobs in Federal Investments: A Toolkit for Employers, Workers, and Government](#); [Good Jobs Initiative Job Quality Check List](#); [Good Jobs in Federal Investments: Data and Reporting Appendix](#).

Grant funding for construction projects under this program is subject to Davis Bacon and Related Acts prevailing wage laws as provided in Section 314 of the Clean Air Act. Beyond this requirement, applicants are encouraged to articulate additional strategies they will use to deliver on the goals outlined above, including ensuring high labor standards and a diverse workforce to benefit the local community where the EPA funded work is taking place. These commitments should be concrete, specific, and measurable rather than vague statements, and may be integrated into EPA's agreement with the recipient through programmatic terms and conditions.

Appendix F. Track I and II Outputs and Outcomes

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The term “output” means an environmental activity, effort, and / or associated work product related to an environmental / public health goal and objective that will be produced or provided over a period or by a specified date. Outputs may be quantitative or qualitative but must be measurable during the assistance agreement funding period.

The term “outcome” means the result, effect, or consequence that will occur from carrying out an environmental / public health program or activity that is related to an environmental / public health programmatic goal or objective. Outcomes may be environmental, behavioral, health-related, or programmatic in nature, but must be quantitative. They may not necessarily be achievable within the assistance agreement funding period.

Examples of expected outputs and outcomes for the Track I and II awards under this NOFO include but are not limited to the following as applicable depending on the strategies and projects in the application. Applicants may identify additional outputs and outcomes as relevant to their specific strategies and projects in their application.

Track I Output and Outcome Examples

Strategy	Output Examples	Outcome Examples
Climate Action Strategies		
Strategy 1: Green Infrastructure and Nature-based Solutions	<ul style="list-style-type: none"> ▪ Coastal green infrastructure projects, including blue-green trails (#) ▪ Green / complete streets, sidewalks, bus stops (#) ▪ Green / cool roofs (#) ▪ Area of impermeable surfaces replaced with vegetation (acres) ▪ New parks and / or public green space developed (acres) ▪ New shade tree canopy (square footage, # of shade trees planted) ▪ Area under implementation of low tillage / composting practices (acres) ▪ New community gardens and greenhouses (#) 	<ul style="list-style-type: none"> ▪ Increased green space as measured by square footage of added greenspace ▪ Increased resilience to extreme weather and climate conditions as measured by reduction in flash flooding events, improved groundwater recharge, and cooler ambient temperatures during heat waves ▪ Increased community resilience as measured by reduced damage and recovery costs for infrastructure, property, and cultural resources
Strategy 2: Mobility and Transportation Options for Preventing Air Pollution and Improving Public Health and Climate Resilience	<ul style="list-style-type: none"> ▪ New EVs, bikes / electric bikes, and other low-and-zero emissions vehicles that are available via carsharing / bike sharing programs (#) 	<ul style="list-style-type: none"> ▪ Reduced air pollution from transportation (e.g., GHG reductions, reduced number of days with unsafe air quality for vulnerable populations) ▪ Increased use of public transportation services and

	<ul style="list-style-type: none"> ▪ Streets improved to encourage walkability, bike-ability, and transit use (#, miles) ▪ EVs that can be used as backup power in lieu of diesel generators (#) 	<p>programs that promote electric vehicles, car sharing, and bike sharing</p>
Strategy 3: Energy-efficient, Healthy, Resilient Housing and Buildings	<ul style="list-style-type: none"> ▪ Home energy audits performed (#) ▪ Air sealings completed (#) ▪ Homes insulated (#) ▪ Natural gas appliances replaced with electric equivalents (#) ▪ Mobile homes retrofitted with solar panels and storage (#) ▪ Electrification, weatherization, and HVAC upgrades / replacements of low-income houses, apartments, small businesses, and other community buildings (#) ▪ Energy efficient home-heating appliances installed (#) ▪ Homes or units converted to electric heating (#) 	<ul style="list-style-type: none"> ▪ Lower consumption of home heating fuels (propane, heating oil, natural gas, and wood) and reduction in associated climate pollutants (e.g., black carbon, methane, CO₂), as well as ambient and indoor emissions of Hazardous Air Pollutants and PM_{2.5}. ▪ Decreased incidence of asthma
Strategy 4: Microgrid Installation for Community Energy Resilience	<ul style="list-style-type: none"> ▪ Renewable energy capacity installed (MW) ▪ Battery storage installations (MWh) ▪ GHG emissions reductions (ton CO₂) 	<ul style="list-style-type: none"> ▪ Enhanced resilience during extreme weather events as measured by fewer power disruptions ▪ Increased number of homes connected to a resilient power source
Strategy 5: Community Resilience Hubs	<ul style="list-style-type: none"> ▪ Space built or converted into a community resilient hub (square ft) ▪ Disaster preparedness trainings delivered (#) ▪ Stormwater management flood preparedness training delivered (#) 	<ul style="list-style-type: none"> ▪ Enhanced physical safety during natural disasters as measured by the number of hospitalizations and lives lost among vulnerable populations ▪ Increased community awareness of emergency preparedness
Strategy 6: Brownfield Redevelopment	<ul style="list-style-type: none"> ▪ Impervious surface reduced (square footage) ▪ Community meetings to involve impacted residents (#) ▪ Green demolition activities to support adaptive reuse or new construction (#) ▪ Shade trees planted (#) and new vegetation (square footage) 	<ul style="list-style-type: none"> ▪ Square footage of space redeveloped for resilience purposes, such as heat-reducing shade ▪ New economic opportunities created through the redevelopment of previously polluted land (e.g., number of business or low-income housing units)

<p>Strategy 7: Waste Reduction and Management to Support a Circular Economy</p>	<ul style="list-style-type: none"> ▪ Waste diverted from landfills (pounds / tons) ▪ Waste recycled (pounds / tons) ▪ Food waste composted (pounds / tons) 	<ul style="list-style-type: none"> ▪ Cleaner communities with less trash / waste on land and in waterbodies as measured by litter surveys ▪ Reduced food waste and associated emissions as measured by weight of compost diverted from landfills
<p>Strategy 8: Workforce Development Programs for Occupations that Reduce Greenhouse Gas Emissions and Air Pollutants</p>	<ul style="list-style-type: none"> ▪ Individuals in disadvantaged communities that participate in workforce training in sectors related to GHG emissions and air pollution reduction who are currently unemployed, under-employed, or face employment barriers (#) ▪ People in disadvantaged communities hired and retained into high-quality jobs to reduce air pollution and GHG emissions based on participation in a workforce training program (#) ▪ Individuals who receive wages / stipends and supportive services delivered to enable community members' participation in workforce training programs (# individuals receiving such wages / stipends) 	<ul style="list-style-type: none"> ▪ Increased literacy among community members about environmental sectors and skills required to pursue these jobs ▪ Increased number of high-quality workforce training programs, such as pre-apprenticeship and Registered Apprenticeship, in disadvantaged communities ▪ Increased wages, benefits, job quality, and job security for participants in workforce training programs
<p>Alaskan-specific Climate Action Strategies</p>	<ul style="list-style-type: none"> ▪ Renewable generation capacity installed (MW) ▪ Fuel storage facilities repaired (#) ▪ Greenhouses constructed (#) ▪ Portable micro-water treatment systems installed (#) 	<ul style="list-style-type: none"> ▪ Improved water and soil quality so water / land can be used for Alaskan Native traditional uses ▪ Increased access to energy sources with low air pollution and carbon emissions ▪ Protection of cultural resources including environmental habitats
<p>Pollution Reduction Strategies</p>		
<p>Strategy 1: Indoor Air Quality and Community Health Improvements</p>	<ul style="list-style-type: none"> ▪ [Type of] trainings implemented (#) ▪ Classrooms with air cleaners (#) ▪ Houses / schools with upgraded / improved HVAC systems (#) ▪ Homes in which moisture issues have been addressed (#) ▪ Wood appliance upgraded or replaced (#) 	<ul style="list-style-type: none"> ▪ Increased public and environmental health literacy ▪ Decreased incidence of asthma symptoms as measured by doctor visits or school nurse visits for asthma symptoms ▪ Reduced exposure to radon and risk of developing radon-induced lung cancer
<p>Strategy 2: Outdoor Air Quality and Community Health Improvements</p>	<ul style="list-style-type: none"> ▪ Clean air zones or low-emission zones created (#) 	<ul style="list-style-type: none"> ▪ Increased public and environmental health literacy

	<ul style="list-style-type: none"> ▪ Abandoned oil / gas wells plugged (#) ▪ Toxic play surfaces replaced (#) ▪ Community monitoring and alert systems installed to alert households to increasing pollution levels (#) ▪ Wildfire smoke preparedness trainings delivered (#) 	<ul style="list-style-type: none"> ▪ Reduced exposure to PM, carbon dioxide, VOCs, ozone, nitrogen dioxides, and toxics. ▪ Increased skill development and improvements in community capacity to independently assess air pollution reduction options
Strategy 3: Clean Water Infrastructure to Reduce Pollution Exposure and Increase Overall System Resilience	<ul style="list-style-type: none"> ▪ Clean water fountains installed in schools / parks (#) ▪ Full lead service lines replaced for low-income homes (miles) ▪ Private wells tested for PFAS (#) ▪ Stormwater management / flood preparedness trainings delivered (#) ▪ Water efficiency systems installed (e.g., drought mitigation systems, rain capture installations) (#) 	<ul style="list-style-type: none"> ▪ Decreased levels of water contamination and pollution as measured by boil water advisories, lead poisoning, or water quality monitoring results ▪ Increased availability of clean, safe drinking water
Strategy 4: Safe Management and Disposal of Solid and Hazardous Waste	<ul style="list-style-type: none"> ▪ Lead paint remediations completed (#) ▪ Tires diverted from landfills / the environment to disposal facilities (#, weight) ▪ Neighborhoods / cities / residents served through residential waste composting / chipping program (#) ▪ Waste transfer, material reuse, and / or recycling stations installed in underserved communities (#) 	<ul style="list-style-type: none"> ▪ Decreased exposure to toxics and hazardous chemicals ▪ Reduced odors and pathogens ▪ Increased residential waste composting
Strategy 5: Eliminate Harmful Chemicals through Product Replacements	<ul style="list-style-type: none"> ▪ Conventional products replaced with Safer Choice-certified or other EPA recommended products (#, volume, customers impacted) ▪ Units of PFAS food contact materials replaced (#) 	<ul style="list-style-type: none"> ▪ Reduced exposure to hazardous chemicals for those who live and work in and near places with chemical use and application
ANCSA-Specific Pollution Reduction Strategies	<ul style="list-style-type: none"> ▪ Homes served with micro-water treatment systems (#) ▪ Planning documents and Environmental Information Document created (#) ▪ Site assessments and initial cleanups completed (#) 	<ul style="list-style-type: none"> ▪ Improved water and soil quality so water / land can be used for Alaskan Native traditional uses ▪ Protection and preservation of cultural resources including environmental habitats

	<ul style="list-style-type: none"> ▪ Reduced exposure to harmful chemicals and pollutants on Alaskan Native lands through remediation of contaminated lands and buildings (acres of land, # buildings) 	
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Track II Output and Outcome Examples

Outputs

- New policies developed and implemented in response to community recommendations (e.g., through a new advisory council, participatory budgeting) (#)
- Community benefits agreements or memoranda of understanding signed (#)
- Number of community residents who complete a training that builds their capacity to participate in government processes (#)
- Amount of new funding allocated to benefit disadvantaged communities (dollars)
- Number of residents who participate in a community-based participatory research initiative that informs a government process and / or priority (#)
- Research products published with data reflecting community opinions and preferences (#)
- Number of educational forums and / or meetings held between governmental officials and community members (#)

Outcomes

- Increased involvement of individuals from disadvantaged communities in local, state, federal and other governmental environmental public processes
- Expanded knowledge of local, state, federal and other governmental environmental public processes among disadvantaged communities
- Stronger relationships and trust between disadvantaged communities and government entities on matters relating to environmental protection
- More transparent processes for governmental decision-making on environmental protection policies and greater governmental focus on inclusivity
- Increased accountability and community input into governmental decision-making on environmental protection policies
- More informed decisions made, and environmental actions taken, by government bodies to benefit disadvantaged communities
- Enhanced capacity in disadvantaged communities to be involved in local, state, federal, and other governmental environmental public processes
- Increased funding to enable disadvantaged communities to address environmental and climate justice issues
- New environmental or climate policies developed to be responsive to community needs

Appendix G. Budget Template

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(This template is optional, and applicants may use a different format for the template).

Category	Description	Total
Personnel		
Fringe Benefits		
Travel		
Equipment		
Supplies		
Contractual		
Construction		
Other (separate by participant support costs, subawards, and other costs)		
Total Direct Costs (sum of the above categories)		
Indirect Costs		
Total Project Costs (sum of direct and indirect costs)		

Guidance for Budget Template

The budget template is an attachment to the application and does not count toward the Project Narrative's page limit as described in Section IV of the NOFO. Applicants should include applicable rows of costs for each budget category in their budget template to accurately reflect the proposed application budget for each year of the grant. EPA provides detailed guidance on budget development in the [Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance](#), but applicants may use other forms instead of this template as long as total costs per category (and specific descriptions of costs) are included.

Applicants must itemize costs related to personnel, fringe benefits, travel, equipment, supplies, contractual costs (including acquisitions of intangible property), construction, and other costs (including subawards and participant support costs) as direct costs. Direct costs plus the indirect costs equal the total project costs. Descriptions of these cost categories are below. Applicants should be aware that if their projects include using federal funds to purchase goods, products, and materials on any form of construction, alteration, maintenance, or repair of infrastructure in the United States, they must comply with the Build America, Buy America Term and Condition if they are selected for an award.

To facilitate consideration of an application for partial funding, EPA recommends that applicants separate costs for financial assistance in the program budget by project category, to the extent practicable.

- **Personnel - List all staff positions by title. Give annual salary, percentage of time assigned to the project, and total cost for the budget period.** This category includes only direct costs for the salaries of those individuals who will perform work directly for the program (paid employees of the applicant organization as reflected in payroll tax records). Personnel costs do not include: (1) costs for services of contractors (including individual consultants), which are included in the "Contractual" category; (2) costs for employees of subrecipients under subawards or non-employee program participants (e.g., interns or volunteers), which are included in the "Other" category; or (3) effort that is not directly in support of the proposed program, which may be covered by the organization's negotiated indirect cost rate. The budget table must identify the personnel category type by Full Time Equivalent (FTE), including percentage of FTE for part-time employees, number of personnel proposed for each category, and the estimated funding amounts.
- **Fringe Benefits - Identify the percentage used, the basis for its computation, and the types of benefits included.** Fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits may include, but are not limited to, the cost of leave, employee insurance, pensions, and unemployment benefit plans. If the applicant's fringe rate does not include the cost of leave, and the applicant intends to charge leave to the agreement, it must provide supplemental information describing its proposed method(s) for determining and equitably distributing these costs.
- **Travel - Specify the mileage, per diem, estimated number of trips in-state and out-of-state, number of travelers, and other costs for each type of travel.** Travel may be integral to the purpose of the proposed program (e.g., site visits); related to proposed program activities (e.g., attendance at community engagement meetings); or for a technical training or workshop that supports effective implementation of the program activities (e.g., consumer awareness activities). Only include travel costs for employees in the travel category. Travel costs do not include: (1) costs for travel of contractors (including consultants), which are included in the "Contractual" category; or (2) travel costs for employees of subrecipients under subawards and non-employee program participants (e.g., trainees), which are included in the "Other" category. Further, travel does not

include bus rentals for group trips, which would be covered under the “Contractual” category. Finally, if the applicant intends to use any funds for travel outside the United States, it must be specifically identified. All proposed foreign travel must be approved by EPA’s Office of International and Tribal Affairs prior to being taken.

- **Equipment - Identify each item to be purchased that has an estimated acquisition cost of \$5,000 or more per unit and a useful life of more than one year.** Equipment also includes accessories necessary to make the equipment operational. Equipment does not include: (1) equipment planned to be leased / rented, including lease / purchase agreement; or (2) equipment service or maintenance contracts that are not included in the purchase price for the equipment. These types of proposed costs must be included in the “Other” category. Items with a unit cost of less than \$5,000 must be categorized as supplies, pursuant to 2 CFR § 200.1. The budget table must include an itemized listing of all equipment proposed under the program. If installation costs are included in the equipment costs, labor expenses shall be itemized with the detailed number of hours charged and the hourly wage. If the applicant has written procurement procedures that define a threshold for equipment costs that is lower than \$5,000, then that threshold takes precedence.
- **Supplies - “Supplies” means all tangible personal property other than “equipment.” The budget detail should identify categories of supplies to be procured (e.g., laboratory supplies or office supplies).** Non-tangible goods and services associated with supplies, such as printing services, photocopy services, and rental costs must be included in the “Other” category.
- **Contractual - Identify proposed contracts, specifying the purpose and estimated cost for typical contractual services and disaggregating any costs for acquisitions of intangible property.** Contractual services (including consultant services) are those services to be carried out by an individual or organization, other than the applicant, in the form of a procurement relationship. The [EPA Subaward Policy](#) and supplemental frequently asked questions have detailed guidance available for differentiating between contractors and subrecipients. Leased or rented goods (equipment or supplies) must be included in the “Other” category. EPA does not require applicants to identify specific contractors, but if an applicant does so they must demonstrate that the contractor was selected in compliance with competitive procurement requirements in 2 CFR Parts 200 and 1500. Subcontracts are not subawards and belong in the “Contractual” category.

In the budget description, the applicant should list the proposed contract activities along with a brief description of the anticipated scope of work or services to be provided, proposed duration, and proposed procurement method (competitive or non-competitive), if known. Any proposed non-competed / sole-source contracts more than the applicant’s 2 CFR § 200.320(a) micro-purchase threshold (generally \$10,000) must include a justification. Note that EPA rarely accepts proposed sole source contracts for goods and services (e.g., consulting) that are widely available in the commercial market absent a copyright, patent, or equipment warranty requirement or similar restriction that establishes that only one source can provide the necessary good or service; unique qualifications or long-standing relationships with a grantee do not provide an adequate basis for a sole source contract. Applicants must provide the aggregate amount they propose to issue as acquisitions of intangible property as a separate line item in the “Contractual” category. Refer to the [EPA Best Practice Guide for Procuring Services, Supplies, and Equipment Under EPA Assistance Agreements](#) for EPA’s policies on competitive procurements and encouraging the use of small and disadvantaged business enterprises.

