FY2022
ECONOMIC DEVELOPMENT INITIATIVE
COMMUNITY PROJECT FUNDING

GRANT GUIDE

(Amended in accordance with the Consolidated Appropriations Act, 2023, P.L. 117-328)

VERSION 2.0

Updated May 23, 2023

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Office of Community Planning and Development
Office of Economic Development
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Washington, DC 20410

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SECTION 1: BACKGROUND AND PURPOSE

This update to the Fiscal Year 2022 Community Project Funding (CPF) Grant Guide (FY2022 CPF Grant Guide Version 1.0) provides information on the requirements that govern FY2022 CPF Grant funds, including the requirements that now apply as provided by the Consolidated Appropriation Act, 2022, the Consolidated Appropriations Act, 2023, (the FY2023 Act), and the cross-cutting requirements that generally apply to all HUD awards as provided by HUD regulations and other applicable Federal regulations and statutes.

This FY2022 CPF Grant Guide Version 2.0 also provides FY2022 CPF Grant Award Instructions for establishing your grant in HUD's payment and reporting system, the Disaster Recovery Grant Reporting (DRGR) system. The FY2022 CPF Grant Award Instructions detail how to complete the requested information and fill out the required administrative forms to initiate or amend your grant agreement.

This FY2022 CPF Grant Guide Version 2.0 applies only to FY2022 CPF grants, meaning the Congressionally-directed grants HUD must make with FY2022 funding provided by the Consolidated Appropriations Act, 2022. HUD has issued a separate FY2023 CPF Grant Guide for Congressionally-directed grants HUD must make with FY2023 funding provided by Consolidated Appropriations Act, 2023.

This update (Version 2.0) to the FY2023 CPF Grant Guide Version 1.0 includes information that is relevant to both grantees that have executed FY2022 CPF Grant Agreements with HUD ("current grantees") and Congressionally designated recipients that have yet to execute their FY2022 CPF Grant Agreements with HUD ("prospective grantees").

This FY2022 CPF Grant Guide (Version 2.0) includes:

- **Section 1 / Background and Purpose:** Provides the background and the purpose of this guide. *Additionally, Section 1 provides an overview of the changes that impact the FY2022 grants.*
- **Section 2 / Grant Award Process and Instructions:** Walks existing and prospective grantees through the updated FY2022 CPF Grant Award Process. Provides instructions for existing grantees to amend and restate the FY2022 CPF Grant Agreement and for prospective grantees to execute the FY2022 CPF Grant Agreement. The Section also details steps to request payment.
- **Section 3 / Federal Requirements:** Details the Federal regulations that apply to these grant funds.
- **Section 4 / Contact Information for Grant Officers and Regional Environmental Officers:** Gives contact information for the program Grant Officer and the local Environmental Review Officers to support grantees through the grant life cycle.
- **Section 5 / Attachments:** Provides attachments including documents required in the Grant Award process.

1.1 Changes to the FY2022 CPF Grant Guide (Version 1.0)

The recently enacted FY2023 Act made several significant changes that apply to the Fiscal Year 2022 Congressionally-directed Economic Development Initiative Community Project Funding (CPF) grants initially authorized in the Consolidated Appropriations Act, 2022 (P.L. 117-103) (the FY2022 Act).[1] Additionally, HUD has determined that all FY2022 CPF grants are covered by one of HUD's waivers of the Build America, Buy America (BABA) provisions.

Congress specifically named each intended recipient of a FY2022 CPF grant in the Joint Explanatory Statement (JES) that accompanied the FY2022 Act. Unless Congress changed the named recipient as specified by section 421 of Division L of the FY 2023 Act, only the recipients named within the (JES) are eligible to receive a FY2022 CPF Grant.

