

Tribal Wildlife Grants Program Fiscal Year 2020 Notice of Funding Opportunity

Notice Overview

Federal Agency Name

U.S. Department of the Interior, Fish and Wildlife Service (Service), Native American Programs and Wildlife and Sport Fish Restoration Program (WSFR)

Funding Opportunity Title

Tribal Wildlife Grants (TWG) Program

Catalog of Federal Domestic Assistance (CFDA) Number

15.639

Authorizing Legislation

Further Consolidated Appropriations Act, 2020 (Public Law No. 116-94)

Announcement Type

Notice of Funding Opportunity (NOFO) for Federal Fiscal Year (FY) 2020

Funding Opportunity Number

F20AS00050

Paperwork Reduction Act Statement

References to “you” in this NOFO refer to the Tribal agency completing the application and any subrecipient, if applicable. References to “we,” “our,” or “us” in this NOFO refer to the Service. We are collecting this information in accordance with the Further Consolidated Appropriations Act, Fiscal Year 2020 (Public Law No. 116-94). Your response is required to obtain or retain a benefit. We will use the information you provide to evaluate your application for potential award of Federal funding through this program and, if awarded, to evaluate performance. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. We estimate that it will take you about 40 hours to complete an initial application, three hours to revise the terms of an award, and eight hours to prepare and submit performance reports, including time to maintain records and gather information. You may send comments on the burden estimate or any other aspect of this information collection to the Information Collection Clearance Officer, U.S. Fish and Wildlife Service, MS BPHC, 5275 Leesburg Pike, Falls Church, VA 22041-3803.

OMB Control Number

1018-0100 (expires: 7/31/2021)

Submission Deadline and Other Information

You must ensure that we receive your application no later than July 6, 2020, at 11:59 p.m. EST. We recommend that you submit your application early enough to address any unforeseen technical complications and verify that all documents have been received by your Regional Native American Liaison or WSFR Regional Office before the deadline. We will not consider

applications received after the deadline.

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I. Description of Funding Opportunity

Background

The Tribal Wildlife Grants (TWG) Program was created to support the development and implementation of programs for the benefit of wildlife and their habitats and species of Tribal cultural or traditional importance, including species that are not hunted or fished. The TWG Program is part of the State Wildlife Grant (SWG) Program which provides wildlife conservation grants to States, Commonwealths, and to the District of Columbia, U.S. Territories, and Tribes under provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act. TWG Program funding originates from the Department of the Interior (DOI) and Related Agencies Appropriations Act for Fiscal Year 2002 (Pub. L. 107-63), when Congress first specified that the Service use a portion of the funds appropriated under the SWG Program to establish a competitive grant program available to federally recognized Tribes. This language allows the Secretary of the Department of the Interior, through the Director of the Service, to establish a separate competitive Tribal grant program which would not be subject to the provisions or other requirements of the SWG Program portion. The TWG Program provides opportunities for federally recognized Tribes to engage in fish and wildlife conservation efforts on their lands, many of which are located adjacent to DOI- managed lands. Many of the TWG Program-funded project activities increase fish and wildlife populations, allowing for hunting and fishing opportunities on and off Tribal lands. Additionally, the TWG Program also funds project activities that align and assist the Service with Endangered Species Act (ESA) activities supporting downlisting, delisting, and preventing species listing under the ESA. Specifically, TWG Program awards assist and help fulfill the following DOI priorities:

- 1) Creating a Conservation Stewardship Legacy Second Only to Teddy Roosevelt
- 2) Utilizing Our Natural Resources
- 3) Restoring Trust With Our Local Communities
- 4) Ensuring Sovereignty Means Something

Eligible Projects

Eligible projects include those that initiate, develop or implement activities or programs that benefit wildlife and their habitat, including species of Native American cultural or traditional importance and species that are not hunted or fished. Activities may include, but are not limited to:

- Planning for conservation of fish and wildlife, and their habitats
- Conservation management actions for fish and wildlife, and their habitats
- Field and laboratory research related to fish and wildlife resources
- Natural history studies
- Fish passages
- Habitat mapping or evaluation
- Field surveys and population monitoring
- Restoration of habitat
- Management of invasive species
- Public education relevant to the proposed project

You are encouraged to work with Service staff in developing proposal applications and addressing all scoring criteria listed below in Section VI.

Additional information about the TWG Program is on the web at:

<http://www.fws.gov/nativeamerican/grants.html>.

Since its inception in 2003, the competitive TWG Program has awarded more than \$94 million to Native American Tribes, providing support for more than 456 conservation projects. In FY 2018, 102 proposals were received and 25 awards were issued; in FY 2019, 76 proposals were received and 24 awards issued; and, in FY 2020, an estimated 110-130 proposals are expected to be received and about 20-30 awards are expected to be issued.

If you do not have access to the Internet and would like to receive information by mail, contact the Service point of contact identified in the Agency Contacts section below.

II. Federal Award Information

Competitive Grants

The TWG Program is funded through annual appropriations of Congress. There is no assurance that it will be funded in subsequent years. Congress has appropriated \$5.209 million for the FY 2020 TWG Program to be awarded through competitive grants to eligible federally-recognized Tribes.

Funding Limitation

The Service will award grants up to a maximum of \$200,000 for a single project. There is no grant award minimum.

Funding Restrictions

- a. Under certain conditions, TWG Program funds may be used to fund public education and law enforcement activities. In order for an education or law enforcement objective to be eligible for TWG Program funding, these activities must constitute a minor portion of a project, and must be critical to the project's success. "Minor" is considered no more than 10 percent of Federal TWG Program funds requested.
- b. TWG Program funds may be used to conduct environmental reviews, habitat evaluations, permit reviews related to Section 404 of the Clean Water Act, and other environmental compliance activities only when they are directly related to the proposed project and are indicated in the proposal application.
- c. Generally, only expenses incurred and budgeted during the grant period are reimbursable. The grant period begins with the effective date established at the time the grant is approved. However, a Tribe may request reimbursement for pre-award costs for certain necessary expenses detailed in the grant. Pre-award costs are those incurred prior to the effective date of the award where such costs are necessary to comply with the proposed delivery schedule or period of performance. Such costs are allowable only if the grant is awarded and only to the extent that they would have been allowable if incurred after the date of the award and only with the written approval of the Service (see [Title 2 of the Code of Federal Regulations \(CFR\) 200.458](#)).
- d. TWG Program funds cannot be used to conduct activities to comply with a Biological Opinion or for mitigating fish or wildlife habitat losses, where the obligation to mitigate is incurred by the Service, another Federal agency, Tribe, State agency, or private entity, nor may the value of property purchased be used for similar purposes, with only one exception. Only activities to mitigate or compensate for TWG Program-funded activities,

or that are necessary to secure permits or approval of those activities, are allowable. Contact your WSFR Regional Office if you have specific questions related to eligibility of mitigation-related costs. TWG Program funds can be used to implement conservation recommendations.