- **Construction.**

Include costs for activities that fall under the definition of construction in EPA's Small and Disadvantaged Business (DBE) rule at 40 CFR 33.103 which defines construction as "... erection, alteration, or repair (including dredging, excavating, and painting) of buildings, structures, **or other improvements to real property**, and activities in response to a release or a threat of a release of a hazardous substance into the environment, or activities to prevent the introduction of a hazardous substance into a water supply." (Emphasis added). As stated on p. 32 of the **Interim General Budget Development Guidance for Applicants and Recipients of EPA Financial Assistance mentioned above:**

Construction costs may include site preparation, demolishing and building facilities, making permanent improvements to facilities or other real property, major renovations of existing facilities, remediation of contamination and related architectural or engineering services. With very few exceptions, recipients carry out construction projects by hiring contractors which typically include a general contractor and an architectural or engineering firm for design work and in some cases purchasing equipment for installation at the site.

Construction costs are to be categorized on the SF 424A budget table as follows:

1. Anticipated costs for hiring general contractors and other contractors performing activities described in the DBE Rule's definition of Construction will be categorized as "Construction".
 2. Anticipated costs for pre-construction architectural and engineering Services as defined in the DBE rule for design and specifications documents will be categorized as "Contractual".
 3. Anticipated costs for separately purchased Equipment as defined in the DBE Rule that will be installed in a facility or used to remediate contamination will be categorized as "Equipment".
 4. Anticipated costs for land acquisition or relocation assistance paid to individuals or businesses will be categorized as "Other".
- **Other - List each item in sufficient detail for EPA to determine the reasonableness and allowability of the cost.** This category should include only those types of direct costs that do not fit in any of the other budget categories including subawards, participant support costs, and additional costs (e.g., insurance, costs for acquiring real property, rental / lease of equipment or supplies, equipment service or maintenance contracts, and printing or photocopying).
 - **Subawards** - 2 CFR § 200.1 defines a subaward as "an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity." 2 CFR § 200.1 defines a Pass-through entity as "a non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program" and a Subrecipient as "an entity...that receives a subaward from a pass-through entity to carry out part of a federal award; but does not include an individual that is a beneficiary of such award." Identify each major subaward including those with the Collaborating Entities. Applicants must show the individual and aggregate amounts they propose to issue as subawards. Additional guidance is available in the EPA Subaward Policy and below.
 - **Participant Support Costs** - 2 CFR § 200.1 defines participant support costs as "direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of participants or trainees (but not employees) in connection with conferences, or training

projects.” EPA regulations at 2 CFR § 1500.1(a)(1) expands the definition of participant support costs to include “[S]ubsidies, rebates, and other payments to program beneficiaries to encourage participation in statutorily authorized environmental stewardship programs.” Additional guidance is available in the [EPA Guidance on Participant Support Costs](#).

Indirect Costs

If indirect costs are budgeted, indicate the approved rate and distribution base. Indirect costs are those incurred by the grantee for a common or joint purpose that benefit more than one cost objective or project and are not readily assignable to specific cost objectives or projects as a direct cost. Indirect costs must be based on a rate approved by the applicant’s cognizant federal agency, or the 10% de-minimus rate authorized by 2 CFR § 200.414(f). Additional indirect cost guidance is available in [Indirect Cost Guidance for Recipients of EPA Assistance Agreements](#) and in Section VI.u, “IDC Competition Clause,” of the [EPA Solicitation Clauses](#).

Notwithstanding this, indirect costs have been capped as described below based on a deviation approved per 2 CFR 200.414:

Limitation on indirect costs for grants and cooperative agreements

- a. In general: Except as otherwise provided by statute, indirect costs charged against any grant and / or cooperative agreement awarded under this NOFO shall not exceed 20 percent of the total amount of the federal award.
- b. Exception: Subsections (a) and (c) shall not apply to Indian Tribes as defined in section 302(r) of the Clean Air Act who serve in the role of direct recipient and / or subrecipient under the program or to Intertribal consortia that meet the requirements of 40 CFR 35.504(a) and (c) even if the Intertribal consortia is eligible for funding as a Community Based Nonprofit Organization.
- c. Treatment of subawards: In the case of a grant and / or cooperative agreement described in subsection (a), the limitation on indirect costs specified in such subsection shall be applied to both the initial direct assistance award amount and any subaward of the federal funds provided under the initial assistance award so that the total of all indirect costs charged to each of the federal awards (i.e., both the initial direct assistance award amount and any subawards) funded under the initial assistance award does not exceed such limitation. As provided in 2 CFR 200.332(a)(2) pass-through entities are responsible for ensuring compliance with the indirect cost limitation by their subrecipients.

Note: This limit does not extend to indirect costs on procurement contracts.

Appendix H. Alaska Tribal Lands Target Investment Area

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As noted in Section II.B, this NOFO includes a Target Investment Area for projects benefitting Alaska Tribal lands that are defined as disadvantaged communities in Appendix A. Under this Target Investment Area, EPA is accepting applications that include projects focusing on the clean-up of contaminated lands conveyed through the Alaska Native Claims Settlement Act (ANCSA).

Applications submitted by eligible applicants including Alaska Native Villages (ANVs), Alaska Native Nonprofit Organizations, and Alaska Native Nonprofit Associations for the Alaskan Target Investment Area must include, like all other Track I applications, at least one Climate Action Strategy and at least one Pollution Reduction Strategy and meet the other Track I application requirements in Section I.G of the NOFO, to be eligible for funding. Applicants are not limited to a single project activity under a strategy and may select several project activities associated with a strategy. Note that the for-profit Alaska Native Corporations are not eligible to be Lead Applicants or Statutory Partners for this NOFO. The Climate Action and Pollution Reduction Strategies addressed in applications for the Alaskan Target Investment Area can address either the Climate Action and Pollution Reduction Strategies (and project activities referenced in Appendices C and D) in Section I.G, or any specific Alaskan ones described below under paragraphs 1 and 3. EPA strongly encourages applications that include Pollution Reduction strategy projects to clean up contaminated lands conveyed through ANCSA as addressed in Section 1 below. Consistent with this priority, EPA anticipates making a minimum of 5 awards for high-ranking applications that include projects to assess and/or clean up contaminated lands conveyed under ANCSA in furtherance of the federal government's interest in addressing this historic injustice as noted in Sections II.B and V.E.

1. ANCSA-Specific Pollution Reduction Strategy and Associated Project Activities

This section describes project activities specific to the assessment and cleanup of sites covered by the Contaminated ANCSA Lands Assistance Program. The specific requirements that apply to ANCSA cleanup projects are below.

ANCSA was enacted in 1971 to settle aboriginal claims to public lands through the conveyance of 46 million acres of land to Alaska Native regional and village corporations and the transfer of one billion dollars from the state and federal governments as compensation for lands which could not be returned to Alaska Native ownership. Many of the lands promised and conveyed to corporations pursuant to the settlement in ANCSA were contaminated. The contaminants on some of these lands—which include arsenic, asbestos, lead, mercury, pesticides, polychlorinated biphenyls, and petroleum products—pose health and other concerns to Indigenous Alaskans and communities and are present in quantities above state and federal clean-up levels, negatively impacting subsistence resources and hampering cultural, social, and economic activities.

In 2023, EPA initiated a new [Contaminated ANCSA Lands Assistance Program](#) (ANCSA Program) to assist with addressing contamination on lands conveyed pursuant to ANCSA and provide funding to (1) characterize, assess, and conduct planning and community involvement activities related to these lands and (2) to carry out cleanup activities at ANCSA sites contaminated at the time of conveyance. The statutory authority for the ANCSA Program (Public Law 117-328) states that recipients of grants awarded under the ANCSA Program may use the funding to “. . . supplement other funds provided by the Environmental Protection Agency through individual media or multi-media grants or cooperative agreements.”

Eligible ANCSA project activities:

- Conducting Planning and Developing Site Plans:
 - Planning and site plan development for individual contaminated sites.
 - Where multiple sites are connected through location, infrastructure, or economic, social, and environmental conditions, planning and site plan development can take an area-wide approach for multiple sites. Applicants must demonstrate how work conducted at several sites will benefit the primary site selected for investment. Project Area requirements are outlined in I.D of the NOFO but may be waived for purposes of coordinated cleanup.

- Conducting Site Assessments and Related Activities:
 - Conducting site assessment and sampling activities
 - Developing a Health and Safety Plan, Quality Assurance Project Plan and / or Sampling Plan prior to conducting any environmental sampling and analysis (a requirement for any projects conducting sampling).
 - Submitting samples for analysis to an EPA accredited laboratory. Analytical costs from evaluating site samples.
 - Developing a report of the sample results and conclusions based on analysis (i.e., Conceptual Site Model, Assessment report, Site Inspection or Sampling Summary Report).
 - Supporting planning for future cleanup activities such as analysis of cleanup alternatives.

- Conducting Initial Cleanup Activities:
 - Developing a site cleanup approach and documenting the approach in a Site Cleanup Plan to include agreed upon cleanup endpoints, aligned with Alaska Department of Environmental Conservation (ADEC) cleanup process.
 - If necessary, procuring contract services to conduct cleanup activities such as contaminated material removal, sampling, or health and safety monitoring.
 - Conducting environmental confirmation sampling post-cleanup activities to determine if further action is required. If necessary, planning for next phase of site cleanup.
 - Developing a report documenting removal and / or cleanup activities.

- Conducting Community Engagement Activities:
 - As noted in Section I of the NOFO, all applicants are required to develop a Community Engagement Plan. Effective community engagement is vital to working effectively with Alaska Native communities. Therefore, for ANCSA-related cleanup projects, Community Engagement Plans should include community engagement activities and / or development of culturally sensitive protocols for project implementation of cleanup activities.
 - Costs of conducting community engagement activities, including training for workforce development, youth engagement, elder engagement in documentation of Traditional Knowledge, and other costs associated with meaningfully engaging the community in the project can be included in the proposal budget.

- Compiling Information to Use to Comply with NEPA
 - The projects funded under this NOFO do not require Environmental Information Documents (EID) because EPA awards under this NOFO are not subject to the National Environmental Policy Act (NEPA), under Section 7(c) of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. 793(c)(1)). However, applicants may seek funding to prepare EIDs as needed to comply with NEPA in connection with other federal grant-funded projects in Alaska. EPA awards under the ANCSA program, for example, are subject to NEPA, as are programs funded by other federal agencies.

Additional Eligibility Requirements for ANCSA-related projects and activities:

Applicants proposing ANCSA-related cleanup projects must provide the following documentation of eligibility in their application. Failure to do so may render the application ineligible for funding. Specifically, applicants must provide the following site-specific information for where the cleanup activities will be performed, demonstrating that the site:

- was conveyed pursuant to ANCSA;
- was contaminated by hazardous substances, pollutants, contaminants, or petroleum at the time of conveyance; and
- is listed on the interim EPA inventory of Contaminated ANCSA Lands (for more information on EPA’s interim inventory and program related to cleaning up contaminated lands conveyed pursuant to ANCSA, visit EPA Region 10’s [website](#)).
- If the applicant is not the owner of the contaminated site(s) to be addressed, EPA will require proof that the landowner will provide access to the site and supports taking action to address contamination.

2. General Alaskan Pollution Reduction Strategies

In addition to the ANCSA land contamination projects identified above, applicants for the Alaskan Tribal Lands Target Investment Area may include Pollution Reduction Strategies as identified in Section I.G of the NOFO.

3. Alaska-Specific Climate Action Strategies

Below are examples of additional Alaska-specific Climate Action Strategies and project activities that may be included in applications for the Alaskan Tribal Lands Target Investment Area, which are in addition to the Climate Action Strategies described in Section I.G of the NOFO.

- Community energy resilience, which may include activities such as:
 - Multi-energy systems including renewable (solar, wind, etc.) and traditional (bulk fuel) sources to increase resilience during extreme events and support a clean energy transition.
 - Power system projects, including renewable energy projects, and the construction, repair, and maintenance of fuel storage facilities in rural areas.
- Improving human health and climate resilience, which may include activities such as:
 - Construction of greenhouses that enable sustainable food growth that can promote healthy foods, food accessibility, and food availability.
 - Food storage facilities to enable sustainable access to traditional foods to support places where permafrost degradation is destroying traditional ice cellars. New food storage facilities may be constructed to support the access and availability of traditional foods. Selection of this project component must include a permafrost mitigation strategy.
 - Projects to support new and improved access points to traditional food resources, such as construction of new fishing docks or river / lake boat ramps to allow for improved fishing opportunities in places that have a high reliance on traditional foods, where climate change has degraded access and availability of food sources.
- Permafrost degradation management strategies that may include strategies such as:
 - Source water protection (impacts from landfills, thawing of permafrost, and potential impacts to traditional drinking water sources as well as established drinking water systems).

- Portable micro-water treatment systems applicable to those impacted by emergencies which impact drinking water systems, with the ability to treat water until system repairs are complete or new systems built.
 - Manage and monitor contamination impacting land, food, and water backhaul / removal of waste materials not suitable for disposition in permitted landfills in Alaska.
- Climate emergency management and response strategies that may include activities such as:
 - Purchase of emergency response cargo containers with materials ready to deploy, including four-wheeler, snowmachine, communications, temporary office location, boat, oil spill response materials, smoke management equipment, etc.
 - Development of emergency alert and warning systems for wildfires, flooding and other emergencies stemming from climate change.
- Nature-based resilience strategies that may include activities such as:
 - Restoration of natural systems to help protect coastal communities from the impacts of storms, floods, and other natural hazards.
 - Storm damage prevention and reduction, coastal erosion, and ice and glacial damage stemming from climate change.

**NOTICE OF FUNDING OPPORTUNITY
DIGITAL EQUITY COMPETITIVE GRANT PROGRAM
EXECUTIVE SUMMARY**

A. Federal Awarding Agency Name

National Telecommunications and Information Administration (NTIA), U.S. Department of Commerce

B. Funding Opportunity Title

Digital Equity Competitive Grant Program

C. Announcement Type

Initial

D. Funding Opportunity Number

NTIA-DECGP-2024

E. Assistance Listing (CFDA Number)

11.036

F. Key Dates

Complete applications from Eligible Entities, including Indian Tribes, Alaska Native entities, and Native Hawaiian organizations (“Native Entities”) must be received through the NTIA Grants Portal (<https://grants.ntia.gov>) no later than 11:59 p.m. Eastern Time (ET) on September 23, 2024.

Complete applications from the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States (“U.S. Territories”) must be received through the NTIA Grants Portal (<https://grants.ntia.gov>) no later than 11:59 p.m. Eastern Time (ET) on October 22, 2024.

Application materials are available at <https://broadbandusa.ntia.doc.gov>.

NTIA expects to begin issuing awards to applicants pursuant to this Notice of Funding Opportunity (“NOFO”) by Winter of 2024 and no later than April 20, 2025. NTIA expects to make awards on a rolling basis.

G. Application Submission Address

All applicants must submit complete application packets through the NTIA Grants Portal (<https://grants.ntia.gov>). Applications or portions thereof submitted through postal mail, courier, email, facsimile, or other means will not be accepted.

H. Funding Opportunity Description

This Notice of Funding Opportunity solicits applications for the Digital Equity Competitive Grant Program (“Competitive Grant Program” or “Program”), the third of three digital equity programs authorized by the Infrastructure Investment and Jobs Act of 2021, Division F, Title III, Public Law 117-58, 135 Stat. 429, 1209 (November 15, 2021) (“Infrastructure Act”) also known as the (“Digital Equity Act” or “DE Act”). The Digital Equity Act appropriated \$2.75 billion to be awarded by the Assistant Secretary of Commerce for Communications and Information (“Assistant Secretary”) to promote digital equity and inclusion.

The Digital Equity Act consists of three funding programs: (1) the \$60 million State Digital Equity Planning Grant Program; (2) the \$1.44 billion State Digital Equity Capacity Grant Program; and (3) the \$1.25 billion Competitive Grant Program. The Digital Equity Planning Grant Program was launched in May of 2022 and is now complete. Under the Planning Grant Program, 56 States and U.S. Territories created Digital Equity Plans that identified the barriers to digital equity faced by certain populations defined by the statute (i.e., “Covered Populations”)¹ and measurable objectives for addressing those barriers. The State Digital Equity Capacity Grant Program Notice of Funding Opportunity was released on March 29, 2024, and will provide funds to States and U.S. Territories to implement the Digital Equity Plans created through the Digital Equity Planning Grant Program, as well as provide funds for Indian Tribes, Alaska Native entities, and Native Hawaiian organizations (“Native Entities”) to address the digital equity needs of the Covered Populations within those communities. The Capacity Grant Program is ongoing and will continue to address the needs of the Covered Populations as identified in the State and U.S. Territories’ Digital Equity Plans and as identified by Native Entities.

The Competitive Grant Program will make funds available to a wide range of entities to address barriers to digital equity faced by Covered Populations as defined by 47 U.S.C. §1721(8). The Competitive Grant Program will support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption and meaningful use of broadband among the Covered Populations. Specifically, the Digital Equity Act authorizes funds to be used for the development and implementation of digital inclusion activities that benefit the Covered Populations; programs that facilitate the adoption of broadband by Covered Populations to provide educational and employment opportunities; training programs that cover basic, advanced, and applied skills; workforce development programs; access to equipment, instrumentation, networking capability, hardware and software, or digital network technology for broadband services at low or no cost; and the construction or operation of public access computing centers for Covered Populations. Awards will focus on addressing the needs of the Covered Populations not met by the Capacity Grant Program and will strive for a diverse pool of recipients. To ensure funds are directed to the most effective programs with the greatest reach, and to minimize administrative overhead, NTIA encourages proposals that demonstrate a broad

¹ 47 U.S.C. §1721(8) defines the term “Covered Populations” to mean individuals who live in covered households (i.e., a household with income of not more than 150 percent of the poverty level), aging individuals (i.e., individuals 60 years or older), incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility, veterans, individuals with disabilities, individuals with a language barrier, including individuals who are English learners and have low levels of literacy, individuals who are members of a racial or ethnic minority group, and individuals who reside in rural areas.

partnership of entities with the ability to administer significant resources and address the varied concerns of the Covered Populations.