In response to these changes and other administrative developments, HUD has modified its grant award processes and award documents to give grantees greater discretion over the use of their grant funds and ensure the applicable requirements are stated accurately and consistently for both current and prospective grantees. For recipients that have yet to execute Grant Agreements with HUD ("prospective grantees"), HUD has prepared a revised FY2022 CPF grant agreement that reflects the requirements that are now applicable. For grantees with fully executed Grant Agreements ("current grantees"), HUD has prepared an amended and restated FY2022 CPF Grant Agreement to include the same terms and conditions that are included in HUD's revised FY2022 CPF Grant Agreement.

Executing the revised FY2022 CPF grant agreement (or Amended and Restated Grant Agreement, in the case of current grantees) will allow grantees to take full advantage of the increased flexibility provided by the FY2023 Act and ensure all FY2022 CPF grant agreements have consistent and accurate requirements, which is vital to the effective administration of these awards.

If you choose to amend your project or budget, you must email a letter to your Grant Officer and copy CPFGrants@hud.gov with the revised project description or budget, along with a justification for the proposed changes. This new scope of work should include:

- a detailed explanation of how the change keeps with the intent of Congress,
- why the change is needed,
- and the details of the revised narrative or line-item budget.

This process is further detailed in Section 2.1.1 below.

While working with HUD to execute the amended and restated Grant Agreement (and change the approved budget, if necessary), current grantees may continue to make draws under their existing grant agreements and approved budgets. However, HUD cannot approve draws for expenses made eligible by the FY2023 Act, until those expenses are included in an approved budget and the Grant Agreement is amended effectively to account for the FY2023 Act's changes.

To account for these policy and process changes, the FY2022 Economic Development Initiative Community Project Funding Grant Guide ("CPF Grant Guide") has been updated. In addition to providing further detail on the application of the above changes, this updated CPF Grant Guide

provides information on the appropriations-specific and cross-cutting Federal requirements that govern these funds. The Grant Guide also includes an overview of the grant award process. The Grant Award Instructions provide guidance for various grant administration related actions. Please refer to this document as it includes important information and forms for accessing the Disaster Recovery Grant Reporting (DRGR) system which manages the payment process and periodic reporting of project status and accomplishments.

1.2 Program and Process Changes

Superseding provisions in the Consolidated Appropriations Act, 2023, have resulted in the following changes for HUD's FY2022 CPF grants:

1) Eligible expenses now include administrative, planning, operations, and maintenance costs;
2) The grant funds may now be used for reimbursement of expenses incurred on or after March 15, 2022, and prior to the date of grant execution, as long as those expenses were "otherwise eligible";
3) The grant funds are no longer subject to the condition that expenditures for planning and management development and administration must not exceed 20 percent of the grant amount; and
4) Technical corrections have been made to the project or recipient information Congress specifically provided for 15 of the FY2022 CPF awards.

What has not changed is that all projects **must** have a completed environmental review (and, where applicable, an approved Request for Release of Funds/Certification, as explained in Section 3 below) prior to committing Federal or non-Federal funds for choice-limiting actions or undertaking such actions on the project.

In response to the FY2023 Act's changes for FY2022 CPF grants, HUD evaluated how to provide for reimbursement of pre-agreement expenses, while ensuring adherence to all requirements that must be met to make those expenses "otherwise eligible." Specifically, with respect to meeting environmental requirements, HUD determined that "soft costs" and "hard costs" could be reimbursed as follows:

- For soft costs: HUD conducted a nationwide environmental review to clear activities such as administrative, planning, and operations and maintenance costs (including costs to prepare an environmental review). So once your grant agreement and approved budget account for these costs, you may use your grant funds to reimburse soft costs incurred on or after the date of enactment of the FY2022 Act (March 15, 2022).
- For hard costs: Once your grant agreement and approved budget account for these costs, you may use your grant funds to reimburse hard costs that were incurred:
    - after the environmental review process was completed, and
    - after the date of the Letter of Invitation (LOI).

Additional explanation of the implications of the changes made within the FY2023 Act in relation to environmental review requirements are in Section 3.