- e. Projects may be proposed on lands other than those that are held in Tribal trust status. For projects that propose to conduct work off of trust lands, the Service requires assurance that, if awarded, the recipient has permission to conduct the activities proposed through a contract with the landowner. A contract would not be required where a Tribe retains treaty rights so long as the proposed activities are pursuant to those treaty rights.
- f. Projects that include partnerships may score higher in the ranking process. Any partners providing support (i.e., technical, outreach, data sharing) must be listed in the proposal with a letter of support and/or commitment from each.
- g. Proposals should be written for the shortest duration needed to accomplish project objectives. Grant performance periods may be extended if necessary. A project application that is a part of a longer-term initiative will be considered but the objectives, benefits, and tasks of the proposed project must stand on their own merits, as there are no assurances that additional funding will be awarded in future years for associated or complementary projects.
- h. TWG Program funds cannot be used for acquisition of real property or conservation easements.

III. Basic Eligibility Requirements

Eligible Applicants

Participation is limited to federally recognized Tribal governments listed in the current Federal Register Notice of Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs. This is the official listing of all federally recognized tribes in the United States pursuant to Section 104 under the Federally Recognized Indian Tribe List Act of 1994 (Pub. L. 103-454; 108 Stat. 4791-4792). The most recent Notice was published in the Federal Register, 81 FR 5019 (January 29, 2016). Tribal organizations and other entities may participate as sub-grantees or contractors to federally recognized Tribes. This information is available [here](#) under the heading Tribal Leaders Directory.

Applicant Tribes must bring all administrative and fiscal reporting for open TWG Program grants up to date in order to be eligible to apply for new funds. Applicants will be notified within five business days upon receiving proposals noting any outstanding reporting issues that need to be addressed. Tribes will then have thirty days to bring these grants into compliance. Proposals from Tribes that have not brought past due reports (e.g., interim or final performance reports, or interim or final financial status reports) up to date in this 30-day period will be found ineligible and excluded from further consideration in the FY 2020 TWG Program cycle.

When an applicant is carrying two or more active TWG projects while applying for another, the Service has an administrative obligation to verify that there are no correctable problems in implementing the existing awards. The Service will review the reasons why those grants are still open before proceeding with further consideration. Tribes that demonstrate their effective use of TWG Program funds will not be affected. Tribes that have taken no significant action on any

one of their two or more preexisting awards will not be considered eligible to apply for new TWG Program funds until the problem is resolved. Possible resolutions might be for the Tribe to demonstrate progress in the agreed-upon activities of an inactive grant, demonstrate that the assertion of “no action” is incorrect, or the Tribe may cancel the grant so that the obligated funds may be recovered and made available to other Tribes in the next grant cycle.

Federal law mandates that all entities applying for Federal financial assistance must have a valid Dun & Bradstreet Data Universal Number System (DUNS) number and have a current registration in the System for Award Management (SAM). See [2 CFR 25](#) for more information.

DUNS Registration

Request a DUNS number at [Dun & Bradstreet Registration](#). If you have technical difficulties, contact Dun & Bradstreet by email at: govt@dnb.com, or by calling the Government Customer Resource Center at voice phone: 866-705-5711 or TTY line: 877-807-1679 (hearing impaired customers only). Obtaining a DUNS number is free for all entities doing business with the Federal government. Once assigned a DUNS number, entities are responsible for maintaining up-to-date information with Dun & Bradstreet.

Be aware that starting in December 2020, your DUNS number will no longer be the official identifier for doing business with the Federal government. The General Services Administration (GSA) will start a new, non-proprietary Unique Entity Identifier (UEI) to be requested in and assigned by the System for Award Management (<https://sam.gov/SAM/>). Visit the [GSA Unique Entity Identifier Update web page](#) for the latest information on this transition. This transition will not change the applicability of existing requirements for either obtaining an entity identifier or completing the full SAM registration. If you are currently exempt from obtaining an entity identifier and/or completing full SAM registration, you will continue to be exempt from those requirements.

Registration in SAM

Register in SAM online at the [SAM website](#). Once registered in SAM, you must renew and revalidate your SAM registration at least every 12 months, and you must continue to maintain an active registration through the life of your award(s). We urge you to revalidate your registration as often as needed to ensure that your information is up-to-date and consistent with changes that may have been made to DUNS and Internal Revenue Service information. We cannot award TWG Program funds to you if you have not completed your SAM registration. If you are selected for funding but have not completed your SAM registration by the time we are ready to make an award, we may determine that you are not qualified to receive an award.

Note that the official U.S. Government website address for SAM is <https://sam.gov/SAM/>. There is no cost to register in or access SAM. Some third-party vendors charge a fee in exchange for registering entities in SAM; please be aware that you can register to do business with the U.S. Government for free directly at <https://sam.gov/SAM/>.

Excluded Entities

We conduct a review of the SAM Exclusions database for you and any key project personnel prior to award. If you or your key project personnel are identified in the SAM Exclusions database as ineligible, prohibited/restricted, or excluded from receiving Federal contracts, certain subcontracts or certain Federal assistance and benefits, you will not be considered for

Federal funding through the TWG Program.

Prohibition Regarding Internal Confidentiality Agreements

If you require your employees or your contractors to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts your employees or contractors from lawfully reporting waste, fraud, or abuse to a designated investigative or law enforcement official of a Federal department or agency authorized to receive such information, you are not eligible to compete for or receive a TWG Program award. See [Pub. L. 113- 235, Title VII, Division E, Section 743](#) (p. 263/702) for more information

Period of Availability

TWG Program grants made in FY 2020 are available for obligation, after the review process, based on the amount appropriated by Congress and approved by the President.

IV. Application Requirements

You can download the application package for the TWG Program [here](#), by entering Funding Opportunity Number F20AS00050. You can also download application forms through the [WSFR toolkit](#) under “Forms.” To be considered for funding under this opportunity, an application must contain:

SF-424, Application for Federal Assistance Form

Submit a completed, signed and dated Application for Federal Assistance form ([Standard Form \(SF\)-424](#)). Do not include other Federal sources of funding, requested or approved, in the total entered in the “Federal” funding box on the SF-424. Enter only the amount being requested under the TWG Program in the “Federal” funding box. Include any other Federal sources of funding in the total funding entered in the “Other” box and provide details on those Federal source(s) and funding amount(s) in your Budget Narrative (see “Budget Narrative” below).