I. Funding Instrument

Grant

J. Eligibility

The following entities are eligible to apply for grants under the Competitive Grant Program so long as that entity is not serving, and has not served, as the administering entity for a State under either the State Digital Equity Planning Grant Program or the State Digital Equity Capacity Grant Program:

- (1) A political subdivision, agency, or instrumentality of a State, including an agency of a State that is responsible for administering or supervising adult education and literacy activities, or for providing public housing, in the State.
- (2) An Indian Tribe, an Alaska Native entity, or a Native Hawaiian organization (“Native Entity”).
- (3) A foundation, corporation, institution, or association that is –
 - a. a not-for-profit entity; and
 - b. not a school.
- (4) A community anchor institution.
- (5) A local educational agency.
- (6) An entity that carries out a workforce development program.
- (7) A partnership between any of the entities described in paragraphs (1) through (6).

U.S. Territories are eligible to apply for funding under a separate set-aside established exclusively for U.S. Territories pursuant to 47 U.S.C. §1724(j)(3). To apply, U.S. Territories should complete an application as described in Section IV of this NOFO. U.S. Territories are not considered to be “Eligible Entities” for the Competitive Program, however, and their applications will be reviewed separately.

K. Anticipated Amounts

Grant awards will be made on a competitive basis under the criteria outlined in Section V of this NOFO and will depend upon the number of applicants and the size of the proposals submitted. NTIA expects to make individual Competitive Grant Program awards to Eligible Entities within a range of \$5,000,000 and \$12,000,000. This funding range is not a required minimum or maximum, but Eligible Entities requesting award amounts outside that range must explain why their application falls below or above this range and must provide a compelling justification for the variance in their project size. NTIA encourages partnerships of multiple eligible entities to consider applying for larger awards. As discussed below, awards to U.S. Territories are not subject to this estimated funding range due to the amount of funds available.

Congress has appropriated \$750,000,000, less NTIA’s cost of administering the program, for grants under the Digital Equity Competitive Grant Program through fiscal year 2024 (\$250,000,000 for each of fiscal years 2022, 2023, and 2024). As statutorily required, five (5) percent (\$37,500,000) will be reserved for Native Entities and one (1) percent (\$7,500,000) will

be reserved for U.S. Territories.² Congress has also appropriated an additional \$250,000,000, less administrative expenses, for fiscal year 2025 which is anticipated to become available in October of 2024. If these funds become available, NTIA intends to award these additional funds, including a five (5) percent set-aside for Native Entities and a one (1) percent set-aside for U.S. Territories. Any funds not awarded, including further appropriations, will be made available through future NOFO(s).³

47 U.S.C. §1724(j)(2) establishes a five (5) percent set-aside exclusively for Native Entities. Accordingly, NTIA has set aside \$37,500,000 for Native Entities and will increase this amount to \$50,000,000 if the fiscal year 2025 funds become available. However, Native Entities are also included within the definition of an Eligible Entity under the Competitive Grant Program. Accordingly, applications from Native Entities will be considered as part of the Competitive Grant Program along with other Eligible Entities. If Native Entities are not funded to at least the amount of the Native Entity set-aside during the initial award process, lower scoring Native Entity Applications will be considered until either the set aside has been exhausted, or until there are no further qualifying Native Entity applications. Any remaining funds from the Native Entity set-aside that are not distributed under this NOFO will be made available to Native Entities in future NOFO(s).

47 U.S.C. §1724(j)(3) establishes a one (1) percent set-aside for U.S. Territories. Accordingly, NTIA has set aside \$7,500,000 for U.S. Territories and will increase this amount to \$10,000,000 if the fiscal year 2025 funds become available. Individual awards to U.S. Territories will not exceed \$2,500,000. While NTIA anticipates that awards to individual U.S. Territories will be greater than \$1,000,000, this is not a mandatory minimum and will be determined based on the number of applications and amount of funding requested. See Section V.D.4 of this NOFO for additional information on award selection for U.S. Territories. Any remaining funds from the set aside for U.S. Territories that are not distributed under this NOFO will be made available to U.S. Territories in future NOFO(s).

L. Cost Sharing/Matching

As required by 47 U.S.C. §1724(e)(1), the amount of a Competitive Grant awarded to an Eligible Entity through this program may not exceed 90 percent of the total project cost (i.e., there is a 10% matching requirement). The Assistant Secretary may grant a waiver of this limitation if an applicant petitions for a waiver and demonstrates financial need. Applications that propose matching funds in excess of 10% (as described in Section V.D.2 of this NOFO) will be given additional consideration over those that meet only the minimum requirement. U.S. Territories may not be subject to the federal cost share/matching requirement depending upon the size of those awards.

² Administrative costs of implementing the program are deducted from the amount made available after the statutory set asides are applied.

³ If the additional funds for fiscal year 2025 are made available through this NOFO, there will only be one future Competitive NOFO; if the funds for fiscal year 2025 are not made available through this NOFO, there will be two additional Competitive NOFOs.

M. NOFO Summary

The following table provides a summary of key provisions within this Notice of Funding Opportunity.

U.S. Department of Commerce, NTIA Digital Equity Competitive Grant Program Notice of Funding Opportunity Funding Opportunity Number NTIA-DECGP-2024	
Program Overview	<p>This Notice of Funding Opportunity (“NOFO”) solicits applications for the Digital Equity Competitive Grant Program (“Competitive Grant Program” or “Program”), the third of three digital equity programs authorized by the Infrastructure Investment and Jobs Act of 2021. The Competitive Grant Program will make funds available to a wide range of entities to address barriers to digital equity faced by Covered Populations.</p>
Funding Instrument	Grant
Award Project Period	<p>Grant recipients must expend the grant amounts during the four (4) year period after the date on which the entity is awarded the grant. Grant recipients may continue to measure and evaluate the activities supported with the grant amounts for a period of one (1) year after the initial four (4) year Period of Performance. No extensions to the four (4) year Period of Performance or the one (1) year evaluation period will be granted.</p>
Goals & Objectives	<p>Proposed programs, projects, and activities will support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption and meaningful use of broadband among the Covered Populations.</p>
	<p>Develop and implement digital inclusion activities that benefit one or more of the Covered Populations; Facilitate the adoption of broadband by the Covered Populations in order to provide educational and employment opportunities; Implement training programs for the Covered Populations that cover basic, advanced, and applied skills; Implement</p>

<p>Eligible Projects/Topic Areas</p>	<p>workforce development programs; Make available equipment, instrumentation, networking capability and digital network technology for broadband services to Covered Populations at low or no cost; Construct, upgrade, expand, or operate new or existing public access computing centers for Covered Populations through community anchor institutions; or undertake any other project or activity the Assistant Secretary finds to be consistent with the purposes of the Program. Grantees may also use not more than 10 percent of the grant amount to measure and evaluate the activities supported with the grant amounts.</p>
<p>Eligible Applicants</p>	<p>The following entities are eligible to apply for grants under this Program if the entity is not serving, and has not served, as the administering entity for a State under 47 U.S.C. §1723(b):</p> <ul style="list-style-type: none"> (1) A political subdivision, agency, or instrumentality of a State, including an agency of a State that is responsible for administering or supervising adult education and literacy activities, or for providing public housing, in the State. (2) An Indian Tribe, an Alaska Native entity, or a Native Hawaiian organization. (3) A foundation, corporation, institution, or association that is – <ul style="list-style-type: none"> a. A not-for-profit entity; and b. Not a school. (4) A community anchor institution. (5) A local educational agency. (6) An entity that carries out a workforce development program. (7) A partnership between any of the entities described in paragraphs (1) through (6). <p>U.S. Territories may apply for the territorial set aside provided for at 47 U.S.C. §1724(j)(3) by submitting an application consistent with Section IV of this NOFO.</p>

<p>Funding Amount</p>	<p>Congress has appropriated \$750,000,000 for grants under the Digital Equity Competitive Grant Program through fiscal year 2024. Five (5) percent (\$37,500,000) is reserved for Native Entities and one (1) percent (\$7,500,000) is reserved for U.S. Territories. NTIA expects to make awards to Eligible Entities, including Native Entities, within a range of \$5,000,000 and \$12,000,000. Awards to U.S. Territories will not exceed \$2,500,000.</p> <p>Congress appropriated an additional \$250,000,000 for fiscal year 2025 which is anticipated to become available in October of 2024. If these funds become available, NTIA intends to award these funds under this NOFO, subject to the required statutory set asides and administrative expenses, if there are sufficient meritorious applications. In the event that the additional funds are made available, the Native Entity set aside will increase to \$50,000,000 and the U.S. Territory set aside will increase to \$10,000,000.</p>
<p>Cost Share/Matching Requirements</p>	<p>Under the terms of the Digital Equity Act, the amount of a Competitive Grant award may not exceed 90 percent of the total project cost (i.e., grantees must secure at least 10% matching funds). Applicants may apply for a waiver of this cost share requirement as described in Section III.B of this NOFO. Applications that propose matching funds greater than the minimum amount will receive additional consideration as part of the selection process.</p>
<p>Estimated Number and Type of Award(s)</p>	<p>NTIA anticipates that it will issue between 150 and 200 grant awards under this Notice of Funding Opportunity.</p>
<p>Key Dates</p>	<p>Applications from Eligible Entities must be received by September 23, 2024. Applications from U.S. Territories must be received by October 22, 2024.</p>
<p>How to Apply</p>	<p>Application materials are available at: https://broadbandusa.ntia.doc.gov.</p>

<p>Review and Selection Process</p>	<p>The application review process will be conducted in three stages: (1) Initial Eligibility and Administrative Review, (2) Merit Review, and (3) Programmatic Review. To accelerate issuance of awards, Programmatic Review will be conducted using prioritized groupings and award recommendations will be made on a rolling basis. Following the conclusion of the Programmatic Review for each prioritized grouping, the OICG Associate Administrator will recommend a list of ranked applications, including the identification of awards to Native Entities and U.S. Territories, to the NTIA Assistant Secretary, who is the Selecting Official for this program. Details of the selection process can be found in Section V of this NOFO.</p>
<p>Agency Contacts</p>	<p>Please direct programmatic inquiries to: Angela Thi Bennett Director of Digital Equity Office of Internet Connectivity and Growth National Telecommunications and Information Administration U.S. Department of Commerce 1401 Constitution Avenue, NW Washington, DC 20230 Phone: (202) 482-2048 Email: digitalequity@ntia.gov</p> <p>Please direct grant management inquiries to: Darren Olson Grants Officer Grants Management Division National Institute of Standards and Technology 325 Broadway Boulder, CO 80305 Phone: (720) 693-0465 Email: darren.olson@nist.gov</p> <p>Please direct media inquiries to: Charles Meisch Director of Public Affairs Office of Public Affairs National Telecommunications and Information Administration</p>

	<p>U.S. Department of Commerce 1401 Constitution Avenue NW, Room 4897 Washington, DC 20230 Phone: (202) 482-7002 Email: press@ntia.doc.gov</p>
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I. Program Description

A. Overview of the Digital Equity Competitive Grant Program

The National Telecommunications and Information Administration (“NTIA”) issues this Notice of Funding Opportunity (“NOFO”) to describe the requirements under which it will award grants under the Digital Equity Competitive Grant Program (“Competitive Grant Program” or “Program”), authorized by § 60305 of the Infrastructure Investment and Jobs Act of 2021, Division F, Title III, Public Law 117-58, 135 Stat. 429, 1222 (November 15, 2021) (“Infrastructure Act”) also known as the Digital Equity Act of 2021 (“Digital Equity Act”).⁴ The Competitive Grant Program provides funding to support efforts to achieve digital equity, promote digital inclusion activities, and spur greater adoption and use of broadband⁵ among the Covered Populations⁶ as defined in the Digital Equity Act.

Disparities in digital access and literacy exacerbate existing inequalities and limit the ability of marginalized groups to fully participate in the digital economy of the United States and access essential services.⁷ By leveraging accessible digital technology, individuals can overcome barriers to healthcare, employment opportunities, education, and social services. Regardless of a person’s age, race, income, where they live, what languages they speak, what resources they have at their disposal, their disability status, and what specific challenges they may face in their daily lives, affordable, reliable, high speed Internet access is a necessity for all people of the United States.

Recognizing the devastating impact of digital exclusion, President Biden made a commitment that every household in America will have access to affordable, reliable, high-speed Internet, and the resources necessary to realize the Internet’s full potential. Passed on a bipartisan basis in both chambers of Congress, the Digital Equity Act of 2021 provides \$2.75 billion to address digital inclusion and advance digital equity. The law charges NTIA – the President’s principal adviser on telecommunications and information policy matters, housed within the United States Department of Commerce (“DOC”) – with administering these programs.

The Digital Equity Act creates a carefully structured approach to addressing the core concerns of digital equity and digital inclusion for members of the Covered Populations. The first step was the creation of detailed State Digital Equity Plans that identified the barriers to digital equity and established measurable objectives for overcoming them. NTIA launched the State Digital Equity Planning Grant Program (“Planning Grant Program”) on May 13, 2022, awarding \$53.7 million

⁴ 47 U.S.C. §1701 *et seq.*

⁵ 47 U.S.C. §1724(a)(1).

⁶ 47 U.S.C. § 1721(8). The Covered Populations are: (1) individuals who live in Covered Households (defined as households with income from the most recently completed year of not more than 150% of the poverty level), (2) aging individuals, (3) incarcerated individuals, other than individuals who are incarcerated in a Federal correctional facility, (4) veterans, (5) individuals with disabilities; (6) individuals with a language barrier, including English learners and those with low levels of literacy, (7) individuals who are members of a racial or ethnic minority group, (8) individuals who primarily reside in a rural area.

⁷ *See, e.g.*, 47 U.S.C. §1722.

to 50 states, the District of Columbia, the Commonwealth of Puerto Rico, and four (4) U.S. Territories, to develop Digital Equity Plans which identify the barriers to digital adoption for each of the eight Covered Populations identified in the statute. That program is now complete.

The second step was the implementation of the State Digital Equity Capacity Grant Program (“Capacity Grant Program”) which makes funds available to begin implementation of the State and U.S. Territory Digital Equity Plans and empowers Native Entities to address digital equity and inclusion consistent with the purposes of the Digital Equity Act. On March 29, 2024, NTIA released the State Digital Equity Capacity Grant Program Notice of Funding Opportunity making more than \$750,000,000 available to States and Territories to fund State Digital Equity Plans and begin addressing the barriers to digital equity faced by the Covered Populations, as well as more than \$45,000,000 to Native Entities to implement similar programs for the Covered Populations within their jurisdictions. The Capacity Grant Program is ongoing and NTIA will take steps to help ensure that funding under this NOFO does not duplicate or overlap with programs initiated under the Capacity Grant Program.⁸

The Competitive Grant Program is the final component of the Digital Equity Act’s framework for addressing digital equity and inclusion. Through this Program, NTIA seeks applications for programs and activities that will address the gaps in the implementation of existing State Digital Equity Plans, proposals that will supplement or further advance State Digital Equity Plans, and/or proposals that address barriers to digital equity that the current State Digital Equity Plans failed to identify. While NTIA expects to make funding available for a variety of effective evidenced-based programs, NTIA encourages innovative approaches that transcend existing digital equity programs.

Applications should support efforts to achieve digital equity, promote digital inclusion activities, and/or spur greater adoption of broadband among the Covered Populations.⁹ Specifically, the proposed programs must support at least one of the following activities: (1) Develop and implement digital inclusion activities that benefit one or more of the Covered Populations; (2) Facilitate the adoption of broadband by the Covered Populations in order to provide educational and employment opportunities; (3) Implement training programs for the Covered Populations that cover basic, advanced, and applied skills; (4) Implement workforce development programs; (5) Make available equipment, instrumentation, networking capability, hardware and software, or digital network technology for broadband services to Covered Populations at low or no cost; (6) Construct, upgrade, expand, or operate new or existing public access computing centers for Covered Populations through community anchor institutions; (7) Any other project and/or activity the Assistant Secretary finds to be consistent with the purposes for which the Program is established.¹⁰

In assessing applications, the Assistant Secretary will consider, to the extent practicable, whether the proposed program will increase Internet access and the adoption of broadband among Covered Populations to be served by the applicant, the comparative geographic diversity of the

⁸ See, e.g., Section IV.B.(14) & (15) of this NOFO.

⁹ 47 U.S.C. §1724(a)(1). The definitions of “digital equity,” “digital inclusion,” and “Covered Populations” are set forth in Section I.B of this NOFO.

¹⁰ See 47 U.S.C. §1724(d)(2)(A).

applications, and whether the proposed program is duplicative or conflicts with other programs.¹¹ The Assistant Secretary will also assess the extent to which a project or activity is consistent with the purpose of the Digital Equity Act Competitive Grant Program, which is to achieve digital equity, promote digital inclusion activities, and spur greater adoption of broadband among covered populations.¹² NTIA believes that a project or activity is consistent with the purpose of the Digital Equity Act Competitive Grant Program when it furthers one or more of the following goals: (1) economic stability, including workforce development and employment opportunities;¹³ (2) access to quality education;¹⁴ (3) access to healthcare;¹⁵ (4) social and civic engagement;¹⁶ and (5) community access to the benefits of Internet technology.¹⁷ Finally, the Assistant Secretary encourages the development of partnerships, as authorized by the statute.¹⁸ The development of broad partnerships will maximize the reach of the Competitive Grant Program funding and minimize administrative overhead. The full details of the selection process are outlined in Section V of this NOFO.

B. Definitions

(1) Aging Individual: The term “aging individual” means an individual who is 60 years of age or older.

(2) Alaska Native Entity: The term “Alaska Native entity” will refer to a tribally controlled entity in Alaska whose purpose or mission is to represent or advance the interests of one or more native Alaskan communities. This will include, but will not be limited to, subsidiary organizations of an Indian Tribe; entities that receive federal funding due to their status as an Indian or Native organization; and the Alaska Native Regional Nonprofit Organizations created to administer social, education and health services for Alaska Native people in their region.

(3) Assistant Secretary: The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(4) Commission: The term “Commission” refers to the Federal Communications Commission.

(5) Community Anchor Institution: The term “community anchor institution” means a public school, a public or multi-family housing authority, a library, a medical or healthcare provider, a

¹¹ 47 U.S.C. §1724(d)(1).

¹² 47 U.S.C. § 1724(a)(1).

¹³ See 47 U.S.C. §1722(1)(A); 47 U.S.C. §1724(d)(2)(A)(ii) & (iii).