Also, following the issuance of further HUD waivers of the Build America, Buy America (BABA) provisions and a change HUD made in its recordation of obligations of FY2022 CPF grants, HUD has determined that all FY2022 CPF grants are covered by at least one BABA waiver. This means that the FY2022 CPF grants are no longer subject to the BABA requirements. Applicable waivers are on HUD's website: https://www.hud.gov/program_offices/general_counsel/BABA.

For those grantees that already executed the FY2022 CPF Grant Agreement with HUD, HUD has prepared an Amended and Restated Grant Agreement to account for the changes above and make other clarifications.

For those grantees yet to execute the FY2022 CPF Grant Agreement with HUD, HUD has prepared a revised Grant Agreement to account for the changes above and make other clarifications.

All grantees awarded funding under the FY2022 Act will have the option, but are not required, to amend their original submitted project narrative and/or budget to take advantage of these additional flexibilities.

SECTION 2: GRANT AWARD PROCESS AND INSTRUCTIONS

This section walks through the updated processes for grantees and prospective grantees (those that have not yet received an executed Grant Agreement). For prospective grantees, it also includes instructions for completing required materials and forms necessary to execute a Grant Agreement. The section also provides steps to request payment.

Prior to jumping into the process updates and instructions, there are a few overall conditions applicable to all FY2022 CPF Grants:

Start or Effective Date of the Grant	The date HUD signs the grant agreement is the start date for the grant's period of performance and budget period. However, grant funds may be used for costs incurred before this date, provided that: (1) The costs are soft costs incurred on or after March 15, 2022 or hard costs incurred on or after the later of LOI and completion of the required project-specific environmental review; and (2) The costs meet the allowability criteria in 2 CFR 200.403(a) - (g).
Grant End Date	To give grantees the maximum time feasible to complete their projects, HUD has established August 31, 2030, as the end date of the period of performance and budget period for all FY2022 CPF grants. However, notwithstanding the standard period 2 CFR 200.344(b) provides for liquidating obligations incurred under the award, HUD will NOT be responsible for making any grant payments after the date Treasury closes the account in accordance with 31 U.S.C. § 1552. Because Treasury may close the account up to one week before the September 30 date specified by 31 U.S.C. § 1552, the grantee is advised to make its final request for payment under the grant no later than September 15, 2031.
Assistance Listing number	The Assistance Listing number (formerly called the Catalog of Federal Domestic Assistance, or CFDA, number) for Economic Development Initiative, Community Project Funding grant is 14.251.

2.1 Grant Award Process

HUD recognizes that grantees are in different phases of the grant award process and has provided a brief overview of next steps for grantees and prospective grantees in each phase. Please work with your Grant Officer to complete the steps to amend or execute your Grant Agreement depending on the status of your Grant Agreement.

If a Grantee or Project is awarded more than one CPF grant, HUD will not combine the grants into one grant. Each grant must be processed separately.

2.1.1 FY2022 CPF Grantee with Executed Grant Agreements

To account for the changes noted above and clarify the applicable requirements for your grant, HUD has determined that it is necessary to amend and restate your FY2022 CPF Grant Agreement (FY2022 CPF Amended and Restated Grant Agreement). The FY2022 CPF Amended and Revised Grant Agreement specifies the applicable statutory provisions, regulations, and administrative requirements for this award. Amending the Grant Agreement to account for the changes detailed above will give you more discretion over the use of your grant funds. Even if you do not wish to make any project or budget changes, you will need to sign and return the FY2022 CPF Amended and Restated Grant Agreement so that all FY2022 CPF Grant Agreements include accurate and consistent requirements.

If you choose to amend your project or budget, you must submit a letter to your Grant Officer at CPFGrants@hud.gov with the revised project narrative or budget, along with a justification for the proposed changes. The letter should include a detailed explanation of how the change keeps with the intent of Congress, why the change is needed and a revised project narrative or line-item budget that includes the change(s) you want HUD to approve.

Please retain a "copy" (either electronic and/or printed) of the signed and dated FY2022 CPF Amended and Revised Grant Agreement for your records pending receipt of the countersigned copy from HUD.