Cover Letter

The cover letter transmits the project proposal and briefly states its main features.

Cover Page

Include the following information in the upper right corner of the cover page: Name of Tribe, Project Title, Federal (TWG Program) Funds Requested, Project Start Date, Project End Date, Project Contact’s Name and Job Title, Project Contact’s Phone Number, Project Contact’s E-mail Address, and Date. It also may include the Tribal logo, seal and/or photo.

Project Summary

The project summary describes the main project objectives, deliverables and type and duration of activity that will take place if the Service funds the project and should not be longer than one-half page.

Request to Acquire, Improve, or Furnish

If you request our approval to acquire real property with Federal funds under your award, with matching funds under your award, or as an in-kind match contribution, you must complete the [SF-429B](#), “Request to Acquire, Improve, or Furnish.” As an alternative, you may use another standardized data collection format if we approve or direct its use. You and/or your

subrecipient(s) must submit the SF-429B regardless of whether the request occurs at the time of application, during the period of performance, or as a pre-award cost.

Project Narrative

Note: Project Narrative should not exceed 10 pages. The project narrative clearly identifies the problems that the proposal will correct or help solve for the benefit of wildlife and their habitat, including species of Tribal cultural or traditional importance and species that are not hunted or fished. It must articulate the following information:

- a. **Need:** The need for the proposed project(s) within the purpose of the Program;
- b. **Objectives:** Identification of clear, discrete, quantifiable goals and performance measures, deliverables and verifiable objectives to be accomplished during a specific time period (include proposed timeline chart or table). Objectives are the specific outcomes to be accomplished in order to reach the stated goal(s). The project objectives should be specific, measurable, and realistic (attainable within the proposed performance period);
- c. **Results:** Expected results or benefits from accomplishing the objectives;
- d. **Methodology:** The methodology/approach or activities to be used in meeting the objectives, including specific procedures, methods, schedules, key personnel, and cooperators or partners;
- e. **Monitoring Plan:** A description of the monitoring activities and how the project results will be collected and assessed;
- f. If applicable, indicate the number of impacted acres and/or miles of stream or shore line;
- g. **Environmental Compliance:** A description of the activity in sufficient detail is needed so Service staff are able to evaluate compliance with the National Environmental Policy Act (NEPA), Section 7 of the ESA, and Section 106 of the National Historic Preservation Act (NHPA) (NOTE: this is a new requirement.);
- h. **Project Location:** Maps or other geographic aids may be attached. Please include GPS Coordinates in degrees, minutes, and seconds, if available; and
- i. **Partnership:** Describe partnerships with other Tribes, organizations, or agencies.

Budget Form or Budget Table

Complete the Budget Information for Non-Construction Programs (SF-424A) form, Budget Information for Construction Programs (SF-424C) form, or submit the equivalent or greater level of information in your own budget format. You may use the SF-424A if your project does not include construction or real property acquisition and the SF-424C if your project includes construction or real property acquisition. The budget forms are published along with this NOFO at Grants.gov and are also available [here](#). When developing your budget, keep in mind that financial assistance awards and sub-awards are subject to the Federal cost principles in [2 CFR 200, Subpart E](#). If your project budget includes multiple Federal funding sources, you must show the funds being requested from the TWG Program separately from any other requested/secured Federal sources of funding on the budget form. For example, enter the funds being requested from the TWG Program in the first row of the Budget Summary section of the form and then enter funding related to other Federal programs in the subsequent row(s). Be sure to enter each Federal program's CFDA number in the corresponding fields on the form. The CFDA number for the TWG Program is 15.639.

Budget Narrative

In a separate narrative titled “Budget Narrative,” explain and justify all requested budget items/costs. Detail how the SF-424 Budget Object Class Category totals were determined and demonstrate a clear connection between costs and the proposed project activities. The justification for each budget category should be a brief general description of the costs that make up that category, but should provide enough detail to demonstrate that you have a financial plan for implementation of the proposed objectives, including completion of any required compliance activities. For example, under personnel costs include the total number of staff and the various job titles anticipated to be charging to the project. Describe any item that under the applicable Federal Cost Principles requires the Service’s approval and estimate its cost. Include a list of all Federally-funded equipment and indicate why it is necessary for achieving the goals and objectives of the project. Various activities or components of each project should be broken down by cost and by cooperator. In discussing match (including cash or in-kind), include the source, the amount, and the valuation methodology used to arrive at the total. If there will be any program income, include the source, amount, and the requested method of crediting the program income. Any partners providing funds or in-kind services must be identified in the grant proposal with a letter of commitment and support from each.

Required Indirect Cost Statement

If you do not have an approved indirect cost rate you cannot charge indirect costs to your Federal award. You must include in the budget narrative one of the following statements and attach to your application any required documentation identified in the applicable statement. “We are:

1. A Tribal government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. A copy of our most recently approved rate agreement/certification is attached.
2. A Tribal government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We are required to prepare and retain for audit an indirect cost rate proposal and related documentation to support those costs.
3. A Tribal government entity that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate]. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.
4. A Tribal government entity that has never submitted an indirect cost rate proposal to our cognizant agency. Our indirect cost rate is [insert rate; must be lower than 10 percent]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat indirect cost rate of [insert rate; must be lower than 10 percent] of [insert a clear description of the direct cost base against which your rate is charged (e.g., salaries; salaries and fringe benefits; or modified total direct costs)]. However, please note that your organization cannot charge indirect costs in excess of the indirect costs that would be recovered if applied against modified total direct costs as defined in [2 CFR 220.68](#). We understand that we must notify the Service in writing immediately if we establish an approved rate with our cognizant agency at any point during the award period;

5. A Tribal government entity that has never submitted an indirect cost rate proposal to our cognizant agency and has an indirect cost rate that is 10 percent or higher. Our indirect cost rate is [insert your organization's indirect rate; must be 10 percent or higher]. However, in the event an award is made, we will not be able to meet the requirement to submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after award. We request as a condition of award to charge a flat *de minimis* indirect cost rate of 10 percent of modified total direct costs as defined in [2 CFR 200.68](#). We understand that we must notify the Service in writing immediately if we do establish an approved rate with our cognizant agency at any point during the award period. We understand that additional Federal funds may not be available to support an unexpected increase in indirect costs during the project period and such changes are subject to review, negotiation, and prior approval by the Service; or,
6. A Tribal government entity that will charge all costs directly.”