¹⁴ See 47 U.S.C. §1722(1)(B); 47 U.S.C. §1724(d)(2)(A)(ii).

¹⁵ See 47 U.S.C. §1722(1)(B).

¹⁶ See 47 U.S.C. §1722(1)(A); 47 U.S.C. §1722(2)(B).

¹⁷ See 47 U.S.C. §1721(10); 47 U.S.C. §1722(1)(A); §1724(d)(2)(A); 47 U.S.C. §1724(d)(2)(A)(vi).

¹⁸ See 47 U.S.C. §1724(b)(7) (authorizing partnerships between Eligible Entities).

community college or other institution of higher education, a State or Territory library agency, and any other nonprofit or governmental community support organization.

(6) Covered Household: The term “covered household” means a household, the income of which for the most recently completed year is not more than 150 percent of an amount equal to the poverty level, as determined by using criteria of poverty established by the Bureau of the Census.

(7) Covered Populations: The term “Covered Populations” means:

1. Individuals who live in covered households;
2. Aging individuals;
3. Incarcerated individuals (as defined by the State or Territory), other than individuals who are incarcerated in a Federal correctional facility;
4. Veterans;
5. Individuals with disabilities;
6. Individuals with a language barrier, including individuals who—
 - a. Are English learners; and
 - b. Have low levels of literacy;
7. Individuals who are members of a racial or ethnic minority group; and
8. Individuals who primarily reside in a rural area.

(8) Digital Equity: The term “digital equity” means the condition in which individuals and communities have the information technology capacity that is needed for full participation in the society and economy of the United States.

(9) Digital Inclusion: The term “digital inclusion” –

1. Means the activities that are necessary to ensure that all individuals in the United States have access to, and the use of, affordable information and communication technologies, such as—
 - a. Reliable fixed and wireless broadband Internet service;
 - b. Internet-enabled devices that meet the needs of the user; and
 - c. Applications and online content designed to enable and encourage self-sufficiency, participation, and collaboration; and
2. Includes—
 - a. Obtaining access to digital literacy training;
 - b. The provision of quality technical support; and
 - c. Obtaining basic awareness of measures to ensure online privacy and cybersecurity.

(10) Digital Literacy: The term “digital literacy” means the skills associated with using technology to enable users to find, evaluate, organize, create, and communicate information.

(11) Disability: The term “disability” means, with respect to an individual—

1. A physical or mental impairment that substantially limits one or more major life activities of such individual;
2. A record of such an impairment; or
3. Being regarded as having such an impairment.

(12) Eligible Entity: The term “Eligible Entity” means one of the following entities so long as that entity is not serving, and has not served, as the administering entity for a State under either the State Digital Equity Planning Grant Program or the State Digital Equity Capacity Grant Program:

- (1) A political subdivision, agency, or instrumentality of a State, including an agency of a State that is responsible for administering or supervising adult education and literacy activities, or for providing public housing, in the State.
- (2) An Indian Tribe, an Alaska Native entity, or a Native Hawaiian organization.
- (3) A foundation, corporation, institution, or association that is –
 - a. a not-for-profit entity; and
 - b. not a school.
- (4) A community anchor institution.
- (5) A local educational agency.
- (6) An entity that carries out a workforce development program.
- (7) A partnership between any of the entities described in paragraphs (1) through (6).¹⁹

(13) Indian Tribe: The term “Indian Tribe” means any Indian tribe, band, nation, or other organized group or community (i.e., Tribal Organizations), including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, 43 U.S.C. § 1601 et seq., which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(14) Native Hawaiian Organization (NHO): An organization that is registered with the U.S. Department of the Interior’s Office of Native Hawaiian Relations and Hawaiian Homes Commission Act Beneficiary Associations and Homestead Associations, as defined under 43 C.F.R. §§ 47.10 and 48.6, or is the Department of Hawaiian Home Lands.

(15) Native Entity: As used in this NOFO, the term “Native Entity” refers to Indian Tribes, Alaska Native entities, and Native Hawaiian organizations as referenced in 47 U.S.C. 1724(j)(2).

(16) Rural Area: The term “rural area” means any area other than –

1. A city or town that has a population of greater than 50,000 inhabitants;

¹⁹ 47 U.S.C. §1724(b)(8) also permits the Assistant Secretary to make other entities eligible by rule if the Assistant Secretary deems them in the public interest and they are not a school, however, the Assistant Secretary has not exercised that authority under this NOFO at this time.

2. Any urbanized area contiguous and adjacent to a city or town that has a population of greater than 50,000 inhabitants; and
3. In the case of a grant or direct loan, a city, town, or incorporated area that has a population of greater than 20,000 inhabitants.

(17) State: The term “State” means:

1. any State of the United States;
2. the District of Columbia; and
3. the Commonwealth of Puerto Rico.

(18) Tribal Organization: The term “Tribal Organization” means the recognized governing body of any Indian Tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities: provided, that in any case where a contract is let or grant made to an organization to perform services benefiting more than one Indian tribe, the approval of each such Indian tribe shall be a prerequisite to the letting or making of such contract or grant.

(19) U.S. Territory: The term “U.S. Territory,” “U.S. Territories” or “Territory” means the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States that is not a State.

(20) Veteran: The term “veteran” means a person who served in the active military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable.

II. Federal Award Information

A. Funding Availability

Congress appropriated \$750,000,000 to fund grants under the Digital Equity Competitive Grant Program through fiscal year 2024.²⁰ NTIA expects to make individual Competitive Grant Program awards within a range of \$5,000,000 and \$12,000,000. This funding range is not a required minimum or maximum, but Eligible Entities requesting award amounts outside that range must explain why their application falls below or above this range and must provide a compelling justification for that variance. Congress has also appropriated an additional \$250,000,000, for fiscal year 2025 which is anticipated to become available in October of 2024. If these funds become available, NTIA intends to award these additional funds, subject to the

²⁰ Infrastructure Act, Division J, Title II, 135 Stat. 1354, allocated \$250,000,000 for fiscal years 2022, 2023, and 2024. Because the Digital Equity Act prohibited the establishment of the Competitive Grant Program before the date on which awards were issued under the State Digital Equity Capacity Grant Program, the funding from years prior to the Capacity Grant Program awards are being combined in this NOFO. *See*, 47 U.S.C. §1724(a)(1).

required statutory set asides and administrative expenses. Any funds not awarded, including further appropriations, will be made available through future NOFO(s).

47 U.S.C. §1724(j)(2) requires the Assistant Secretary to reserve five (5) percent of the amount made available to carry out the Program in a fiscal year to award grants to, or enter into contracts or cooperative agreements with, Indian Tribes, Alaska Native entities, and Native Hawaiian organizations (“Native Entities”) to allow those tribes, entities and organizations to carry out the activities described in the Competitive Grant Program. Accordingly, NTIA will reserve \$37,500,000 for grant awards to Native Entities (\$50,000,000 if fiscal year 2025 funds are made available). Because Native Entities are included within the definition of an Eligible Entity under the Competitive Grant Program, applications from Native Entities will be considered as part of the Competitive Grant Program along with all other Eligible Entities. If Native Entities are not funded to at least the amount of the Native Entity set aside during the initial award process, lower scoring Native Entity applications will be considered until either the set aside has been exhausted, or until there are no further qualifying Native Entity applications. Any Native Entity set-aside funds not awarded will be made available to Native Entities through future NOFO(s). See Section V.D.3 of this NOFO for additional information on award selection for Native Entities.

47 U.S.C. §1724(j)(3) requires the Assistant Secretary to reserve one (1) percent of the amount made available to carry out the Program in a fiscal year to award grants to, or enter into contracts or cooperative agreements with, the United States Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and any other territory or possession of the United States that is not a State (“U.S. Territories”) to enable those entities to carry out the activities described in the Competitive Grant Program. Accordingly, NTIA will reserve \$7,500,000 for grant awards to U.S. Territories (\$10,000,000 if fiscal year 2025 funds are made available). Because U.S. Territories are not Eligible Entities, and thus cannot participate directly in the Competitive Grant Program, these funds will be made available to the Territories through a separate review process using the same application requirements. As required by statute, these funds are being made available on a competitive basis, but no award will exceed \$2,500,000. While NTIA expects award amounts to be above \$1,000,000, this is not a required minimum and will be determined based on the number of applications and amount of funding requested. If any U.S. Territory set-aside funds remain after the Competitive Grant awards are completed, the remaining funds will be reserved for U.S. Territories to be awarded through future NOFO(s). See Section V.D.4 of this NOFO for additional information on award selection for U.S. Territories.

Congress has also permitted the Assistant Secretary to set aside funding for salaries and expenses, administration, and oversight of the grants awarded under this NOFO. Accordingly, NTIA will set aside up to approximately \$75,000,000 from available funds to cover the lifecycle costs for the administration and oversight of awards made under this Notice of Funding Opportunity.

B. Period of Performance

Except for measurement and evaluation activities required under the Digital Equity Act and this NOFO, Grant recipients must expend the grant amounts within four (4) years after the date on which the entity is awarded the grant.²¹ The consolidated budget submitted with the application must reflect completion of all projects and interventions during the four (4) year period of performance. As permitted by the Digital Equity Act, grant recipients may continue to measure and evaluate the activities supported with the grant amounts for a period of one (1) year after the initial four (4) year Period of Performance.²² Measurement and evaluation costs are capped at 10 percent and should be reflected in the consolidated budget. This timeline is required by the Competitive Grant Program's statutory authority and no extensions to the four (4) year Period of Performance, or the one (1) year evaluation period, may be granted.

C. Performance Measurement and Evaluation

Competitive Grant recipients and subrecipients are required to incorporate program measurement and evaluation activities as part of their program design and implementation. These activities must include documentation of the success of specific funded projects in meeting the performance objectives of the Program. As required by 47 U.S.C. §1724(d)(2)(B), an entity to which the Assistant Secretary awards a grant shall use not more than 10% of the grant amounts to measure and evaluate the activities supported with the grant amounts.

Information collected should include, but is not limited to:

- a. The Covered Population(s) being served.
- b. The total number of individuals being served.
- c. The number of individuals that belong to each Covered Population.
- d. For each activity or intervention, explain how the activity or intervention facilitates the purposes of the Digital Equity Competitive Grant program, specifically by promoting one or more of the following²³:
 - (1) Economic stability including workforce development and employment opportunities;
 - (2) Education access;
 - (3) Health care access;
 - (4) Social and civic engagement;
 - (5) Community access to the benefits of Internet technology.

²¹ 47 U.S.C. §1724(d)(2)(D). The four-year period begins on the first day of the period of performance identified in the grant agreement.

²² 47 U.S.C. §1724(d)(2)(D).

²³ See *Supra*, n.13-17.

- e. Anecdotal/personal testimony demonstrating the positive experiences generated through the Program.
- f. An assessment of Program effectiveness, including:
 - (1) Whether the grant's intended objectives were accomplished, including whether it achieved its intended outcomes;
 - (2) Whether the program resulted in measurable changes in participants from the Covered Populations, such as in knowledge or skills, including collecting data before, during, and after the program to understand potential changes;
 - (3) Whether the activity or intervention is making/has made progress toward the goals and objectives of the grant;
 - (4) How efficiently the program achieved its goals.

At the end of the Period of Performance (*see*, Section II.B above), the grant recipient receiving funds under the Competitive Grant Program must submit an overall assessment of the effectiveness of the programs along with the results, protocols, and instruments used to collect the above data to NTIA. All program evaluation materials must be submitted in accordance with the terms and conditions of the subject grant award and no later than the final award closeout. The program evaluation materials may be posted publicly on NTIA's website. In addition, these measurement and evaluation activities must be reported on an annual and semiannual basis as outlined in Section VI.F of this NOFO. Finally, grantees should be prepared to participate in an NTIA-sponsored evaluation of the program, if NTIA conducts one.

D. Award Amount

Grant awards will be made on a competitive basis under the criteria outlined in Section V of this NOFO and will depend upon the number of applicants and the size of the proposals submitted. NTIA expects to make individual Competitive Grant Program awards to Eligible Entities within a range of \$5,000,000 and \$12,000,000. This funding range is not a required minimum or maximum, but Eligible Entities requesting award amounts outside that range must explain why their application falls below or above this range and must provide a compelling justification for that variance.

Awards to U.S. Territories will be made based upon the criteria outlined in Section V of this NOFO and will not exceed \$2,500,000. While NTIA expects award amounts to be above \$1,000,000, this is not a required minimum and will be determined based on the number of applications and amount of funding requested. If any U.S. Territory set-aside funds remain after the Competitive Grant awards are completed, the remaining funds will be reserved for U.S. Territories to be awarded through future NOFO(s).

E. Type of Funding Instrument

The funding instrument for awards made to Eligible Entities pursuant to this NOFO will be a grant. NTIA also expects to award grants to U.S. Territories and Native Entities, although NTIA

and the NIST Grants Officer reserve the right to issue cooperative agreements or contracts to such entities in accordance with 47 U.S.C. §§1724(j)(2) & (3).

III. Eligibility Information

A. Eligible Applicants

The following entities are eligible to apply for grants under this Program if the entity is not serving, and has not served, as the administering entity for a State under 47 U.S.C. §1723(b):

- (1) A political subdivision, agency, or instrumentality of a State, including an agency of a State, including an agency of a State that is responsible for administering or supervising adult education and literacy activities, or for providing public housing, in the State.
- (2) An Indian Tribe, an Alaska Native entity, or a Native Hawaiian organization.
- (3) A foundation, corporation, institution, or association that is –
 - a. A not-for-profit entity; and
 - b. Not a school.
- (4) A community anchor institution.
- (5) A local educational agency.
- (6) An entity that carries out a workforce development program.
- (7) A partnership between any of the entities described in paragraphs (1) through (6).²⁴

NTIA recognizes that partnerships are an effective means of serving the Covered Populations and they are encouraged. When applying as a partnership, one Eligible Entity must be designated as the applicant for the partnership and serve as the “Authorized Representative.” An Eligible Entity may submit only one application for Competitive Grant Program funding (regardless of whether the application is as an Authorized Representative of a partnership or as an individual applicant). However, an Eligible Entity may participate as a member of more than one partnership so long as it is not the Authorized Representative for more than one partnership. Only Eligible Entities may be members of a partnership.

The Authorized Representative of a partnership must submit a binding Letter of Commitment (“LOC”) from each member of the partnership demonstrating authority to file on behalf of the partners. The LOC must set forth the role or scope of work of the participating partner, a commitment from the partner to serve in that role, identification of any funding the partner will receive from the Authorized Representative (either as a subrecipient or otherwise, as applicable), and a commitment from the Authorized Representative to keep each partner informed of progress on the project or activity. The LOC must be executed by both the partner member and the Authorized Representative.

²⁴ 47 U.S.C. §1724(b)(8) also permits the Assistant Secretary to make other entities eligible by rule if the Assistant Secretary deems them in the public interest and they are not a school, however, the Assistant Secretary has not exercised that authority under this NOFO.

A Native Entity making an application for Competitive Grant Program funds, whether on its own behalf, as an Authorized Representative of a partnership, or as a participant in a partnership, must submit a Tribal Government Resolution or equivalent formal authorization from the governing body of the Native Entity providing express authority to apply for Competitive Grant Funds or to participate as a partner in a partnership that is submitting an application for grant funds.

To qualify for participation in the Native Entity set aside amount identified by 47 U.S.C. §1724(j)(2), the applicant must be a Native Entity and the intended beneficiaries of the proposed programs (i.e., the recipients of the proposed outputs) must be Covered Populations that are members of a Native Entity. A Native Entity partnership may have non-Native Entity partners so long as the Authorized Representative is a Native Entity, and all intended beneficiaries of the proposed programs are members of a Native Entity. The intent in allowing partnerships between Native Entities and non-Native Entity partners is to allow outside entities to provide assistance to Native Entities (for instance, to help satisfy the cost match or administer particular aspects of the program), while still ensuring that the funding required by the set-aside is provided to Native Entities and allows them to carry out the activities supported by this grant program.

Although U.S. Territories are not defined as Eligible Entities under the broader Competitive Grant Program, they may apply for funding under the territorial set aside created by 47 U.S.C. §1724(j)(3). U.S. Territories should submit applications using the same application process as Eligible Entities as outlined in Section IV of this NOFO.

B. Cost Sharing or Matching

As required by 47 U.S.C. §1724(e), the amount of a Competitive Grant awarded to an Eligible Entity through this program may not exceed 90 percent of the total project cost (i.e., there is a 10% matching requirement). The Assistant Secretary may grant a waiver of this matching requirement if an applicant petitions the Assistant Secretary for a waiver and the Assistant Secretary determines that the petition demonstrates financial need. To maximize the reach of available funding, NTIA will give additional consideration to applications that exceed the minimum matching requirement during the review process as outlined in Section V.D of this NOFO. U.S. Territories may not be subject to the federal share/matching requirement depending upon the size of those awards.²⁵

Matching funds may be in the form of either cash or in-kind contributions consistent with the requirements outlined in 2 C.F.R. 200.306. In-kind contributions, which include third-party in-kind contributions, are non-cash donations of property, goods, or services, which benefit a federally assisted project, and which may count toward satisfying the non-federal matching

²⁵ U.S. Territories are exempt from matching requirements if the cost share amount is less than \$200,000 and agencies have the discretion to waive the match requirement for U.S. Territories for amounts greater than \$200,000. *See*, Office of Management and Budget, Controller Alert 23-04 (Feb. 6, 2023), *available at* (https://www.cfo.gov/wp-content/uploads/2023/CA-23-4_Insular%20Areas%20Matching%20Funds.pdf) and Pub. L. No. 96-205 as applied to 48 U.S.C. 1469a(d).

requirement of a project's total budgeted costs when such contributions meet certain criteria.²⁶ In-kind contributions must be allowable and allocable project expenses.

The rules governing allowable in-kind contributions are detailed and encompass a wide range of properties and services. NTIA encourages applicants to thoroughly consider potential sources of in-kind contributions, which, depending on the particular property or service and the applicable federal cost principles, could include employee or volunteer services; equipment; supplies; indirect costs; computer hardware and software; and use of facilities. It is important to note that federal funds may not be used as non-federal match, except as expressly provided by federal statute.²⁷

IV. Application and Submission Information

A. Address to Request Application Package

Application forms and instructions are available on the NTIA Grants Portal at <https://grants.ntia.gov> and on its BroadbandUSA website <https://broadbandusa.ntia.gov>. Applicants must follow the instructions set forth below and are encouraged to submit their applications early.