While working with HUD to execute the Amended and Restated Grant Agreement and, if necessary, to change the approved budget, you may continue to make draws under your existing grant agreement and approved budget. However, HUD cannot approve draws for expenses made eligible by the FY2023 Act, until those expenses are included in the approved budget and the Grant Agreement is amended effectively to account for the FY2023 Act's changes.

2.2 Instructions for Prospective FY2022 CPF Grantees to Submit Required Materials or Amended Documents As Necessary

Instructions for submitting your FY2022 CPF grant materials and requesting payment are below. If you have questions concerning the electronic submission of the grant materials, please contact the Department's Office of Economic Development – Congressional Grants Division at CPFGrants@hud.gov or the Grant Officer representing your State listed in Section 4 of this guide.

PLEASE NOTE: HUD encourages starting the environmental review process as soon as possible if you have not done so already. Further detail on environmental review requirements is provided in Section 3.

2.2.1 Prospective FY2022 CPF Grantees that have sent grant materials to HUD but have not signed the FY2022 Grant Agreement:

For prospective grantees that have sent grant materials to HUD but have not signed a Grant Agreement, you have the option, but are not required, to revise your project narrative and budget to take advantage of the changes made by the FY2023 Act.

The next steps are to:

- Submit amended documents, if necessary;
- Review the Grant Agreement and Lobbying Certification included with this updated FY2022 CPF grant guide and have both signed by the "Authorized Representative" who has legal authority to sign on behalf of your organization; and
- Send the Grant Agreement packet to CPFgrants@hud.gov with your Grant Officer copied.

2.2.2 Prospective FY2022 CPF Grantees that signed your grant agreement but do not yet have an executed FY2022 CPF Grant Agreement:

For prospective grantees that have signed their FY2022 CPF Grant Agreement but have not received the executed FY2022 CPF Grant Agreement with HUD's signature, you will need to sign a revised FY2022 CPF Grant Agreement.

In addition, please note, you have the option, but are not required, to revise your project narrative and budget to take advantage of the changes from the FY2023 Act.

The next steps include:

- HUD is sending the revised Grant Agreement with this updated FY2022 Grant Guide: Version 2.
- Submit amended documents, if necessary;
- Review and have the revised Grant Agreement signed by the "Authorized Representative" with legal authority to sign on behalf of your organization; and
- Send the Grant Agreement packet to CPFgrants@hud.gov with your Grant Officer copied.

2.2.3 Prospective FY2022 CPF Grantees that have not yet sent grant materials to HUD:

Prospective grantees that have not sent your grant materials to HUD, please follow the below steps to secure a fully executed Grant Agreement. Further detail is provided in Sections 2.3 and 2.5 below.

- Review and sign the revised Grant Agreement and have it signed by the "Authorized Representative" with legal authority to sign on behalf of your organization,
- Finalize and send your project narrative,
- Finalize and send a line-item budget, and
- Fill out and send the required Federal forms.
    - SF-424 Application for Federal Assistance: https://www.hudexchange.info/resource/306/hud-form-sf424/

- SF-424-B, Assurances for Non-Construction Programs, or Standard Form SF-424-D, Assurances for Construction Programs: https://www.grants.gov/forms/sf-424-family.html
- SF-LLL Disclosure of Lobbying Activities (if applicable): https://www.hudexchange.info/resource/308/hud-form-sflll/
- HUD-1044 Award Assistance/Amendment Form (Attachment sent with Grant Award Letter)

- SF-1199A Direct Deposit Sign Up Form
- Send your packet to CPFgrants@hud.gov with your Grant Officer copied.

2.2.4 Prospective FY2022 CPF Grantees with Technical Corrections:

In a limited number of cases, Congress changed the recipient or project designated for a FY2022 CPF award as specified by section 421 of Division L of the FY 2023 Act. Prospective grantees affected by these Technical Corrections have received a letter from HUD with guidance for next steps. You should follow the path detailed above that corresponds to where you are in the award process.