Please note:

- If you do not have an approved indirect cost rate you are prohibited from charging indirect costs to your Federal award. Accepting a flat *de minimis* rate as a condition of award is an approved rate.
- Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award.
- You may only charge the indirect costs calculated against the allowable direct costs charged to the Federal award. .
- You must have prior written approval from us to transfer unallowable indirect costs to amounts budgeted for direct costs or to satisfy cost-sharing or matching requirements under your award.
- You are prohibited from shifting unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

For more information on indirect cost rates, see our [Indirect Costs and Negotiated Indirect Cost Rate Agreements guidance document](#). See also [2 CFR 1402.414](#) for the policies, procedures, and decision-making criteria for using an indirect cost rate that differs from your or your subrecipient's negotiated rate, or its approved rate for our awards

Negotiating an Indirect Cost Rate with the Department of the Interior

If you do not have a NICRA you must first have an open, active Federal award before you can submit an indirect cost rate proposal to your cognizant agency. The Federal awarding agency providing you the largest amount of direct funding is your cognizant agency, unless otherwise assigned by OMB. If the Department of the Interior is your cognizant agency, your indirect cost rate is negotiated by the Interior Business Center. For more information:

Indirect Cost Services
Acquisition Services Directorate, Interior Business Center
U.S. Department of the Interior
650 Capitol Mall, Suite 7-400
Sacramento, CA 95814
Phone: 916-930-3803
Email: Through [this email web form](#).

Internet address: [Link to Indirect Cost Services Webpage.](#)

Single Audit Reporting Statements

As required in [2 CFR 200, Subpart F](#), all Tribes expending \$750,000 or more in Federal award funds in a fiscal year must submit a Single Audit report for that year through the Federal Audit Clearinghouse's Internet Data Entry System. You must provide a statement regarding whether you were or were not required to submit a Single Audit report for your most recently closed fiscal year and, if so, state if that report is available on the [Federal Audit Clearinghouse Single Audit Database website](#) and provide the EIN under which that report was submitted. Include these statements at the end of the project statement in a section titled "Single Audit Reporting Statements."

Assurances

Include the appropriate signed and dated Assurances form, which is available [here](#). Use the Assurances for Construction Programs form (SF-424D) for construction and real property acquisition projects and use the Assurances for Non-Construction Programs form (SF-424B) for all other projects. The form includes a statement that some of the assurances may not be applicable to your organization and/or your project or program. Signing this form does not make you or your organization subject to laws that are otherwise not applicable to you. Changing, crossing out, or making notations on the form before signing has no impact on the applicability of law. We encourage you to submit a copy of the Assurances form annually to your WSFR Regional Office.

Assurances include a certification that you will give us, the Comptroller General of the United States and other appropriate parties, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award, and that you will establish an appropriate accounting system in accordance with generally accepted accounting standards or agency directives.

Effective February 2, 2019, you may submit and certify your SF-424B Assurances for Non-Construction Programs form when creating, updating, or renewing your SAM registration. If you have submitted the SF-424B as part of your SAM registration or renewal, or it is already on file with your WSFR Regional Office, please do not include an additional copy in your application. The SF-424D cannot be updated via SAM; therefore, you may include a copy in your application unless a copy is already on file with your WSFR Regional Office.

Certification and Disclosure of Lobbying Activities

You must not use any federally appropriated funds (both annually appropriated and continuing appropriations) or matching funds under a grant or cooperative agreement award to pay any person for lobbying in connection with your award ([Title 31 U.S.C., Section 1352](#)). Lobbying is defined as influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the award. Submission of an application also represents your certification of the statements in [43 CFR 18, Appendix A- Certification Regarding Lobbying](#). If you have made or agree to make any payment using non-appropriated funds for lobbying in connection with this proposal and the Federal share of the award exceeds \$100,000, complete and submit the SF-LLL, Disclosure of Lobbying Activities form available in [Grants.gov](#) or [WSFR's](#)

[Financial Assistance Wiki Forms Page](#). See [43 CFR 18.100](#) for more information on when additional submission of this form may be required.

Conflict of Interest Disclosures

You must notify us in writing of any conflicts of interest that arise during the life of this award, including those reported to you by any sub-recipient under the award. You must notify us in writing if any employees, including sub-recipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee involved in the TWG Program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award. You may not have a former Federal employee as a key project official, or in any other substantial role in the proposed project, whose participation puts them out of compliance with the legal authorities addressing post-Government employment restrictions. See the [U.S. Office of Government Ethic's website](#) for more information on these restrictions. We will examine each conflict of interest disclosure based on its particular facts and the nature of the proposed project and will determine whether a significant potential conflict exists and, if so, if there are any possible actions you may take to reduce or resolve the conflict. Failure to disclose and resolve conflicts of interest in a manner satisfactory to us may result in any of the remedies described in [2 CFR 200.338 Remedies for Noncompliance](#), including termination of the award.

Required Overlap/Duplication Statement

You must provide a statement indicating if there is any overlap between this Federal application and any other Federal application, or funded project, in regard to activities, costs, or time commitment of key personnel. If no such overlap or duplication exists, state, "There are no overlaps or duplication between this application and any of our other Federal applications or funded projects, including in regard to activities, costs, or time commitment of key personnel." If any such overlap exists, provide a complete description of overlaps or duplications between this proposal and any other federally funded project or application in regard to activities, costs, and time commitment of key personnel, as applicable. Provide a copy of any overlapping or duplicative proposal submitted to any other potential funding entity and identify when that proposal was submitted, to whom (entity name and program), and when you anticipate being notified of their funding decision. When overlap exists, your statement must end with "We understand that if at any time we receive funding from another source that is duplicative of the funding we are requesting from the U.S. Fish and Wildlife Service in this application, we will immediately notify the U.S. Fish and Wildlife Service point of contact identified in this NOFO in writing."

Tribal Resolution of Support

A signed Tribal resolution of support should be included in the proposal application from the appropriate Tribal governing body, or an official signed letter from an individual with delegated Tribal authority stating their support for the proposal application will be accepted. The designation letter to sign grant reporting documents does not extend to providing support for proposal applications. If a signed Tribal resolution of support is not included in the proposal application, one will be required should the proposal be successfully awarded.

Response to Criteria

Submit a summary table or response to the scoring criteria.

Application Checklist

Failure to provide complete information may cause delays, postponement, or rejection of the application.