NTIA recommends that applicants participate in application technical assistance webinars and review the program and application guidance that will be posted on NTIA's BroadbandUSA website <https://broadbandusa.ntia.gov>. Applications submitted by email, paper, or facsimile will not be accepted. With respect to electronic methods for providing information about funding opportunities or accepting applicants' submissions of information, NTIA is responsible for compliance with Section 508 of the Rehabilitation Act of 1973, as amended by the Workforce Act of 1998.

B. Content and Form of Applications

Applications for Grants under the Competitive Grant Program must be complete, must adhere to the instructions provided in this NOFO, and must be submitted in the format requested in the NTIA Grants Portal (<https://grants.ntia.gov>). NTIA will not consider applications that fail to comply with these requirements or that are untimely submitted. Any Eligible Entity or U.S. Territory applying for a Competitive Grant must submit an application that includes the information listed below, which is inclusive of the elements required by 47 U.S.C. §1724(c):

- (1) If the Applicant represents a partnership²⁸:
 - a. The Eligible Entity that will serve as the Authorized Representative (i.e., the applicant) for the partnership.

²⁶ 2 C.F.R. §200.306.

²⁷ 2 C.F.R. §200.306(b)(5).

²⁸ 47 U.S.C. §1724(b)(7).

- b. Evidence of the Authorized Representative’s experience managing similar partnerships or coalitions and the plans the partnership has in place to ensure ongoing collaboration.
 - c. A table that includes:
 - i. A list of all members of the partnership.
 - ii. Verification that each partner is an Eligible Entity.
 - iii. The category of Eligible Entity of each partner (*See* 47 U.S.C. §1724(b)).
 - iv. The scope of work/role of each partner.
 - v. Whether a partner has applied for funding under any other partnership, and if so, the Authorized Representative for each other partnership.
 - vi. How award funds will be allocated among partners.
 - vii. How the required federal share/matching requirement will be allocated among partners, as applicable.
 - d. A Letter of Commitment (“LOC”), from each member of the partnership, executed by both the Authorized Representative and the partner member, outlining:
 - i. The role/scope of work of the participating member.
 - ii. A commitment from the partner to serve in that role.
 - iii. Any funding the partner will receive from the Authorized Representative, either as a subrecipient or otherwise, as applicable.
 - iv. A commitment from the Authorized Representative to keep each partner informed of project or activity progress.
- (2) If the applicant is a Native Entity, a Tribal Government Resolution or equivalent formal authorization from the governing body of the Native Entity providing express authority to file an application for Competitive Grant Funds. This resolution is required both when the Native Entity is an applicant and when the Native Entity is a member of a partnership.
- (3) If the applicant seeks to qualify for the Native Entity set aside identified in 47 U.S.C. §1724(j)(2), a certification that all beneficiaries of the proposed activities and interventions are members of a Native Entity.
- (4) If the applicant is a U.S. Territory applying for the territorial set aside provided for at 47 U.S.C. §1724(j)(3), a letter from the governor (or equivalent official) of the U.S. Territory that authorizes the applicant to apply for the Digital Equity Competitive Grant Program on its behalf.
- (5) If the applicant, or any of its partners, is a political subdivision, agency, or instrumentality of a State, a certification that the applicant shall appropriate or otherwise unconditionally obligate from non-Federal sources the funds necessary to meet the matching requirements outlined in 47 U.S.C. §1724(e).
- (6) If the applicant seeks a waiver of the federal share (i.e., matching) requirement, a petition to the Assistant Secretary for a waiver of the federal share requirement demonstrating

financial need and setting forth the basis upon which the applicant seeks a waiver of this requirement.

(7) **A Project Narrative:** The Project Narrative must provide a description of the overall goals of the grant proposal and the portfolio of activities the grant award would support (hereinafter, the “Digital Equity Project”) and how the Digital Equity Project will promote the goals of the Digital Equity Act and this Program. The Project Narrative must include the following information:

- a. **An Executive Summary.** The executive summary should include: (1) An overview of the goals of the Digital Equity Project; (2) The specific barriers to digital equity the Digital Equity Project will address; (3) the Covered Populations to be served including the expected number of individuals to be served within each Covered Population; (4) The amount of funding to be devoted proportionally to each Covered Population; (5) A high level overview of the activities and/or interventions proposed, how they will address the barriers to equity identified, and how they will increase Internet access and the adoption of broadband among the Covered Populations; (6) A baseline assessment with supporting data showing a need for these services; (7) A description of how the Digital Equity Project aligns with, or addresses a gap in, the State Digital Equity Plan of the State or Territory within which it will be implemented; (8) The timeline on which funds will be expended; (9) The geographic scope of the project; and (10) The basis on which the applicant believes the Digital Equity Project will be effective in increasing Internet access and adoption of broadband.

Please note, NTIA may use all or a portion of the Executive Summary as part of a press release issued by NTIA, or for other public information and outreach purposes. Applicants are advised not to include information that concerns business trade secrets or other confidential commercial or financial information as part of the Executive Summary. *See* 15 C.F.R. §4.9(b) concerning the designation of business information by the applicant.

- b. **Activities and Interventions.** For each specific implementation activity and/or intervention that will be part of the Digital Equity Project, and which will use Competitive Grant Program funding, include the following elements:
 - i. A brief summary of the specific activity or set of activities the project intends to complete or implement.
 - ii. The barrier(s) or challenges to digital equity the project will address.
 - iii. The total number of individuals the project will serve and the percentage of that population that belongs to each Covered Population (e.g., “out of the 100 individuals served by the project, 80% are U.S. Veterans and 50% live in rural areas”).

- iv. Whether the proposed activity or intervention facilitates the purpose of the Digital Equity Competitive Grant Program, specifically by promoting one or more of the following:
 - a. Economic stability, including workforce development and employment opportunities;
 - b. Access to quality education;
 - c. Access to healthcare;
 - d. Social and civic engagement; and/or
 - e. Community access to the benefits of Internet technology.
- v. The applicant's evaluation strategy for measuring successful implementation, including both near-term and long-term outcomes of the activity or intervention. This should include (at a minimum):
 - a. proposed data collection and analysis procedures, including frequency and scope;
 - b. key outcomes to be measured; and
 - c. a plan for continuous improvement to use evaluation findings to inform project activities, including obtaining input from beneficiaries and stakeholders to inform project adjustments and maximize effectiveness and sustainability.
- vi. Whether the project will be implemented by the applicant directly or will be sub-granted, and if sub-granted, the name(s) of the subgrantee(s).
- vii. To the extent the State Digital Equity Plan is available for review, how the project aligns with, or addresses a gap in, the State Digital Equity Plan of the State or Territory within which it will be implemented.
- viii. The specific geographies to be served or a statement that the activities will be state or territory wide.
- ix. The percentage of covered households within the geographic area to be served.
- x. Estimates of the anticipated outputs of each activity or project (e.g., the number of hours of training to be provided, the curricula to be developed, or the number of certifications to be awarded).
- xi. If the proposed project involves construction, ground disturbance, or installation of fixed equipment, include a description of the physical project location(s) and surroundings, total extent and method of ground disturbance (if applicable), ground-level and aerial photos of the proposed project sites, and ages of any buildings which would be impacted. For buildings that are 50 years old or older, provide photos of installation sites, as well as exterior and interior photos of the building.

- c. **A project plan:** A description of all major project activities and timelines, including the timing of planning and implementation stages, key milestones and when each major project activity will start and end, and potential risks to the timeline and proposed mitigation strategies.

(8) **A Consolidated Budget Form:** All budget information in the Consolidated Budget Form must support the dollar amounts identified in the SF-424 and demonstrate that the project or activity meets the eligible use requirements in the Digital Equity Act and this NOFO. The Consolidated Budget Form is an Excel spreadsheet that includes budget details for all costs as well as a narrative explanation of those costs. The budget details must reflect the cost categories that appear on the SF-424 and include itemized calculations for each cost placed under those categories. Each cost must include a narrative that explains the necessity and basis for the cost and reflect only allowable costs that are consistent with the project(s)' scope. Allowable costs are determined in accordance with the cost principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations and the Digital Equity Act. Consolidated Budget Form entries must reflect costs in the appropriate cost categories listed in the form and include itemized calculations for each cost placed in those categories.

The budget must account for the recipient's administrative costs, capped at 10% of the grant amount, and program evaluation costs, capped at 10% of the grant amount. For this purpose, the 10% limitation on administrative costs includes the combined total of indirect and direct administrative costs charged to the award. If indirect costs are included in the proposed budget, the applicant must either provide a copy of their approved negotiated indirect cost rate agreement or include a statement that they are electing to charge the *de minimis* rate, in accordance with 2 C.F.R. 200.414.²⁹ **The applicant must clearly describe in the budget narrative how it applied or calculated its administrative costs and demonstrate that its combined direct and indirect administrative costs are both at or under the 10% statutory limit and consistent with their negotiated indirect cost rate agreement or the *de minimis* rate, as applicable.**

- (9) If an Eligible Entity seeks funding outside of the \$5,000,000 to \$12,000,000 award range, the applicant's demonstration of a compelling justification for deviating from this range (e.g., the need to serve a smaller community in a remote area that would otherwise not have access to funds or a partnership serving a larger community of multiple schools, libraries, and community organizations in a city). U.S. Territories are not subject to this requirement due to the size of those awards.

²⁹ As discussed in V.I.E.1 of this NOFO, revisions to 2 CFR 200 recently published by OMB will apply to awards issued under this NOFO. These revisions include changes to the calculation of the *de minimis* rate under 2 CFR 200.414(f), and may be reviewed at: <https://www.federalregister.gov/documents/2024/04/22/2024-07496/guidance-for-federal-financial-assistance>.

- (10) Demonstrative evidence that the applicant is capable of carrying out the project or function of the proposed grant and is capable of meeting the reporting requirements outlined in 47 U.S.C. §1724(h). This evidence must include:
- a. A description of the organizational structure of the applicant and evidence of the financial capacity/stability of the organization to implement the proposed project.
 - b. A description of the implementation team and its experience with the programmatic/technical aspects of project management, including past successes and relevant experience managing similar large programmatic initiatives and a demonstrated ability to manage large federal grant awards effectively.
 - c. A description of the applicant's experience with providing services to one or more of the Covered Populations and the extent to which the applicant has facilitated direct support, technical assistance, and capacity building across the Covered Populations.
 - d. A description of the applicant's strategy and experience in managing and fostering collaboration among subrecipients and subcontractors (e.g., conflict management plans, team agreements) (if applicable).
 - e. Resumes of Key Personnel: One-page resumes of no more than five (5) key personnel from the applicant (not subrecipients) may be included. Any information beyond one (1) page for each resume and any additional resumes submitted will not be considered.
- (11) A scenario and risk mitigation plan describing the steps taken to ensure that any proposed deployment of technology will not have adverse consequences for the Covered Populations (e.g., privacy protections, algorithmic biases), if applicable.
- (12) A data stewardship plan including a technology impact assessment demonstrating a plan to ensure that data collection, management, and utilization are conducted ethically, transparently, and with a strong emphasis on safeguarding the rights and privacy of individuals.
- (13) A description of strategies to be undertaken to ensure the project or activity will create a sustainable long-term impact on digital equity and inclusion or will lead to the permanent elimination of a barrier to digital equity.
- (14) The percentage of the award the applicant will match, the source of the matching funds, and the amount of the matching funds to be provided in cash versus in-kind donations. In the alternative, include a statement that the applicant is seeking a waiver of the cost match requirement, pursuant to Section IV.B.5 above.

- (15) A detailed disclosure of the source and amount of other Federal, State, or outside funding sources the entity receives, or has applied for, that fund the activities or projects to which the application relates, including, for example, any funding requests through the Digital Equity Capacity Grant Program; the Broadband Equity, Access, and Deployment Program; the Capital Projects Fund, or the Tribal Broadband Connectivity Program.
- (16) A certification that the applicant is not seeking funding for a project or program that is duplicative of previously awarded Federal or State funding. If NTIA identifies a project or program that is duplicative of prior funding, NTIA may decline funding for those portions of the project that are duplicative. Applicants have an affirmative obligation to disclose duplicative funding for the same project or program whether received before or after the award of a grant under this Program.
- (17) A certification that the receipt of the grant will increase Internet access and the adoption of broadband among covered populations to be served by the applicant and not result in the unjust enrichment of the applicant or subrecipient.
- (18) A certification that the intended beneficiaries of the proposed project(s) are members of one or more Covered Populations.
- (19) A certification that the applicant, if using Competitive Grant funds for an “infrastructure project” (as defined in 2 C.F.R. 184.3), will abide by the requirements of the Build America, Buy America Act (Pub. L. NO. 117-58, §§70901-52) and by the regulations promulgated thereunder at 2 C.F.R. part 184, if applicable.
- (20) A signed copy of the assurances required under 47 U.S.C. §1724(f) and set forth in Appendix B to this NOFO.
- (21) An assurance that the entity shall follow such additional procedures as the Assistant Secretary may require to ensure that grant funds are used and accounted for in an appropriate manner.
- (22) The following standard federal financial assistance forms and documentation:
 - a. Standard Form 424: Application for Federal Assistance;
 - b. CD-511 Certification Regarding Lobbying;
 - c. Standard Form LLL, Disclosure of Lobbying Activities (if applicable); and
 - d. Negotiated Indirect Cost Rate Agreement (as applicable).

C. Funding Restrictions

1. Allowable Uses of Digital Equity Competitive Grant Funds

Grant recipients may only use federal award funds to pay for allowable costs under the Digital Equity Competitive Grant Program. Allowable costs are determined in accordance with the cost

principles identified in 2 C.F.R. Part 200, including Subpart E of such regulations and the Digital Equity Act. In addition, costs must be reasonable, necessary, allocable, and allowable for the proposed Digital Equity Project, and conform to generally accepted accounting principles. Grant funds may be used to cover only eligible costs incurred by the recipient during the period of performance, allowable costs incurred by the recipient during the grant closeout process, and limited pre-application expenses as outlined below.

Applicants must comply with the requirements of 47 U.S.C. §1724(d)(2) of the Digital Equity Act and this NOFO. An Eligible Entity or U.S. Territory to which a Competitive Grant is awarded must use the grant funds to support **not less than 1** of the following activities:

- (a) To develop and implement digital inclusion activities that benefit one or more of the Covered Populations.
- (b) To facilitate the adoption of broadband by Covered Populations to provide educational and employment opportunities to those populations.
- (c) To implement training programs for Covered Populations that cover basic, advanced, and applied skills or other workforce development programs, including, for example, digital inclusion projects that address online safety, and work to prevent online harassment and abuse.
- (d) To make available equipment, instrumentation, networking capability hardware and software, or digital network technology for broadband services to Covered Populations at low or no cost.
- (e) To construct, upgrade, expand, or operate new or existing public access computing centers for Covered Populations through community anchor institutions.
- (f) To undertake any other project or activity that the Assistant Secretary finds to be consistent with the purposes for which the Program is established.

Pre-Award Costs: Reasonable, post-NOFO, pre-application expenses in an amount not to exceed \$50,000 may be recoverable under 2 C.F.R. §200.458. Pre-application expenses, which include expenses related to preparing an application, may be reimbursed if they are incurred after the publication date of this NOFO and prior to the date of issuance of the grant award from NTIA, except that lobbying costs and contingency fees are not reimbursable from grant funds. These costs should be clearly identified in the proposed project budget and must be approved by NTIA and the Grants Officer in writing to be considered allowable. Pre-application costs are incurred at the sole risk of the applicant and will not be reimbursed by NTIA if the proposed project does not receive an award pursuant to this Program. If approved, pre-award costs would be considered to be administrative costs, and would count against the administrative cost cap for the award.

2. Evaluation

A recipient that receives a grant under the Program shall use not more than 10 percent of the grant amounts to measure and evaluate the activities supported with the grant amounts. The grant recipient must submit each measurement and evaluation performed to NTIA no later than 15 months after the date on which the entity is awarded the grant amounts and annually thereafter during each year in which the entity expends funds under this program. See Section VI.F of this NOFO for additional information on reporting obligations.

3. Focus of Programs and Permitted Activities

NTIA encourages the development of new and innovative strategies to address barriers to digital equity. As with the Capacity Grant Program, these proposed activities must focus on creating the necessary conditions to empower individuals and communities with the technological capacity to fully participate in society and the economy. In examining whether a proposed strategy or intervention furthers the goals of the Digital Equity Competitive Grant Program, grant recipients must consider the following criteria and focal points:

- i. **Focus on Covered Populations:** The project will align with the goals of the Digital Equity Act and focus on the priorities of the Covered Populations being served, including subgroups within each Covered Population. Applicants should prioritize projects with the greatest potential impact, such as targeting Covered Households (i.e., low-income individuals) within other Covered Populations.
- ii. **Long-lasting and Meaningful Change:** The proposed Digital Equity Project should address systemic barriers and gaps to digital access. Projects/activities should reflect this goal and consider the sustainability of initiatives created through this funding.
- iii. **Measurable Implementation Strategies:** Proposed programs and activities should be based on objectives that are measurable, achievable, sustainable, timebound, and are designed to address identified disparities directly and logically.
- iv. **Stakeholder Engagement:** Stakeholders who are directly affected by the proposed strategies and interventions should be involved to encourage ongoing feedback regarding the effectiveness of the interventions and to seek input on potential solutions and improvements.

4. Limitations on Uses of Digital Equity Competitive Grant Funds

a. 10 Percent Cap on Evaluation

A recipient shall use no more than 10 percent of the grant amount to measure and evaluate the activities supported with the grant amounts.

b. 10 Percent Cap on Administrative Costs

A recipient shall use no more than 10 percent of the grant amount for administrative costs in carrying out any of the activities described in Section IV.C.1 of this NOFO. The 10% limitation on administrative costs includes the combined total of indirect and direct administrative costs charged to the award.

c. Prohibition on Supplanting

Pursuant to 47 U.S.C. §1724(i), a grant or subgrant awarded under the Competitive Grant Program shall supplement, not supplant, other federal or State funds that have been made available to carry out activities described at 47 U.S.C. §1724 and in this NOFO. Broadband Equity, Access, and Deployment Program funds, including funds used for non-deployment expenditures, as well as the Tribal Broadband Connectivity Program, are subject to separate financial assistance award terms and conditions and must not be supplanted by Competitive Grant Program funding.

d. Prohibition on Profit or Fees

A profit, fee, or other incremental charge above actual cost is not an allowable cost under this program.

e. Prohibition on Use of Grant Funds to Support or Oppose Collective Bargaining

Grant funds awarded pursuant to this program may not be used, whether directly or indirectly as an offset for other funds, to support or oppose collective bargaining.

f. Prohibition on General Research

Projects must be limited to serving the Covered Populations and may not include general research projects or academic studies of digital equity or the Covered Populations.