2.3 Steps specific to prospective grantees that have not yet sent grant materials to HUD

GRANT AWARD PROCESS	
HUD sends Grant Award Packet	**FY202 CPF Grant Award Packet includes:** • FY2022 CPF Grant Award Letter • Updated FY2022 CPF Grant Guide (Version 2.0) • FY2023 CPF Revised Grant Agreement **Standard Forms:** • **Form HUD-1044 (Also attached to your Grant Award Letter)** https://www.hud.gov/sites/documents/1044.pdf • **SF-424, Standard Form, Application for Federal Assistance SF-424** https://www.hudexchange.info/resource/306/hud-form-sf424/ Form: https://apply07.grants.gov/apply/forms/sample/SF424_4_0-V4.0.pdf Instructions: https://apply07.grants.gov/apply/forms/instructions/SF424_4_0-V4.0-Instructions.pdf • **SF-424B, Standard Form 424B, Assurances - Non-Construction Programs** https://www.grants.gov/forms/sf-424-family.html Form: https://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf Instructions: https://apply07.grants.gov/apply/forms/instructions/SF424B-V1.1-Instructions.pdf • **SF-424D, Standard Form 424D, Assurances for Construction Programs** https://www.grants.gov/forms/sf-424-family.html Form: https://apply07.grants.gov/apply/forms/sample/SF424D-V1.1.pdf Instructions: https://apply07.grants.gov/apply/forms/instructions/SF424D-V1.1-Instructions.pdf

	• **SF-LLL Disclosure of Lobbying Activities** https://www.hudexchange.info/resource/308/hud-form-sflll/ • **SF 1199A Direct Deposit Sign Up Form (Also see Attachment 3)** https://www.hud.gov/sites/documents/DOC_8841.PDF
GRANTEE completes the documents and sends to HUD	Each prospective grantee is asked to transmit the Grant Agreement **signed and dated by the Authorized Representative** with the following materials: 1. Project Narrative 2. Project Budget 3. Completed Standard Forms
Registration Required	All entities doing business with the federal government must register in SAM.gov (SAM) and use a Unique Entity ID created in SAM. The Unique Entity ID replaced the DUNS number, which was phased out in April of 2022. More information on this requirement is below in the Federal Requirements section in Section 3. The Unique Entity ID needs to be established in SAM before you complete and transmit your SF-424 and the Grant Agreement to HUD, because the Unique Entity ID must be included in both those documents.
Tips on the Project Narrative and Budget	**QUICK TIP:** The project narrative and line-item budget must be consistent with the "project" and "amount" specified in the table on pages H3088 through H3183 of the JES at CREC-2022-03-09-bk4.pdf (congress.gov), unless otherwise provided by the FY2023 Act. For example, the FY2023 Act makes clear that eligible expenses of FY2023 CPF grants include administrative, planning, operations, and maintenance costs.
WHERE to Submit Required Information	You must submit the materials identified above to the CPFGrants@hud.gov mailbox with a "cc" to the Grant Officer dedicated to your state as listed on Section 4. Your email subject line must include, in this order: **Grant Number: Grantee Name: Submission of Required Grant Award Materials** For example: **B-22-CP-XX-####: Town of Anywhere: Submission of Required Grant Award Materials**
HOW to Submit Required Information	All materials must be submitted electronically. Materials can be prepared using software compatible with Microsoft Word or Excel, or as a PDF document.