- A complete, signed and dated SF 424, SF 424-Mandatory, or SF 424-Individual form.
- Cover Letter
- Cover Page
- Project Summary
- If applicable, a completed Request to Acquire, Improve, or Furnish form (SF-429B)
- Project Narrative
- Submit statements regarding applicability of and compliance with Single Audit Reporting requirements ([2 CFR 200.501](#))
- A complete SF-424A or SF-424C Budget Information form
- Budget Narrative
- Indirect Cost Statement
- When applicable, a copy of the Tribe's current Negotiated Indirect Cost Rate Agreement should be included in the proposal application
- Signed and dated SF-424B or SF-424D Assurances form
- If applicable, completed SF-LLL Disclosure of Lobbying Activities form
- If applicable, a Conflict of Interest Disclosure
- Statement regarding Overlap/Duplication
- A signed Tribal resolution of support and / or official signed letter from an individual with delegated Tribal authority stating their support for the proposal application.
- Responses to criteria and a table identifying the locations of your responses to the scoring criteria

Failure to provide complete information may cause delays, postponement, or rejection of your application. We encourage you to work with Service staff in developing proposal applications. Make sure you address all scoring criteria listed below in your application.

V. Submission Instructions

Submission Deadline

Grant application packages for FY 2020 must be e-mailed (or uploaded to Grants.gov), or postmarked on or before July 6, 2020, and submitted to the appropriate Regional Office (see below for contact information).

Electronic Submission Instructions

For electronic submissions, download the Application Package linked to this Funding Opportunity on Grants.gov to begin the application process. Using the "Search Grants" tab, enter Funding Opportunity Number F20AS00050. Downloading and saving the Application

Package to your computer makes the required Government-wide standard forms fillable and printable. The project narrative and budget narrative must be attachments in the following formats: Microsoft Word, Adobe PDF, or Microsoft Excel. To submit the application, follow these steps:

1. Go to www.grants.gov.
2. Click the "Apply for Grants" tab and read the instructions provided by Grants.gov.
3. Before you submit your application:
 - You must register as an Authorized Organization Representative (AOR) and have a user ID and password. You can register on the web [here](#);
 - You must have Adobe Acrobat Reader to view files on the web. You can download Adobe Acrobat Reader [here](#).
4. Standard forms such as the SF-424, SF-424A, SF-424B, SF-424C, and SF-424D are fillable forms on Grants.gov.
5. All forms and attachments mentioned above must be submitted with the grant application package.

Please do not assign application attachments file names longer than 20 characters, including spaces. Assigning file names longer than 20 characters may create problems in the automatic interface between Grants.gov and the Service's financial assistance management system.

Mail or Email Submission Instructions

1. Applicants can obtain forms, in fillable PDF format, from the WSFR Toolkit [here](#).
2. The required SF-424 Application for Federal Assistance and Assurances forms and any other required standard forms must be signed by your organization's authorized official. The Signature and Date fields on the standard forms downloaded from Grants.gov are pre-populated with the text "Completed by Grants.gov upon submission." Remove this text (manually or digitally) before signing the forms.
3. The completed grant application package must be mailed or emailed to the appropriate Service Regional Office. We prefer that you submit your proposal electronically as a single document in PDF format. To ensure timely submission in the event there are issues / problems with Grants.gov, we encourage you to email a single PDF document of your entire proposal to the appropriate Service contact below.

The Service administers the TWG Program. For project- and Region-specific information and application information, contact your Regional Native American Liaison and/or your WSFR Regional Office TWG Program lead:

Portland Regional Office

American Samoa, Commonwealth of the Northern Mariana Islands, Guam, Hawaii, Idaho, Oregon, and Washington

Native American Liaison:

Nathan Dexter

(503) 736-4774

Nathan_Dexter@fws.gov

WSFR TWG Program Lead:

Paul Hayduk

(503) 736-4780

Paul_Hayduk@fws.gov

U.S. Fish and Wildlife Service
Wildlife and Sport Fish Restoration Program
Eastside Federal Complex
911 NE 11th Avenue Portland,
OR 97232-4181_

r1fa_grants@fws.gov

Albuquerque Regional Office

Arizona, New Mexico, Oklahoma, and Texas

Native American Liaison:

John Nystedt

(928) 556-2160

John_Nystedt@fws.gov

Assistant Regional Director – External Affairs:

Mary Elder

(505) 248-6285

Mary_Elder@fws.gov

WSFR TWG Program Lead:

Dennis Wilson

(505) 248-7456

Dennis_Wilson@fws.gov

U.S. Fish and Wildlife Service

Native American Liaison

P.O. Box 1306

500 Gold Avenue, SW

Albuquerque, NM 87103_

fw2fa@fws.gov

Bloomington Regional Office

Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin

Native American Liaison:

Assistant Regional Director—External Affairs:

Chuck Traxler (612) 713-5313

Charles_Traxler@fws.gov

WSFR TWG Program Lead:

Nick Palaia

(612) 248-7476

Nick_Palaia@fws.gov

U.S. Fish and Wildlife Service
Native American Liaison
5600 American Blvd. West, Suite 990
Bloomington, MN 55437-1458
R3fedaid@fws.gov

Atlanta Regional Office

Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, the Commonwealth of Puerto Rico, South Carolina, Tennessee, and the U.S. Virgin Islands

Native American Liaison:
Tim Binzen
(413) 253-8731
[Timothy Binzen@fws.gov](mailto:Timothy_Binzen@fws.gov)

WSFR TWG Program Lead:
Scott White
(404) 679-7113
[Scott White@fws.gov](mailto:Scott_White@fws.gov)

U.S. Fish and Wildlife Service
Native American Liaison
1875 Century Boulevard, Suite 240
Atlanta, GA 30345
r4federalassistance@fws.gov

Hadley Regional Office

Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia

Native American Liaison:
Tim Binzen
(413) 253-8731
[Timothy Binzen@fws.gov](mailto:Timothy_Binzen@fws.gov)

WSFR TWG Program Lead:
Richard Zane
(413) 253-8731
[Richard Zane@fws.gov](mailto:Richard_Zane@fws.gov)

U.S. Fish and Wildlife Service
Native American Liaison
300 Westgate Center Drive
Hadley, MA 01035
fw5fareports@fws.gov

Denver Regional Office

Colorado, Kansas, Nebraska, Montana, North Dakota, South Dakota, Utah, and Wyoming

Native American Liaison:
Melissa Castiano
(303) 236-9898
Melissa.Castiano@fws.gov

WSFR TWG Program Lead:
Denise Sanchez
(303) 236-2985
Denise.Sanchez@fws.gov

U.S. Fish and Wildlife Service
Native American Liaison
134 Union Blvd.,
P.O. Box 25486
Denver, Colorado 80225
fw6_fagrants@fws.gov

Anchorage Regional Office

Alaska

Native American Liaison:
Crystal Leonetti
(907) 786-3868
Crystal.Leonetti@fws.gov