D. Certifications Regarding Debarment and Suspension

By signing and submitting an application for funding pursuant to the Competitive Grant Program, the applicant is making the certifications outlined in Appendix A to this NOFO (see Line 21 on the SF-424, Application for Federal Assistance).

E. System for Award Management (SAM)

Pursuant to 2 C.F.R. Part 25, an applicant or recipient (as the case may be) is required to: (i) be registered in SAM before submitting its complete application packet; (ii) provide a valid unique entity identifier (UEI) in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency, unless otherwise excepted from these requirements pursuant to 2 C.F.R. §25.110. NTIA will not make a federal award 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 that NTIA is ready to make a federal award pursuant to this NOFO, NTIA may determine that the applicant is not qualified to receive a federal award.

1. SAM Unique Entity Identifier

All applicants must supply a SAM Unique Entity Identifier (UEI) number. As of April 4, 2022, the U.S. government stopped using the Dun and Bradstreet (D&B) Data Universal Numbering System (D-U-N-S) nine-digit number as the unique identifier for entities

throughout the federal awarding cycle, in SAM.gov, Integrated Award Environment (IAE) systems, required forms, or in downstream government systems. Now, entities doing business with the federal government must use the Unique Entity ID created in SAM.gov. Applicants who are new to SAM.gov may register their entity or receive a UEI by signing into SAM.gov and selecting “Get Started,” then “Register Entity.” If you are a sub-awardee who just needs a UEI for subaward reporting, choose “Get Unique Entity ID.”

For more information on the retirement of the DUNS, as well as the establishment of an entity’s UEI, please visit <http://www.sam.gov>.

2. SAM Registration

All applicants must register with SAM before submitting an application pursuant to this program. Additionally, the applicant must maintain an active SAM registration with current information at all times during which it has an active federal award or an application or plan under consideration by a federal awarding agency. Applicants can register for the SAM at <https://www.sam.gov/>. Entities without an active SAM.gov registration and/or UEI at the time of application submission and award may be deemed ineligible for a grant award.

F. Submission Dates and Times

Applications for the Competitive Grant Program must be complete and must adhere to the instructions provided in this NOFO and be submitted in the format required by the NTIA Grants Portal (www.grants.ntia.gov). Complete applications from Eligible Entities must be received by the NTIA application portal no later than 11:59 p.m. Eastern Time (ET) on September 23, 2024. Complete applications from U.S. Territories must be received by the NTIA application portal no later than 11:59 p.m. Eastern Time (ET) on October 22, 2024.

When developing the submission timeline, each applicant should keep in mind that: (a) all applicants are required to have current registrations in the electronic System for Award Management (SAM.gov) and (b) the free annual registration process in SAM.gov generally takes between three (3) and five (5) business days but can take more than three (3) weeks.

NTIA expects to complete its review, select successful applicants, and begin award processing by Winter of 2024. NTIA will, subject to NIST Grants Office Approval, announce awards made under the Competitive Grant Program on a rolling basis.

G. Intergovernmental Review

Applications from a State or a political subdivision of the State under this program are subject to Executive Order 12372, “Intergovernmental Review of Federal Programs,” which requires intergovernmental consultation with state and local officials. All applicants are required to

submit a copy of their applications to their designated state Single Point of Contact (SPOC) offices.³⁰

H. Material Representations and Public Disclosure of Applications

All forms and supporting documents submitted as part of the application packet, as well as all reports submitted pursuant this NOFO, must be true and complete and will be treated as a material representation of fact upon which NTIA and NIST's Grant Management Division will rely. Applicants acknowledge and understand that any false, fictitious, or fraudulent statements (or concealment or omission of a material fact) in the forms and supporting documents, including any required certifications or disclosures, submitted to NTIA may subject applicants to criminal prosecution (including under 18 U.S.C. § 1001 and/or 1621), and may subject applicants to civil and administrative penalties and other remedies. Applicants should be aware that NTIA, in coordination with the NIST Grants Officer, may make all or portions of their applications for grants under the Digital Equity Competitive Grant Program publicly available as required under applicable federal laws. See Section VI.B of this NOFO for additional information concerning the confidentiality of information contained in an application.

I. Other Submission Requirements

All applicants must submit complete application packets electronically through the NTIA Grants Portal (www.grants.ntia.gov). Complete applications or portions thereof submitted by postal mail, courier, email, facsimile, or other means will not be accepted.

a. Timely Receipt Requirements and Proof of Timely Submission

Online Submission. Proof of timely submission is automatically recorded by the NTIA Grants Portal. An electronic date/time stamp is generated within the system when the application is successfully submitted in the NTIA application portal. The applicant with the Authorized Organizational Representative (AOR) role who submitted the application will receive an email acknowledgement of receipt from the NTIA application portal with the successful transmission of their application. Applications received in the NTIA application portal after the established due date for the program will be considered late and will not be considered for funding by NTIA.

b. Amendments

Any amendments to this NOFO or additional program guidance will be announced on NTIA.gov, Internetforall.gov, and BroadbandUSA.NTIA.gov.

V. Application Review Information

A. Overview

The application review process will be conducted in three stages: (1) Initial Eligibility and Administrative Review, (2) Merit Review, and (3) Programmatic Review. The Initial Eligibility

³⁰ The current Intergovernmental Review Listing (SPOC List) is accessible at: <https://www.whitehouse.gov/wp-content/uploads/2023/06/SPOC-list-as-of-2023.pdf>

and Administrative Review serves as the initial screening of all applications to determine if the applicant is eligible,³¹ the application materials are complete, and the applications were timely submitted. Applications which pass this Initial Eligibility and Administrative Review will proceed to Merit Review. During Merit Review, applications will be assigned a numerical score based upon the evaluation factors described in the Merit Review section below. Applications which receive a Merit Review score of 70 to 100 points will be deemed “Qualified for Programmatic Review.” Applications with a Merit Review score of 0-69 are “Unqualified for Funding” and will not proceed to Programmatic Review. Applications which are Qualified for Programmatic Review will proceed to Programmatic Review according to the prioritized groups described in V.D below. During Programmatic Review, the application will receive a programmatic review score, based upon the additional factors described below. Not all prioritized groups will receive Programmatic Review, depending on availability of funding.

Once Programmatic Review is completed for a prioritized grouping, the OICG Associate Administrator will review the ranked list of applications and will recommend a final list of applications to the Assistant Secretary, who will act as the selecting official. The Assistant Secretary will then submit a final award slate, along with the basis for the selection decisions, to the National Institute of Standards and Technology (NIST) Grants Officer, who serves as the Grants Officer for the Competitive Grant Program. The final approval of selected applications and the issuance of awards will be made by the NIST Grants Officer.

B. Initial Eligibility and Administrative Review

During the Initial Eligibility and Administrative Review stage, NTIA will conduct an initial review of all submitted applications to ensure they contain the information and documentation required under Section IV.B of this NOFO (“Content and Form of Applications”) and that this information was submitted in a timely manner as required by Section IV.F.

The following applicants will be eliminated from review:

- An entity that does not meet the definition of an Eligible Entity or is not a Territory;
- A partnership that fails to submit the required Letters of Commitment from each member of the partnership as described in Section IV.B of this NOFO; or
- A Native Entity applicant that does not submit an authorization to support an application from its governing body.

In addition, NTIA will remove applications from consideration if submitted materials are incomplete or untimely.

In its discretion, NTIA may provide an applicant with an incomplete application one (1) opportunity to cure its application, in which case NTIA will provide the applicant up to seven (7)

³¹ Either an Eligible Entity as defined by the Digital Equity Act or a U.S. Territory.

calendar days to submit information responsive to the feedback provided by NTIA, unless this time period is extended by NTIA.

C. Merit Review

Applications satisfying the “Initial Eligibility and Administrative Review” will move to “Merit Review.” Applications that reach Merit Review will be reviewed by at least two (2) merit reviewers, which may be Federal personnel or non-Federal personnel, who have demonstrated expertise in the programmatic aspects of digital equity and inclusion. As applicable, merit reviewers will be required to sign and submit a nondisclosure and confidentiality form pertaining to the dissemination of confidential information and to potential financial and other conflicts of interest. In accordance with the below criteria, the Merit Reviewers will review applications for Competitive Grant Program awards to ensure conformity with the Program objectives, eligible activities, and related costs/budget. The evaluation criteria that will be used by the Merit Reviewers to review and analyze applications for Competitive Grant funds are grouped into four (4) categories as outlined below. Reviewers will evaluate applications according to these evaluation criteria and independently score each application based on a scale of 0-100 points. Based on an average of the reviewers’ scores, applications that score 70 or more will be considered “Qualified for Programmatic Review” under the prioritization process outlined below. Applications with a score below 70 will not proceed to Programmatic Review and will not be considered for funding.

Applications that are Qualified for Programmatic Review will proceed to Programmatic Review according to the prioritized groupings described in V.D below, with each subsequent prioritized grouping of applications reaching Programmatic Review only if: (1) there are insufficient qualified applications to exhaust available funding, (2) the Native Entity set aside has not been satisfied, or (3) there is a need to balance the proposed award list based on the factors outlined in the OICG Associate Administrator review and Final Project Selection process outlined below.

Evaluation Criteria for Merit Review:

A. Project Need, Purpose, and Benefits (40 points)

- Reviewers will assess the extent to which the applicant’s proposed Digital Equity Project, including the specific activities or interventions to be implemented, addresses a root cause or systemic barrier to digital equity for one or more Covered Populations.
- Reviewers will consider the extent to which the application includes a baseline assessment supported by objective data showing a need for services.
- Reviewers will assess whether the project aligns with, or addresses a gap in, the State Digital Equity Plan of the State or Territory within which it will be implemented if the State Digital Equity Plan is available.
- Reviewers will assess whether the proposed program is duplicative of or conflicts with existing programs.
- Reviewers will assess how effectively the Digital Equity Project will increase Internet access and the adoption of broadband among the Covered Populations to

be served by the applicant (and not result in unjust enrichment), including how tailored the Digital Equity Project is in addressing the needs of the Covered Population(s) and whether the Digital Equity Project is consistent with the baseline assessment.

- Reviewers will consider the number of different identifiable Covered Populations to be served as well as the total number of individuals within the Covered Populations to be served.
- Reviewers will assess whether the proposed Digital Equity Project maximizes the effectiveness of the proposed activities and interventions by recognizing the intersectionality of the Covered Populations and the opportunity to serve individuals that are included in multiple Covered Population categories.

B. Strength of Applicant's Organizational Capability. (25 points)

- Reviewers will assess the strength of the applicant's organizational capability to implement the proposed Digital Equity Project including the programmatic and technical experience of the implementation team.
- Reviewers will assess whether the applicant has the breadth and depth of experience, as an organization or through partnerships, that demonstrates the experience with the Covered Populations necessary to effectively complete the proposed projects.
- Reviewers will assess the applicant's ability to manage large federal grant awards effectively, either based on demonstrated management of past projects, or based on an explanation and description in the applicant's application materials indicating their capacity to do so.
- Reviewers will assess the applicant's ability to manage large programmatic initiatives, either based on the applicant's past success and relevant experience, or based on an explanation in the applicant's materials indicating their capacity to do so.
- Reviewers will assess the extent to which the applicant has included measures to facilitate direct support, technical assistance, and capacity building across the Covered Populations.
- Finally, reviewers will assess the strength of the applicant's strategy to manage and foster collaboration among subrecipient(s) and subcontractor(s) (if applicable).

C. Strength of Project Implementation Plan and Budget (25 points)

- Reviewers will assess the overall soundness of the proposed Digital Equity Project plan and milestones and whether the proposed activities and timelines are reasonable and can be conducted within the period of performance.
- Reviewers will assess the extent to which the application demonstrates access to the resources and elements needed to fulfill the project activities.
- Reviewers will assess whether the application materials provide sufficient detail regarding the proposed Digital Equity Project, including specific activities and

interventions to be conducted, to demonstrate they are achievable and are consistent with the allowable programmatic activities.

- Reviewers will assess the extent to which the applicant has established realistic measurable objectives, and whether the requested funds, implementation milestones, and timelines are sufficient to complete the tasks described in the Project Narrative.
- Reviewers will assess the feasibility and appropriateness of the proposed project budget, including an assessment of whether the amounts budgeted can realistically achieve Digital Equity Project goals and whether the award funds would be used in an effective and efficient manner.
- Reviewers will assess whether the applicant has assembled an implementation team, whether as an organization or through partnerships, that will increase the strength and efficiency of its implementation plan and budget.
- Reviewers will consider the applicant's strategy for assessing intervention effectiveness and adjusting interventions based on lessons learned, obtaining input from beneficiaries and stakeholders to inform project adjustments, and maximize effectiveness and sustainability.

D. Project Results and Evaluation (10 points)

- Reviewers will assess the applicant's strategy for measuring both near-term and long-term outcomes of its proposed Digital Equity Project, including an assessment of the clarity, specificity, and alignment of metrics with project objectives.
- Reviewers will assess the extent to which the proposed evaluation strategies are achievable and capable of measuring project outcomes, including direct and indirect effects on digital inclusion.
- Reviewers will consider the applicability and/or efficacy of the proposed data collection and analysis procedures, including evaluation frequency and scope, to ensure comprehensive measurement of project outcomes.

D. Programmatic Review

Only applications which pass the Initial Administrative and Eligibility Review, and score at least 70 points during the Merit Review, will be considered for Programmatic Review using the prioritization process outlined below. Programmatic Review will be prioritized by Merit Review score, with like-scoring applications consolidated into prioritized groupings. NTIA will generally not move to Programmatic Review of applications in the next prioritized grouping unless: (i) all applications in the prior prioritized grouping are reviewed by NTIA, and (ii) either (a) the slate of proposals being recommended for funding does not utilize the entirety of funds available; or (b) evaluation of other applications is warranted to ensure geographic diversity, to ensure that all Covered Populations are being served or to balance the Covered Populations being served, or to ensure the statutory Native Entity set aside is satisfied. *See*, Section V.E of this NOFO.

1. Prioritization

To accelerate issuance of awards under this program, NTIA will combine like-scoring projects for Programmatic Review and award issuance into prioritized groupings. Each prioritized grouping will consist of applications with Merit Review scores within a 5 to 10-point range, beginning with the highest scoring applications. Applications within each grouping will enter Programmatic Review at the same time and will remain in their grouping through consideration by the Selecting Official. NTIA may limit the total amount of funding made available for each prioritized grouping. After the award slate has been completed for a specific prioritized grouping, NTIA will proceed to the next highest scoring group. If an application in a higher scoring group is not selected for an award during its initial consideration, that application will be included for consideration in the next highest scoring group. This batching and award selection process will continue until all funds, including the Native Entity set-aside, are expended.

2. Programmatic Review Process

NTIA will assess applications that reach Programmatic Review (subject to the prioritization process outlined above) based upon the criteria listed below and will calculate weighted Programmatic Review scores accordingly. Specifically, each application's average Merit Review Score will be multiplied by an additional 0.1 for each of the six (6) factors outlined below that the application meets. So, for example, projects that do not meet any of the factors listed below would be multiplied by 1.0, while projects that meet all six (6) criteria would be multiplied by 1.6. The Programmatic Review scores generated by this multiplication will be organized into a ranked list and submitted to the OICG Associate Administrator for review. The six (6) criteria are:

- i. The Digital Equity Project addresses an aspect of the digital divide without a current solution or supplements an existing solution in an innovative manner and uses a unique, novel, and/or creative approach tailored to the unique needs and challenges faced by the Covered Populations.
- ii. The application includes matching funds of twenty (20) percent or greater.
- iii. The application includes matching funds of thirty (30) percent or greater.
- iv. The proposed Digital Equity Project facilitates the purpose of the Digital Equity Competitive Grant Program, specifically by promoting two or more of the following: (1) Economic stability, including workforce development and employment opportunities; (2) Access to quality education; (3) Access to healthcare; (4) Social and civic engagement; or (5) Community access to the benefits of Internet technology.
- v. The proposed project focuses services on one or more Covered Populations in geographic areas in which more than 50% of households are "covered households" within the meaning of the Digital Equity Act.
- vi. The proposed project will create a sustainable long-term impact on digital equity and inclusion (e.g., by demonstrating ongoing funding sources, a broad range of appropriate partners or other indicators of an ability to continue the project(s) past the period of performance) or will lead to the permanent elimination of a barrier to digital equity.

With respect to each item above, the applicant should specify in its application the criteria it believes its project(s) meets and provide evidence that supports its position with respect to each criterion in the project narrative. Programmatic reviewers will consider the evidence presented on its own merit and will not seek out or consider material not included in the application except as described immediately below.

During Programmatic Review, NTIA may ask applicants to submit additional information, as appropriate, to clarify or to further substantiate the representations made in their applications. Applicants will have up to 10 calendar days to submit information responsive to the feedback provided by NTIA, unless this period is extended by NTIA. NTIA Program Staff will review the supplemental information, along with all information submitted with the application, to confirm eligibility and evaluate the applications with respect to the requirements and priorities of the Competitive Grant Program. Applicants whose supporting documents are not complete, accurate, and timely submitted, or who do not adequately substantiate the representations in their applications, may be denied at this point in the review process.

Upon completion of the Programmatic Review, NTIA Program Staff will summarize their analysis and scoring for each application reviewed and will provide a ranked list of proposed projects (i.e., the proposed award slate), based on each project's weighted score, to the Associate Administrator for the Office of Internet Connectivity and Growth (OICG Associate Administrator). This list will identify which awards qualify for the Native Entity set-aside. In addition, NTIA Program Staff will provide a separate list of awards for U.S. Territories, as applicable.

3. Native Entity Application Review

NTIA has set aside \$37,500,000 for awards to Native Entities as required by 47 U.S.C. §1724(j) and will increase this amount to \$50,000,000 if fiscal year 2025 funds become available. Because Native Entities are Eligible Entities under the Digital Equity Act, Native Entity and Native Entity partnership applications will be considered as part of the Competitive Grant Program review process outlined above. When the NTIA Program Staff submit proposed awards to the OICG Associate Administrator for his recommendation, they will identify which awards qualify for the statutory set-aside amount. If, after the initial programmatic review process, there are not sufficient Native Entity awards to satisfy the statutory set aside amount, NTIA will consider additional Native Entity applications that exceed a Merit Review score of 70 as outlined in Section V.D.1 above for funding under the statutory set-aside. If there are insufficient qualified Native Entity applications to exhaust the set aside, any remaining funds will be made available to Native Entities through future Competitive Grant Program NOFO(s).

4. U.S. Territory Application Review

NTIA has set aside \$7,500,000 for awards to the U.S. Territories as required by 47 U.S.C. §1724(j) and will increase this amount to \$10,000,000 if fiscal year 2025 funds become available. Because the Digital Equity Act does not include Territories as Eligible Entities for the Competitive Grant Program, applications from U.S. Territories will be considered separately. U.S. Territories must submit applications consistent with the instructions in Section IV of this NOFO. Each such submission will be reviewed by NTIA program staff consistent with the review criteria outlined in the Initial Eligibility and Administrative Review, Merit Review, and

Programmatic Review sections outlined above and will be determined to be qualified or unqualified for funding based upon those criteria. The maximum amount to be awarded to any U.S. Territory will be \$2,500,000. While NTIA anticipates that awards to U.S. Territories will exceed \$1,000,000, this is not a mandatory minimum and the actual funding amount will be determined based on the number of applications and amount of funding requested. Any remaining funds will be made available to U.S. Territories through future NOFO(s).

5. Rolling Awards

As described above, applications will be organized into prioritized groupings based on their Merit Review scores and proceed through Programmatic Review together. Applications will remain in these groupings for consideration by the Selecting Official, who will develop a slate of awards for submission to the Grants Officer on a rolling basis. Within each prioritized grouping, the OICG Associate Administrator will consider each application's Merit Review and Programmatic Review Score and will take into account the selection factors listed in Section V.E of this NOFO when recommending awards for final review and approval by the Assistant Secretary. Any application that is not selected for an award within a prioritized grouping will be considered for funding within the next highest scoring prioritized group.

E. OICG Associate Administrator Review

Following the conclusion of the Programmatic Review for each prioritized grouping, the OICG Associate Administrator will review the ranked list of applications and recommend a list of awards to the NTIA Assistant Secretary, who is the Selecting Official for this program. This recommendation will identify which awards qualify for the Native Entity set-aside. In addition, the OICG Associate Administrator will include a separate list of awards for U.S. Territories, as applicable. The OICG Associate Administrator's recommendations to the Selecting Official may differ from the proposed award slate developed during the Programmatic Review based on consideration of the following selection factors: (a) geographic diversity, (b) ensuring that all Covered Populations are being served or to balance the Covered Populations being served, and (c) ensuring that the Native Entity set aside is satisfied. Based on these selection factors, the OICG Associate Administrator may recommend lower ranked applications within a particular priority grouping to the Selecting Official, as warranted, and will appropriately document the basis of this recommendation.

F. Final Project Selection

After conducting the review described above, the OICG Associate Administrator shall provide a proposed award slate to the NTIA Assistant Secretary for final review. As the Selecting Official, the NTIA Assistant Secretary retains discretion to select and recommend an application for funding that was not recommended by the OICG Associate Administrator based on the selection factors listed above in Section V.E. of this NOFO. The NTIA Assistant Secretary also retains discretion to not recommend an application for funding that was recommended by the OICG Associate Administrator if the Assistant Secretary disagrees with the OICG's use of the selection factors listed above and will appropriately document the basis of this decision.

The NTIA Assistant Secretary will submit the applications recommended for funding, along with the bases for the selection decisions, to the NIST Grants Officer, who serves as the Grants Officer for the Competitive Grant Program. The final approval of selected applications and the issuance of awards will be made by the NIST Grants Officer. The award decisions of the NIST Grants Officer are final.

NTIA expects to begin issuing awards to applicants pursuant to this Notice of Funding Opportunity by Winter of 2024 but no later than April 20, 2025. NTIA expects to make additional awards on a rolling basis. NTIA reserves the right to modify or rescind funding, including in the post-award period, if it determines there is a duplication of funding between proposed projects. If duplicative projects are identified, NTIA will work with the grantee(s) to identify a path forward to maximize the use of funds. Unsuccessful applicants will be notified in writing by email.

G. Federal Awarding Agency Review of Risk Posed by Applicant

After applications are proposed for funding by the Selecting Official, the NIST Grants Management Division (GMD) will perform pre-award risk assessments in accordance with 2 C.F.R. § 200.206, which may include a review of the financial stability of an applicant, the quality of the applicant's management systems, the history of performance, reports and findings from audits, and/or the applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on non-federal entities. In addition, prior to making an award where the total federal share is expected to exceed the simplified acquisition threshold (currently \$250,000), NIST GMD will review and consider the non-publicly available information about that applicant in the Federal Awardee Performance and Integrity Information System (FAPIIS), which is now located in SAM.gov as the responsibility/qualifications (R/Q) reports. Upon completion of the pre-award risk assessment, NIST GMD will determine whether the applicant is qualified to receive the award and, if so, whether appropriate specific award conditions that correspond to the degree of risk posed by the applicant should be applied to the award.

H. Anticipated Announcement and Award Dates

NTIA expects to begin making awards under this NOFO by Winter of 2024 but no later than April 20, 2025. NTIA plans to issue awards made under the Competitive Grant Program on a rolling basis.

VI. Federal Award Administration Information

A. Federal Award Notices

Applicants will be notified in writing by the NIST Grants Officer if their application is selected for an award. If the application is selected for funding, the NIST Grants Officer will issue the grant award (Form CD-450), which is the authorizing financial assistance award document. By signing and returning the Form CD-450, the recipient agrees to comply with all award provisions, terms, and conditions.

If an applicant is awarded funding, neither NTIA nor NIST is under any obligation to provide any additional future funding in connection with that award or to make any future award(s). Amendment of an award to extend the period of performance is at the discretion of NTIA and the NIST Grants Officer and is subject to the limitations contained in 47 U.S.C. §1724(d)(2)(D), the terms and conditions of the award, available funding, and this NOFO.

B. Notification to Unsuccessful Applicants

Unsuccessful applicants will be notified in writing by email and will have the opportunity to receive a debriefing. Applicants must make a request within 10 business days of the email or written notification to receive a debrief from NTIA. NTIA will then work with the unsuccessful applicant to arrange a date and time for the debrief.

C. Retention of Unsuccessful Applications

Unsuccessful applications will be retained in accordance with NTIA recordkeeping requirements.

D. De-obligation or Termination of Grant

The Assistant Secretary may de-obligate or terminate a grant awarded to a recipient under the Competitive Grant Program if the grant funds are not being used in a manner that is consistent with the application submitted by the recipient, the recipient is not upholding the assurances made pursuant to Section IV.B.18 and Appendix B of this NOFO, or the Assistant Secretary determines that the grant is no longer necessary to achieve the original purpose for which the Assistant Secretary awarded the grant. Prior to de-obligation or termination of a grant for these reasons, the Assistant Secretary will provide notice to the recipient, including a rationale and supporting information demonstrating the basis of the Assistant Secretary's decision and an opportunity for a hearing. Any grant funds the Assistant Secretary de-obligates or terminates will be competitively awarded to another applicant consistent with the requirements of the Competitive Grant Program through future NOFO(s).

E. Administrative and National Policy Requirements

Recipients of funding pursuant to this program must comply with applicable statutes and regulations, including but not limited to:

1. Uniform Administrative Requirements, Cost Principles and Audit Requirements

Through 2 C.F.R. § 1327.101, the Department of Commerce adopted Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 C.F.R. Part 200, which apply to awards in this program. Refer to <http://go.usa.gov/SBYh> and <http://go.usa.gov/SBg4>. NTIA will apply the updated Uniform Guidance Provisions, published by OMB on April 22, 2024, in the Federal Register at 89 FR 30046, to all awards under this NOFO. The updated Uniform Guidance Provisions may be reviewed here: <https://www.federalregister.gov/documents/2024/04/22/2024-07496/guidance-for-federal-financial-assistance>.

2. Department of Commerce Financial Assistance Standard Terms and Conditions

The Department of Commerce will apply to each award in this program, the Financial Assistance Standard Terms and Conditions in effect on the date of award. The current version, dated November 12, 2020, is accessible at [Department of Commerce Financial Assistance Standard Terms and Conditions](#). Refer to Section VII of this NOFO, Federal Awarding Agency Contacts, Grant management inquiries, if you need more information.

3. Pre-Award Notification Requirements

The Department of Commerce will apply the Pre-Award Notification Requirements for Grants and Cooperative Agreements dated December 30, 2014 (79 FR 78390), accessible at <http://go.usa.gov/hKkR>. Refer to Section VII of this NOFO, Federal Awarding Agency Contacts, Grant management inquiries, for more information.

4. Build America, Buy America Act Domestic Content Preference Requirements

Pursuant to the Build America, Buy America Act (BABA) (Pub. L. No. 117-58, §§ 70901-52) and regulations promulgated thereunder at 2 C.F.R. part 184, recipients of an award of federal financial assistance from the Department of Commerce are hereby notified that none of the funds provided under such award may be used for an “infrastructure project” (as defined in 2 C.F.R. 184.3) unless:

- a. all iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
- b. all manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
- c. all construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

To help federal agencies and recipients meet BABA requirements, the Hollings Manufacturing Extension Partnership (MEP) National Network™ of the National Institute for Standards and Technology (NIST) provides a service to connect stakeholders, including recipients, to U.S. manufacturers that have relevant production capabilities and capacities to help fulfill current

market and supply chain needs. Recipients considering requesting a BABA nonavailability waiver are strongly encouraged to contact the NIST/MEP for assistance with supplier scouting services prior to seeking a BABA nonavailability waiver. Further information on the NIST/MEP supplier scouting services is available at: <https://www.nist.gov/mep/supplier-scouting>.

Waivers

When necessary, recipients may apply for, and the Department may grant, a waiver from these requirements. The Department will provide the recipient with information on the process for requesting a waiver from these requirements. When the Department has made a determination that one of the following exceptions applies, the awarding official may waive the application of the domestic content procurement preference in any case in which the Department determines that:

- i. applying the domestic content procurement preference would be inconsistent with the public interest;
- ii. the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality; or
- iii. the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent.

A request to waive the application of the domestic content procurement preference must be in writing. NTIA will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 calendar days and must be reviewed by the Made in America Office of the Office of Management and Budget (OMB).

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at <https://www.commerce.gov/oam/build-america-buy-america>.

5. National Environmental Policy and Historic Preservation

In general, deployment of broadband infrastructure to connect broadband serviceable locations should be accomplished through other programs, including the Broadband Equity, Access, and Deployment program. However, to the extent that installation of broadband infrastructure is necessary to accomplish an eligible program, activity, or intervention (e.g., installing fixed equipment on a building as part of a strategy to promote access to affordable broadband service), additional information will be required to determine the potential for environmental impacts under the National Environmental Policy Act (42 U.S.C. §4321 et seq.) and potential impacts to historic properties under the National Historic Preservation Act of 1966 (54 U.S.C. 300101 et seq.).

6. Domestic Preference for Procurements

Pursuant to 2 C.F.R. § 200.322, as appropriate and to the extent consistent with law, a nonfederal entity should, to the greatest extent practicable under a federal award, provide a preference for

the purchase, acquisition, or use of goods, products, or materials produced in the United States (including, but not limited to, iron, aluminum, steel, cement, and other manufactured products). The requirements of this Section must be included in all subawards, including all contracts and purchase orders for work or products pursuant to this program.

7. Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Firms

Pursuant to 2 C.F.R. § 200.321, a non-federal entity must take all necessary affirmative steps (as described in 2 C.F.R. § 200.321) to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

8. Cybersecurity Best Practices

Recipients and subrecipients must ensure that the planning, design, and project oversight phases of the programs and activities funded through the Competitive Grant Program are consistent with current industry best practices for cybersecurity, such as the NIST Cybersecurity Framework³² and Cybersecurity and Infrastructure Security Agency (CISA) Cybersecurity Performance Goals (CPGs).³³ These performance goals provide a baseline set of cybersecurity practices that are broadly applicable, with known risk-reduction value. NTIA reserves the right to review a recipient's cybersecurity framework and recipients must review the cybersecurity framework of its subrecipients.

9. Privacy

Recipients and subrecipients must comply with all applicable state and federal privacy laws and regulations, including 2 C.F.R. §200.303, and take steps to ensure that data collection, management, and utilization are conducted ethically, transparently, and with a strong emphasis on safeguarding the rights and privacy of individuals and that any use of automated systems or technologies includes an assessment of the potential consequences for individuals in the Covered Populations.

F. Reporting

Recipients will be required to comply with reporting requirements. All reports submitted pursuant to this NOFO must be true and complete and will be treated as a material representation of fact upon which NTIA will rely. In addition to the reporting requirements found in 2 C.F.R. Part 200, NTIA will provide additional reporting instructions in connection with the requirements set forth in this Section, including details on the manner and format in which

³² NIST Cybersecurity Framework, <https://www.nist.gov/cyberframework/framework>.

³³ Cybersecurity & Infrastructure Security Agency, Cross-Sector Cybersecurity Performance Goals, <https://www.cisa.gov/cross-sector-cybersecurity-performance-goals>.

recipients will be required to report information in support of federal agency obligations under the ACCESS BROADBAND Act, 47 U.S.C. § 1307, and Section 60105 of the Infrastructure Act.

1. Infrastructure Act Reporting Requirements

Annual Report

As set forth in 47 U.S.C. §1724(h)(1)(A), any entity to which the Assistant Secretary awards a grant under this program shall be required to publicly report, for each year during the period of performance of a program grant, in a format to be specified by the Assistant Secretary, on:

- a. The amount of the grant;
- b. The use by the entity of the grant amounts; and
- c. The progress of the entity towards fulfilling the objectives for which the grant was awarded.

The Annual Report will be for the period ending December 31 and be due thirty (30) days after the close of the calendar year. The Annual Report will also require the submission of the information identified in Section II.C and Section VI.F.2.b of this NOFO. The final Annual Report will be due 120 days after the end of the period of performance. The Assistant Secretary may establish additional reporting and information requirements for any recipient of a grant as necessary to fulfil the requirements of the Digital Equity Act.

Evaluation Report

As required by 47 U.S.C. §1724(d)(2)(B), not later than 15 months after the date on which a recipient is awarded a grant under this Program, and annually thereafter, the recipient shall submit a report of each measurement and evaluation performed of the activities funded by the grant for any year in which the entity expends grant amounts. NTIA may request this information be incorporated into both the Annual Report and the Performance (Technical) Report (discussed below).

2. Other Reporting Requirements

The following reporting requirements described in Section A.01, Reporting Requirements, of the Department of Commerce Financial Assistance Standard Terms and Conditions (12 November 2020), apply to awards in this program:

a. Financial Reports

Each award recipient will be required to submit an SF-425, Federal Financial Report on a semiannual basis for the periods ending December 31 and June 30 of each year. Reports will be due within thirty (30) days after the end of the reporting period to the NTIA Federal Program Officer, Grants Officer, and Grants Specialist named in the award documents. If awarded, further instructions on where and how to submit reports will be provided via a specific award condition. A final financial report is due within 120 days after the end of the project period.

b. Performance (Technical) Report

Each award recipient will be required to submit a technical progress report to the NTIA Federal Program Officer, Grants Officer, and Grants Specialist named in the award documents for the

six-month period ending June 30 of each year and will be due thirty (30) days after the close of the period. A Performance Report will not be required during the initial year of the award. If awarded, further instructions on where and how to submit reports will be provided via a specific award condition. Technical progress reports shall contain information as prescribed in 2 C.F.R. § 200.329 and Department of Commerce Financial Assistance Standard Terms and Conditions (dated November 12, 2020), Section A.01. Competitive Grant Program reporting elements may include, but are not limited to: the Performance Measurement and Evaluation data required under Section II.C of this NOFO, the evaluation information required under Section IV.C.2 of this NOFO, status on achieving project implementation milestones and measurable objectives, and alignment to expenditures, project outputs (e.g., number of devices provided/subsidized, number of digital literacy/training programs developed, number of training hours provided, number of Internet subscriptions provided/subsidized), project output beneficiaries, including number of beneficiaries across the Covered Populations, number of jobs created for project implementation, and other results from program evaluation activities.

c. Human Subjects Research

All Competitive Grant Program recipients must comply with Department of Commerce regulations relating to the protection of human subjects for all research conducted or supported pursuant to a NTIA grant award (per 15 C.F.R. Part 27). Recipients must review forthcoming guidance for human subjects research protection and make an independent assessment of their planned activities and act in accordance with Human Subjects Research protection requirements and report any new research activities or updates to planned activities on an ongoing basis.

G. Recipient Integrity and Performance Matters

In accordance with Section 872 of Public Law 110-417, as amended; see 41 U.S.C. § 2313, if the total value of a recipient's 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 an award made under this NOFO, then the recipient shall be subject to the requirements specified in Appendix XII to 2 C.F.R. Part 200,³⁴ for maintaining the currency of information reported to SAM that is made available in the Federal Awardee Performance and Integrity Information System (FAPIIS) about certain civil, criminal, or administrative proceedings involving the recipient.

H. Audit Requirements

The federal financial assistance regulations in 2 C.F.R. Part 200, Subpart F require any non-federal entity that expends federal awards of \$1,000,000 or more in the recipient's fiscal year to conduct a single or program-specific audit in accordance with the requirements set out in the Subpart. Additionally, unless otherwise specified in the terms and conditions of the award, entities that are not subject to Subpart F of 2 C.F.R. Part 200 (e.g., for-profit subrecipients) that expend \$1,000,000 or more in grant funds during their fiscal year must submit to the Grants Officer either: (i) a financial related audit of each DOC award or subaward in accordance with Generally Accepted Government Auditing Standards; or (ii) a project specific audit for each

³⁴ See 2 C.F.R. Part 200, Appendix XII, available at <http://go.usa.gov/cTBwC>.

award or subaward in accordance with the requirements contained in 2 C.F.R. § 200.507. See Section D.01.c. of the Department of Commerce Financial Assistance Standard Terms and Conditions. Applicants are reminded that NTIA, the NIST Grants Office, the Department of Commerce Office of Inspector General, or another authorized federal agency may conduct an audit of an award at any time.