WSFR TWG Program Lead:
Cary Myler
(907) 786-3631
Cary.Myler@fws.gov

U.S. Fish and Wildlife Service
Alaska Native Affairs Specialist
1011 East Tudor Road MS-261
Anchorage, AK 99503_
AK_TWG@fws.gov

Sacramento Regional Office

California and Nevada and Klamath Basin

Native American Liaison:
Mac McCurdy (acting until June 26, 2020) or Jeanne Spaur (beginning June 29, 2020)
(916) 414-6474
Mac.McCurdy@fws.gov
Jeanne.Spaur@fws.gov

WSFR TWG Program Lead:
Damion Ciotti
(530) 889-2327

Damion_Ciotti@fws.gov

U.S. Fish and Wildlife Service
Habitat Restoration Division
2800 Cottage Way, W-1729
Sacramento, CA 95825

R8fa_grants@fws.gov

VI. Application Review

Criteria

The following scoring criteria will be used to evaluate and rank each proposal on a scale of 0-100. Applicants should address as many of these criteria in their proposal applications as possible.

Resource Benefit

A maximum of 30 points may be awarded.

What are the expected benefits to Tribal fish and wildlife and their habitat, including species that are of cultural or traditional importance and species that are not hunted or fished if this program is successfully completed?

- a. Extent to which the project will reduce or restore losses to fish, wildlife, and plant species or their habitats.
- b. Extent to which the project will carry out research or monitoring needed to restore or manage fish, wildlife and plant species or their habitats.
- c. Extent to which the project addresses a fish and wildlife resources priority identified by a Tribe or other entity in a management or recovery plans.
- d. Duration for which the project protects or manages a fish and wildlife resource priority.

Performance Measures

A maximum of 18 points may be awarded.

To what extent does the proposal identify obtainable and quantifiable performance measures and a means to monitor, evaluate, and report on these measures compared to an initial baseline? The measures should be specific, clear and provide demonstrable benefits to the target species.

- a. Extent to which the project produces measurable results for habitat and/or species.
- b. Extent to which the project identifies a baseline and identifies anticipated measurable post-project accomplishments.
- c. Extent to which the project implements high priority items and is part of a comprehensive management approach.

Work Plan

A maximum of 10 points may be awarded.

Are the program activities and objectives well-designed and achievable?

- a. Extent to which the project tasks and work products are clearly established and support Tribal goals/objectives.
- b. Extent to which the project schedule is achievable.
- c. Extent to which the proposal clearly defines and establishes accountability of the applicant.

Budget

A maximum of 10 points may be awarded.

Are all major budget items justified in relation to the program objectives and clearly explained in the narrative description?

- a. Extent to which all parts of the Budget Narrative and Budget Tables are clear, concise, and complete.
- b. Extent to which the Budget Narrative and associated Budget Table(s) accurately reflect all costs.

Capacity Building

A maximum of 20 points may be awarded.

To what extent does the program increase the grantee's capacity to provide for the benefit of wildlife and their habitat?

- a. Extent to which the project contributes to Tribal self-sufficiency in fish and wildlife resource management.
- b. Extent to which the project results in the creation or improvement of Tribal wildlife ordinances and/or enforcement.
- c. Extent to which the project improves fish and wildlife management capabilities through infrastructure development and training.

Outreach, Partnership and Data Sharing

A maximum of 12 points may be awarded.

To what extent does the applicant display commitment to the project through outreach, partnerships and data sharing?

- a. Extent to which the project clearly demonstrates outreach actions within the proposal.
- b. Extent the project involves partnerships with other Tribes, organizations, or agencies.
- c. Extent the project builds data or information in a format that is sharable with other data systems, Tribes, organizations, or agencies.

Review and Selection Process

The following information provides detailed information on how the Service reviews and selects TWG proposals using a two-step process at the regional and national level.

Regional Review and Ranking

Establishing Regional Review Teams

Each Service Region will establish a team to score proposals, consisting of at least four knowledgeable and qualified individuals from the Service or another Federal agency. Prior to participating in any review or evaluation process, all staff and peer reviewers, evaluators, panelmembers, and advisors must sign and return to the program office point of contact the "Department of the Interior Conflict of Interest Certification" form. For a copy of this form, contact the appropriate regional Service point of contact identified above.

Receiving Applications

TWG Program grant applications are either submitted by mail to the office of the Regional Director, by email to appropriate regional contact above, or submitted electronically through

Grants.gov. Upon physical receipt, proposals should be date-stamped and delivered to the appropriate regional Native American Liaison or WSFR TWG Program contact. Proposal applications must be postmarked on or before the closing date for acceptance as identified in the announcement. No facsimile copies of the proposal application will be processed or accepted.

Screening and Accepting a Proposal for Consideration

Prior to accepting an application for consideration the regional Native American Liaison or WSFR TWG Program contact will determine if it is complete and meets the requirements of the authorizing legislation. The regional Native American Liaison or WSFR TWG Program contact will ensure the proposal application is complete and addresses the information in the Application Checklist above. If an application package is incomplete, the regional Native American Liaison or WSFR TWG Program contact may inform an applicant of any required information that is missing so that the applicant may provide the missing information by the closing date or resubmit for the next Notice of Funding Opportunity. The regional Native American Liaison or WSFR TWG Program contact determines whether the applicant Tribe is in compliance on previously awarded grants. Tribes not in compliance with existing grants may be ineligible to apply for new grants.

Multiple Applications

Tribes may submit multiple applications under the TWG Program. However, no single Tribe may be funded for multiple projects within a given fiscal year that exceed the maximum annually allowable amount of \$200,000. If multiple applications exceed this amount, the highest scoring will be accepted and the other(s) will be ruled ineligible.

Rejecting an Application

Applications that do not meet all eligibility requirements may be rejected and applicants will be notified by the regional Native American Liaison or WSFR TWG Program contact in a letter that explains why the proposal was rejected. The regional Native American Liaison or TWG contact will retain copies of all submitted proposals in their respective Regional Office.

Regional Review Team

The regional Native American Liaison or WSFR TWG Program contact will prepare copies of the applications that pass the screening process and are recommended for evaluation for use by the Regional Review Team (Team). The regional Native American Liaison or WSFR TWG Program contact will coordinate activities of the Team, but will not score applications at the Regional level. Applications will be scored independently by Team members according to the established criteria values published in this NOFO. Individuals evaluating each proposal will sign and date the completed Scoring Sheet and return it to the Native American Liaison.