I. Federal Funding Accountability and Transparency Act of 2006

In accordance with 2 C.F.R. Part 170, all recipients of a federal award made on or after October 1, 2010, are required to comply with reporting requirements under the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. No. 109-282). In general, all recipients are responsible for reporting sub-awards of \$30,000 or more. In addition, recipients that meet certain criteria are responsible for reporting executive compensation. Applicants must ensure they have the necessary processes and systems in place to comply with the reporting requirements should they receive funding.³⁵

J. Public Database

Pursuant to 47 U.S.C. §1724(h)(1)(C), NTIA will create and maintain a fully searchable database, which shall be accessible on the Internet at no cost to the public, that contains, at a minimum: (i) a list of each entity that has applied for a grant under the Program; (ii) a description of each application including the proposed purpose of each grant described in that application; (iii) the status of each application, including whether the Assistant Secretary has awarded a grant with respect to the application and, if so, the amount of the grant; (iv) each report submitted by an entity as required by 47 U.S.C. §1724(h)(1)(A) and Section VI.E.1 of this NOFO; and (v) any other information that is sufficient to allow the public to understand and monitor grants awarded under the Program.

In accordance with federal policy, any publications and their supporting data resulting from federally funded research should be made publicly accessible without an embargo on their free and public release, no later than December 31, 2025. <https://www.whitehouse.gov/wp-content/uploads/2022/08/08-2022-OSTP-Public-Access-Memo.pdf>

VII. Federal Awarding Agency Contacts

A. Please direct programmatic inquiries to:

Angela Thi Bennett
Director of Digital Equity
Office of Internet Connectivity and Growth
National Telecommunications and Information Administration
U.S. Department of Commerce

³⁵ See OMB, Requirements for Federal Funding Accountability and Transparency Act Implementation, Interim final guidance to agencies with opportunity to comment, 75 FR 55663 (Sept. 14, 2010), available at <http://go.usa.gov/hKnQ>.

1401 Constitution Avenue, NW
Washington, DC 20230
Phone: (202) 482-2048
Email: digitalequity@ntia.gov

B. Please direct grant management inquiries to:

Darren Olson
Grants Officer
Grants Management Division
National Institute of Standards and Technology
325 Broadway
Boulder, CO 80305
Phone: (720) 639-0465
Email: darren.olson@nist.gov

C. Please direct media inquiries to:

Charles Meisch
Director of Public Affairs
Office of Public Affairs
National Telecommunications and Information Administration
U.S. Department of Commerce
1401 Constitution Avenue NW, Room 4897
Washington, DC 20230
Phone: (202) 482-7002
Email: press@ntia.doc.gov

VIII. Other Information

A. Transparency

The Infrastructure Act contains robust reporting requirements for grant recipients, and requires NTIA, the Commission, and other agencies to coordinate to make information regarding federal broadband funding, low-cost plans, and other aspects of the Competitive Grant Program readily available to and understandable by the public. NTIA will fulfill its obligations to the fullest extent possible. Recipients of U.S. Department of Commerce and NTIA grants also should be cognizant of the access to records requirements set forth at 2 C.F.R. § 200.337.

B. Protected and Propriety Information

Recipients of Competitive Grant Program grants acknowledge and understand that information and data contained in applications for financial assistance, as well as information and data

contained in financial, performance, and other reports submitted by an entity, may be used by the Department of Commerce in conducting reviews and evaluations of its financial assistance programs and for statistical purposes. For this purpose, information and data may be accessed, reviewed, and evaluated by Department of Commerce employees, other federal employees, federal agents and contractors, and/or by non-federal personnel, all of whom enter into appropriate confidentiality and nondisclosure agreements covering the use of such information.

As may be provided in the terms and conditions of a specific financial assistance award, recipients are expected to support Program reviews and evaluations by submitting required financial and performance information and data in an accurate and timely manner, and by cooperation with the Department of Commerce and external program evaluators. In accordance with 2 C.F.R. § 200.303(e), program participants are reminded that they must take reasonable measures to safeguard protected personally identifiable information and other confidential or sensitive personal or business information created or obtained in connection with a Department of Commerce financial assistance award.

NTIA will protect confidential and proprietary information from public disclosure consistent with applicable law, including the Trade Secrets Act, as amended (18 U.S.C. § 1905) and the Economic Espionage Act of 1996 (18 U.S.C. §§1831 et seq.). In the event that a submission contains information or data deemed to be confidential commercial information or that otherwise should not be publicly disclosed, that information should be identified, bracketed, and marked as Privileged, Confidential, Commercial or Financial Information. See 15 C.F.R. § 4.9(b). Based on these markings, the confidentiality of the contents of those pages will be reviewed for protection consistent with applicable law. As discussed above, 47 U.S.C. 1724(h)(1)(C) requires that NTIA create and maintain a fully searchable public database that includes the application of each applicant that has applied for a grant under this program, among other information.

Additionally, some of the information submitted in the course of applying for funding under this Program or provided in the course of its grant management activities, may be considered law enforcement sensitive or otherwise important to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. In the event that a submission contains such information or data, that information should be identified, bracketed, and marked appropriately. Based on these markings, the confidentiality of the contents of those pages will be reviewed for protection consistent with applicable law. Applicants that are interested in participating in this program should be familiar with the regulations governing Protected Critical Infrastructure Information (6 C.F.R. Part 29) and Sensitive Security Information (49 C.F.R. Part 1520), as these designations may provide additional protection to certain classes of homeland security information.

In addition to the public disclosure requirements of this Program, each applicant interested in participating in this program is encouraged to consult its own laws and regulations regarding the release of information, which should be considered when reporting sensitive matters in the grant application. The applicant may consult with NTIA regarding concerns or questions about the

release of information or how omitting sensitive information could impact NTIA's assessment of the application.

C. Funding Availability and Limitation of Liability

Funding for the Competitive Grant Program described in this NOFO is contingent upon the continued availability of appropriations. In no event will NTIA, NIST, or the Department of Commerce be responsible for application preparation costs, including, but not limited to, if the program fails to receive funding or is cancelled because of agency priorities. Publication of this NOFO does not oblige NTIA, NIST or the Department of Commerce to award any specific project or to obligate any available funds. NTIA will recommend for funding only projects that are deemed likely to achieve the Competitive Grant Program's goals and for which funds are available.

D. Third Party Beneficiaries

The Competitive Grant Program is not intended to and does not create any rights enforceable by third party beneficiaries.

E. Waiver Authority

It is the general intent of NTIA not to waive any of the provisions set forth in this NOFO. However, under extraordinary circumstances and at the discretion of the Assistant Secretary, NTIA, upon its own initiative or when requested, may waive the provisions in this NOFO. Waivers may only be granted for requirements that are discretionary and not mandated by statute or other applicable law. Any request for a waiver must set forth the extraordinary circumstances for the request.

F. Paperwork Reduction Act

This NOFO contains an information collection requirement subject to the Paperwork Reduction Act (PRA) (44 U.S.C. § 3501 et seq.). The PRA requires each federal agency to seek and obtain OMB approval before collecting information from the public. Federal agencies may not collect information unless it displays a currently valid OMB control number. For purposes of the Competitive Grant Program, NTIA will use the Competitive Grant Program forms in the Application for Broadband Grant Programs information collection (0660-0055) and Standard Forms 424 (Application for Federal Assistance), 425 (Federal Financial Report), and SF-LLL (Disclosure for Lobbying Activities) under the respective control numbers 4040-0004, 4040-0014, and 4040-0013.

G. Transparency, Accountability, and Oversight Required

1. Generally

NTIA and all Competitive Grant Program recipients have a critical role to play in ensuring that the Competitive Grant Program is implemented in a manner that ensures transparency, accountability, and oversight sufficient to, among other things:

- a. Minimize the opportunity for waste, fraud, and abuse;

- b. Ensure that recipients of grants under the Program use grant funds to further the overall purpose of the Program in compliance with the requirements of 47 U.S.C. §1724 of the Digital Equity Act, this NOFO, 2 C.F.R. Part 200, the terms and conditions of an award, and other applicable law; and
- c. Allow the public to understand and monitor grants awarded under the Program.

To that end, NTIA shall, as appropriate:

- a. Conduct such audits of award recipients as are necessary and appropriate;
- b. Develop monitoring plans, subject to the approval of the Assistant Secretary, which may include site visits or desk reviews, technical assistance, and random sampling of compliance requirements; and
- c. Impose special conditions on grant awards designed to mitigate the risk of nonperformance where appropriate.

Each Eligible Entity or U.S. Territory receiving a Competitive Grant award shall, as appropriate:

- a. Comply with the reporting requirements set forth in Section VI.F of this NOFO;
- b. Conduct audits of sub-recipients and award management as necessary and appropriate. Eligible entities and U.S. Territories shall report the full results of any audits they conduct to the appropriate Federal Program Officer and NIST Grants Officer;
- c. Comply with the obligations set forth in 47 U.S.C. §1724 of the Digital Equity Act, this NOFO, 2 C.F.R. Part 200, the terms and conditions of an award, and other applicable laws; and
- d. Establish and widely publicize telephone numbers and email addresses for the Eligible Entity or U.S. Territory's Office of Inspector General (or comparable entity) for the purpose of reporting waste, fraud or abuse, in the Program. Eligible entities and U.S. Territories shall produce copies of materials used for such purpose upon request of the Federal Program Officer or the Grants Officer.

2. U.S. Department of Commerce Office of Inspector General

The U.S. Department of Commerce Office of Inspector General (OIG) seeks to improve the efficiency and effectiveness of the Department's programs, including through deterring and detecting fraud, waste, abuse, and mismanagement. The OIG accomplishes this mission primarily through investigations, audits, and inspections of Department activities, including grants, cooperative agreements, loans, and contracts.

a. Disclosures

Recipients of financial assistance originating from the U.S. Department of Commerce, including NTIA, as well as applicants applying to this funding opportunity, shall timely disclose, in writing, to the OIG and awarding agency, whenever, in connection with the award, performance, or closeout of this grant or subaward thereunder, the recipient has credible evidence that a principal, employee, agent, or subrecipient has committed:

- i. A violation of federal criminal law involving fraud, conflict of interest, bribery, or gratuity violations found in Title 18 of the United States Code;

- ii. A violation of the civil False Claims Act (31 U.S.C. §§ 3729-3733); or
- iii. A violation of the Federal Antitrust Laws found in Title 15 of the United States Code.

b. Reporting

The OIG maintains a hotline to receive allegations of fraud, waste, or abuse. To report such allegations, please visit <https://www.oig.doc.gov/Pages/Hotline.aspx> to submit a complaint or call toll-free at 800-424-5197. The OIG will accept complaints via U.S. mail at the following address:

U.S. Department of Commerce
Office of Inspector General
1401 Constitution Avenue
Washington, D.C. 20230

Upon request, the OIG will take appropriate measures to protect the identity of any individual who reports misconduct, as authorized by the Inspector General Act of 1978, as amended. Reports to the OIG may also be made anonymously.

3. Whistleblower Protection

Recipients, sub-recipients, and employees working on this grant award will be subject to the whistleblower rights and remedies established under 41 U.S.C. § 4712. An employee of a recipient or sub-recipient may not be discharged, demoted, or otherwise discriminated against as a reprisal for disclosing information that the employee reasonably believes is evidence of: gross mismanagement of a federal contract or award; a gross waste of federal funds; an abuse of authority (i.e., an arbitrary and capricious exercise of authority that is inconsistent with the mission of NTIA or the U.S. Department of Commerce or the successful performance of a contract or grant awarded by NTIA or the Department) relating to a federal contract or award; a substantial and specific danger to public health or safety; or a violation of a law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.

The recipient or sub-recipient shall inform its employees and contractors, in writing, in the predominant language of the workforce or organization, of employee whistleblower rights and protections under 41 U.S.C. § 4712, as described above and at <https://www.oig.doc.gov/Pages/Whistleblower-Protection-Program.aspx>.

H. Unauthorized Use of Funds

In the event of non-compliance with 47 U.S.C. § 1724, this NOFO, 2 C.F.R. Part 200, the terms and conditions of an award, or other applicable law, NTIA and the NIST Grants Officer shall take appropriate enforcement action against an Eligible Entity or U.S. Territory, and as necessary, against an Administering Entity or Administering Organization, as authorized in 2 C.F.R. §§ 200.339 - 200.343.

Appendix A: Certifications Regarding Debarment and Suspension

By signing and submitting an application for funding pursuant to the Competitive Grant Program, the applicant is making the certifications set forth below (see Line 21 on the SF-424, Application for Federal Assistance).

Instructions for Primary Tier Participant Certification

- i. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200, and 1326.³⁶
- ii. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
- iii. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
- iv. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- v. The terms *covered transaction*, *civil judgment*, *debarment*, *suspension*, *ineligible*, *participant*, *person*, *principal*, and *voluntarily excluded*, as used in this clause, are defined in 2 C.F.R. Parts 180, 1200, and 1326. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
- vi. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
- vii. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering into this

³⁶ In the context of the Competitive Grant Program, the primary tier participant would be the Eligible Entity or U.S. Territory receiving a Competitive Grant from NTIA.

covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180, 1200, and 1326.

- viii. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management (SAM) Exclusions website (<https://www.sam.gov/>).
- ix. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- x. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency may terminate the transaction for cause or default.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Tier Covered Transactions

- i. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals or associated entities:
 - 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency;
 - 2) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state or local) with commission of any of the offenses enumerated in paragraph i(2) of this certification; and
 - 4) Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state, or local) terminated for cause or default.
- ii. Where the prospective primary tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Instructions for Lower Tier Participant Certification (applies to subrecipients)

- i. By submitting this proposal and accepting federal funding, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of 2 C.F.R. Parts 180, 1200, and 1326.³⁷
- ii. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
- iii. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- iv. The terms *covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded*, as used in this clause, are defined in 2 C.F.R. Parts 180, 1200, and 1326. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
- v. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
- vi. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled “Instructions for Lower Tier Participant Certification,” including the “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with 2 C.F.R. Parts 180 and 1200.
- vii. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).

³⁷ In the context of the Competitive Grant Program, lower-tier participants would be the entities that receive subgrants from, enter into contracts with, or otherwise receive program funding from the Eligible Entity or U.S. Territory that has received a Competitive Grant from NTIA.

- viii. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- ix. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 C.F.R. Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

- i. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals or associated entities is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any federal department or agency.
- ii. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Appendix B: Assurances required under 47 U.S.C. §1724(f)

When applying for a grant under this section, an entity shall include in the application for that grant assurances that the entity shall –

- (1) use any grant funds that the entity is awarded --
 - (A) in accordance with any applicable statute, regulation, and application procedure; and
 - (B) to the extent required under applicable law;
- (2) adopt and use proper methods of administering any grant that the entity is awarded, including by –
 - (A) enforcing any obligation imposed under law on any agency, institution, organization, or other entity that is responsible for carrying out a program to which the grant relates;
 - (B) correcting any deficiency in the operation of a program to which the grant relates, as identified through an audit or another monitoring or evaluation procedure; and
 - (C) adopting written procedures for the receipt and resolution of complaints alleging a violation of law with respect to a program to which the grant relates;
- (3) cooperate with respect to any evaluation –
 - (A) of any program that relates to a grant awarded to the entity; and
 - (B) that is carried out by or for the Assistant Secretary or another Federal official;
- (4) use fiscal control and fund accounting procedures that ensure the proper disbursement of, and accounting for, any Federal funds that the entity is awarded under the Program;
- (5) submit to the Assistant Secretary any reports that may be necessary to enable the Assistant Secretary to perform the duties of the Assistant Secretary under the Program; and
- (6) maintain any records and provide any information to the Assistant Secretary, including those records, that the Assistant Secretary determines is necessary to enable the Assistant Secretary to perform the duties of the Assistant Secretary under the Program.

Miami Valley Environmental Justice Partnership

Tentative Approach

Focus Areas

- **Education & Engagement**- empowering the regional community through relevant learning and intentional inclusion
- **Evaluation & Research**- data collection, analysis, and insight sharing assessing the regional environment and desired impact
- **Strategy & Policy**- alliance building, resource acquisition, service delivery, and policy development facilitating innovative and sustainable change

*Two organizational co-leads with relevant expertise per focus area

Time-Based Parameters for Goal Setting & Pursued Activities

- 1) **Immediate (within calendar/fiscal year)**- efforts based on feasibility and urgency, seeking to facilitate quantifiable year-to-year change within region
- 1) **Short Term (between two and four years)**- intermediate and transitional projects bridging immediate efforts with long term regional plan
- 1) **Long Term (five years and beyond)**- comprehensive regional plan addressing all focus areas and guiding the region towards the holistic vision of the partnership

Logistic Structure

- Annual strategic meetings, quarterly reporting meetings, monthly action meetings
- Institute Steering Committee as governing body, partner/stakeholder leadership as coordinating group, County Ambassadors County as public participation entity
- Institute for Livable & Equitable Communities as convener/host and Miami Valley Regional Planning Commission as primary backbone support organization

Guiding Frameworks

Collective Impact Model

- 1) Common Agenda
- 2) Shared Measurement System
- 3) Mutually Reinforcing Activities
- 4) Continuous Communication
- 5) Backbone Support Organization

Collaborative Problem-Solving Model

- 1) Issue identification, community vision, strategic goal setting
- 2) Community capacity-building and leadership development
- 3) Consensus building and dispute resolution
- 4) Multi-stakeholder partnerships and leveraging of resources
- 5) Constructive engagement by relevant stakeholders
- 6) Sound management and implementation
- 7) Evaluation, lessons learned, and replication of best practices

Currently At-The-Table

- **Advocates for Basic Legal Equality**
- **Miami Valley Regional Planning Commission**
 - Environmental Justice Academy Fellows
 - Institute for Livable & Equitable Communities
- **Public Health - Dayton & Montgomery County**
- **The Dayton Foundation**
- **University of Dayton**
 - Fitz Center for Leadership in Community
 - Hanley Sustainability Institute
 - Rivers Institute

*Intersection of social justice, regional/urban planning, public health, community-based philanthropy, and higher education... But we have to continue to ask ourselves “who is missing”.