Regional Ranking

Once all applications have been evaluated, the regional Native American Liaison or WSFR TWG Program contact will ensure that all applications and scores are accurately entered into an Excel database. All Scoring Sheets will be collected by the regional Native American Liaison or WSFR TWG Program contact and saved as part of the administrative record.

The regional Native American Liaison or WSFR TWG Program contact will average the scores for each application to develop regionally ranked TWG Program project lists , with the highest

average score being number 1, the second highest number 2, etc. The Regional ranking lists must be approved by the Team. In order to close out all scoring committee activities, regional Native American Liaison or WSFR TWG Program contact are encouraged to convene their scoring committees (in person or by conference call) to review and discuss the final regional ranking before the list is submitted to their respective Regional Director for approval.

Tie Breakers

If two proposals have the same score, regional Native American Liaison or WSFR TWG Program contact will determine priority based on the average scores of individual criteria. The Resource Benefit criterion is used first to break ties. If the Resource Benefit scores are the same, the tie breaker process moves to the Capacity Building criterion and then the Performance Measures criterion.

Top Tier Proposals

Top tier proposals bypass the national scoring process and are automatically placed on the list of recommended proposals submitted to the Director. The two highest scoring TWG Program applications are considered Top Tier proposals at the regional level. However, Regional Directors have the option of elevating any eligible proposal to “Top Tier” status if they feel justified in doing so. If this occurs, Regional Director “Top Tier” selections will be moved to the highest rank and all other proposals will be adjusted down as necessary.

National Review and Ranking

Top Tier Proposals at the National Level

Top Tier Proposals are designated by the Regional Directors and bypass the national review and ranking process and are accepted into the pool of recommended applications.

Merging Regional Ranked Lists

All Regional average scores or rank are converted to a Regional percentile. This serves to eliminate any systematic application of the scoring criteria unique to a Region. For example: if a Region received seven proposals scoring 92, 90, 87, 85, 80, 77, and 70, they would be ranked 1 through 7 respectively. The highest scoring proposal, 92, is the best of seven, or $(7/7) = 100\%$. The next highest 90 is ranked sixth out of seven, or $(6/7) = 86\%$; and so on – with the remaining five proposals being assigned 71%, 57%, 43%, 29%, and 14%. The regionally ranked lists are then merged into a single national pool of eligible proposals based on these percentiles.

Identifying Proposals to be Selected for the National Panel

Based on the amount of funds received under the TWG Program annually the past several years, lack of personnel, administrative budgetary constraints, and amount of time it would take to score the number of those proposals falling under the regional ‘Top Tier’ applications, the Service will not re-score at the National level. Instead, through the process described above under Merging Regional Lists and using the regional rank, an equitable percentage based on the best applications in each Region and the amount of funds left remaining after Top Tier applications are funded, will move forward for funding recommendation at the National level.

Director’s Selection of Proposals to be Funded

Once the National Panel has completed the funding recommendations, the final award list is presented to the Service Director for approval and concurrence.

VII. Award Administration

Award Notices

The Service Director or his/her designee approves or disapproves grant proposals. Regional Offices are responsible for notification of grant approval to the applicant. Following review, applicants may be requested to revise the project scope and/or budget before an award is made. Successful applicants will receive written notice in the form of a notice of award document. Notices of award are typically sent to recipients by courier mail (e.g., FedEx, DHL or UPS) or e-mail. Award recipients are not required to sign/return the notice of award. Acceptance of an award is defined as starting work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to, and as approved by, the Service. The notice of award will include instructions specific to each recipient on how to request payment. If applicable, the instructions will detail any additional information/forms required and where to submit payment requests. We may also publish one or more media releases and post information about projects selected for funding on our websites. These releases may be made in coordination with the DOI and may be made nationally and/or regionally.

Administrative and National Policy Requirements

Compliance with all applicable Federal laws, regulations, and policies, including environmental laws such as NEPA, ESA, NHPA, the Clean Water Act, and applicable executive orders must be satisfied before we can approve a grant and make funding available to you. All financial assistance awards are subject to Federal financial administration requirements. Your WSFR Regional Office will work with you as needed to ensure that your application complies with these requirements. To find out more about these rules, including administrative requirements and cost principles, please review [2 CFR 200](#).

You must provide satisfactory assurance of your present and ongoing ability to provide access to and to produce to any Federal auditor or other proper party all records, books, papers, or documents related to this award and provide assurance that you currently have a proper accounting system in accordance with the financial management guidelines for Federal awardees. See [2 CFR 200.302](#) and [200.303](#). This includes in-place systems and inclusion and application of flow-down requirements to ensure that all subrecipients for which you will be a pass-through entity (see [2 CFR 200.74](#)) are similarly accountable and transparent in documenting that Federal or State expenditures under or pertinent to this award are reasonable, allowable, and allocable and that any assets are properly safeguarded, accounted for, and used for authorized purposes.

You and any of your subrecipients are responsible for complying with the Federal Funding Accountability and Transparency Act (FFATA) and its implementing regulations at [2 CFR 25](#), "Universal Identifier and System for Award Management" and [2 CFR 170](#), "Reporting Subaward and Executive Compensation Information." See also the statutory requirements for whistleblower protections at 10 U.S.C 2324 and 2409 and 41 U.S.C. 4304, 4310 and 4712.

If acquiring real property, you and any of your subrecipients are responsible for complying with the requirements of [49 CFR 24](#) and [2 CFR 1402.329](#). If a person knowledgeable of the local real estate market determines that the property has a low value and the valuation is not complex, the acquisition may qualify for the use of a waiver valuation under [49 CFR 24.102](#). If it doesn't qualify for a waiver valuation, an appraiser must develop an opinion of market value in an appraisal that conforms to both the Uniform Appraisal Standards for Federal Land Acquisition, 6th edition, 2016

(Yellow Book), and the Uniform Standards of Professional Appraisal Practice (USPAP). The appraisal must be recommended by a qualified real property appraiser. The appraiser must be licensed or certified by the State or States where the real property is located. The review appraiser must also have a professional license or certification that is issued or accepted by the State where the property is located.

Domestic Recipient Payments

Prior to award, we will contact you to either enroll in the U.S. Treasury's [Automated Standard Application for Payments](#) (ASAP) system or, if eligible, obtain approval from DOI to be waived from using ASAP.

Transmittal of Sensitive Data

Recipients are responsible for ensuring any sensitive data being sent to the Service is protected during its transmission/delivery. The Service strongly recommends that recipients use the most secure transmission/delivery method available. The Service recommends the following digital transmission methods: secure digital faxing; encrypted emails; emailing a password protected zipped/compressed file attachment in one email followed by the password in a second email; or emailing a zipped/compressed file attachment. The Service strongly encourages recipients sending sensitive data in paper copy to use a courier mail service. Recipients may also contact their Service Project Officer and provide any sensitive data over the telephone.

Award Terms and Conditions

Acceptance of a financial assistance award from us carries with it the responsibility to be aware of and comply with the terms and conditions applicable to the award. Acceptance is defined as the start of work, drawing down funds, or accepting the award via electronic means. Awards are based on the application submitted to and approved by us and are subject to the terms and conditions incorporated into the notice of award either by direct citation or by reference to the following: Federal regulations; program legislation or regulation; and special award terms and conditions. The Federal regulations applicable to Service awards are available online [here](#). See our [Financial Assistance Award Terms and Conditions](#) for the administrative and national policy requirements applicable to TWG Program awards. The DOI Award Provisions attached to this NOFO also apply to TWG Program awards (Attachment A). If you do not have access to the Internet and require a full text copy of the Award Terms and Conditions or other related information, contact your WSFR Regional Office (Section VIII, Agency Contacts).

If you have had questioned costs or any other Office of the Inspector General or other single- audit equivalent audit findings (see [2 CFR 200.516](#)) under your WSFR grant within the last five years, then special considerations ("specific conditions") may apply if you receive an award through the TWG Program. See [2 CFR 200.205](#) and [207](#). Those conditions may include, but are not limited to: limitation on advance payment, a requirement to provide evidence of acceptable performance or documentation before further disbursement, and additional detailed financial reporting and/or heightened project monitoring. See [2 CFR 200.207\(b\)](#). Similarly, if you receive an award through the TWG Program and a subsequent audit results in audit findings with respect to this award, then we may apply specific conditions during the term of this award. See [2 CFR 200.338](#) and [200.207\(b\)](#).

The regulations at [2 CFR 200.315](#) and [2 CFR 1402.315](#) apply to information produced or otherwise resulting from a financial assistance award from DOI. This includes data, methodology, factual

inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual. The Federal Government has the right to:

- 1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and
- 2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes.

Financial and Performance Reports

Final Reports: You are required to submit final financial and performance reports no later than 90 calendar days after the award period of performance end date or termination date, whichever comes first. For awards lasting 12 months or less, the final reports will be the only financial and performance reports required, except in unusual circumstances or if waived.

Interim Reports: For awards that last longer than 12 months, recipients are required to submit interim financial and performance reports no less frequently than annually and no more frequently than quarterly, except in unusual circumstances or if waived. Requiring a higher frequency of reporting will be based on the Service's assessment of higher risk or other unusual circumstances. Quarterly and semiannual interim reports are due within 30 calendar days of the reporting period end date. Annual interim reports are due within 90 calendar days of the reporting period end date.

We expect to require reporting in TRACS beginning in FY 2021. Detailed information on TRACS reporting requirements will be provided in the terms and conditions of your award. We encourage you to work with your WSFR Regional Office if you have questions about formatting your objectives for entry in TRACS.

You must use the SF-425, Federal Financial Report for financial reporting, available at the Grants.gov [Post Award Reporting Forms](#) web page and on our [Financial Assistance Wiki](#).

Performance reports must contain a comparison of actual accomplishments with the goals and objectives of the award as detailed in the approved scope of work, a description of reasons why established goals were not met, if appropriate, and any other pertinent information relevant to the project results.

Events may occur between the scheduled performance reporting dates that have significant impact upon project activities. In such cases, you are required to notify us in writing as soon as the following types of conditions become known:

- Problems, delays, or adverse conditions that will materially impair your ability to meet the objective(s) of the Federal award. This disclosure must include a statement of any corrective action(s) taken or contemplated, and any assistance needed to resolve the situation.

- Favorable developments that enable you to meet your objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

We will specify in the notice of award the required reporting frequency applicable to your award. Financial and performance reporting requirements and retention and access requirements are specified in [2 CFR 200 \(Subpart D\)](#).

Real Property Reports

You and your subrecipient(s) are required to submit reports on the status of any real property in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. We will provide you with specific real property reporting requirements in the notice of award, including the required data elements, reporting frequency, and report due dates, as applicable.

Other Mandatory Disclosures

You must disclose, in a timely manner in writing to us or the pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. If you have received a Federal award including the terms and conditions outlined in [2 CFR 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#), you are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in [2 CFR 200.338](#), Remedies for Noncompliance, including suspension or debarment (See also [2 CFR 180](#), 31 U.S.C. 3321, and 41 U.S.C. 2313). [2 CFR Part 200, Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters](#) is applicable to Federal awards of more than \$500,000, except those awards to individuals and foreign public entities.

VIII. Agency Contacts

The Service administers the TWG Program. Additional program information can be found by contacting your Regional Service Office (see Section V. above). For national-level TWG Program information, or go to <http://www.fws.gov/nativeamerican/contact.html>, or contact:

Scott Aikin

National Native American Programs Coordinator

U.S. Fish and Wildlife Service 1211 SE Cardinal Court, Suite 100 Vancouver, WA 98683

Telephone: (360) 604-2531 (or)

D.J. Monette

Associate Native American Liaison Advisor

U.S. Fish and Wildlife Service

300 Westgate Center Drive Hadley, MA 01035

Telephone: (413) 244-4495

Attachment A: Department of the Interior Award Provisions

I. Conflicts of Interest

a) Applicability

- 1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.
- 2) In the procurement of supplies, equipment, construction, and services by recipients and by sub-recipients, the conflict of interest provisions in 2 CFR 200.318 apply.

b) Requirements

- 1) Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.
- 2) In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or sub-recipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last one (1) year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or sub-recipient or in development of the requirement leading to the funding announcement.
- 3) No actual or prospective recipient or sub-recipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or sub-recipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or sub-recipient.

c) Notification

- 1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the DOI awarding agency or pass-through entity in accordance with 2 CFR 200.112, Conflicts of Interest.
- 2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by sub-recipients.

d) **Restrictions on Lobbying.** Non-Federal entities are strictly prohibited from using funds under this grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR Part 18 and 31 USC 1352.

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

f) Enforcement

Failure to resolve conflicts of interest in a manner that satisfies the Government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for Noncompliance, including suspension or debarment (see also 2 CFR Part 180).

II. Data Availability

- a) **Applicability.** The Department of the Interior is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.
- b) **Use of Data.** The regulations at 2 CFR 200.315 apply to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.
- c) **Availability of Data.** The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:
 - 1) The scientific data relied upon;
 - 2) The analysis relied upon; and
 - 3) The methodology, including models, used to gather and analyze data.