	It may be easier to print the forms to sign them. However, if you choose to complete and sign a hard copy of the forms, you must then scan them and submit them electronically.
WHEN to Submit	**HUD strongly recommends that you submit these materials as soon as possible. Please contact your Grant Officer (see Section 4 of the Guide for a link to Grant Officers) for assistance with accessing or completing the forms.**
Environmental Review	**GRANTEE** initiate your environmental review, as applicable. **HUD** coordinates with you on the status of your environmental review, as applicable. As a reminder, payment of soft costs can be made once your Grant Agreement is executed by HUD; payment of project hard costs can only be made after your Grant Agreement is executed by HUD **AND** a project-specific environmental review is completed.
Requesting Payment of Grant Funds	**How will I be able to request payment CPF grant funds?** After the grant agreement has been signed by the Grantee and HUD, HUD will return the executed grant agreement to the Grantee along with "Grant Award Instructions." The instructions will include steps for setting up the grant in DRGR. DRGR is a web-based system used to automate the management of program requirements and voucher payments issued by HUD. This system will enable you to process requests for payment of CPF grant funds and to submit periodic reports on the use of those funds. Once your grant is set up in DRGR (including entry of budget information consistent with the approved budget attached to your executed grant agreement), you may begin making payment requests in accordance with your approved budget. However, to receive payments for hard costs, you will also need to have completed a project-specific environmental review. Additional information and tutorials on DRGR are available in the DRGR Quick Guide here: https://www.hudexchange.info/programs/drgr/.
Support	Grant Officers are assigned by state and are listed in Section 4 of this Guide. Your Grant Officer can assist you in the completion of the required documents and in responding to questions you may have regarding the materials that you are required to submit. Regional Environmental Officers provide Technical Assistance to grantees on the environmental review process and coordinate Part 50 Concept Meetings to determine level of environmental review, consultation needs, and a timeline and

	Requests for Technical Assistance regarding the environmental review process should be sent to the HUD Regional Environmental Officer for your jurisdiction provided in Section 4 of this Guide. CPD Field Office staff can be found here: https://www.hud.gov/program_offices/comm_planning/staff#MA

2.4 Detailed Information

You must include a brief, but sufficient, project narrative that is consistent with the Congressional authorization for the use of the grant. You must also include a line-item project budget that is consistent with that Congressional authorization and the limitations and prohibitions on expenses as required by the Act and described above. Please remember, your project narrative and line-item budget should address the ENTIRE project. Your line-item budget must also include a sub-budget that addressed the CPF portion of the budget only. The FY2022 CPF portion of the line-item budget must add up to the total CPF grant amount.

A project narrative, line-item budget, and indirect cost rate information, if applicable, as described below are necessary to make sure your grant agreement contains the minimum information required by 2 CFR Part 200.211. As defined by 2 CFR 200.1, "budget" means the financial plan for the Federal award that the Federal awarding agency or pass-through entity approves during the Federal award process or in subsequent amendments to the Federal award.

The grant-funded activities in your project narrative and grant-funded costs in your line-item budget must be consistent with the "project" and "amount" specified on pages H3088 through H3183 of the JES at CREC-2022-03-09-bk4.pdf (congress.gov), unless otherwise provided by the FY2023 Act. For example, the FY2023 Act clarifies that eligible expenses of these grant also include administrative, planning, operations, and maintenance costs.

As you are preparing your project narrative and budget, please note that the date HUD signs your grant agreement will be the start date for your period of performance and budget period. However, consistent with the FY2023 Act's provisions, the grant-funded costs in your budget can include costs incurred before that start date, provided that:

(1) The costs are soft costs incurred on or after March 15, 2022 or hard costs incurred on or after the later of your letter of invitation and completion of the required project-specific environmental review; and

(2) The costs meet the allowability criteria in 2 CFR 200.403(a) through (g).

2.5.1 Project Narrative (for the entire project)

Content: Your Project Narrative must include sufficient scope and information about the ENTIRE affected project (not limited to the portion funded by your grant) to inform the environmental review process. Project activities must be grouped together and evaluated as a single project for all individual activities which are related either on a geographical or functional basis, or both, or are logical parts of a composite of contemplated actions.

Your Project Narrative must also make clear which portion of the project, or specific project activities, will be funded using the HUD funds provided under your FY2022 CPF grant.

In anticipation of the required semi-annual reporting on activity types and annual reports on Section 3 Economic Opportunity accomplishments, the narrative should provide anticipated project goals, outputs, or outcomes, including Section 3 Economic Opportunity Activity Performance Measures.

The Project Narrative should include:

- Project Name: Identify the "project." This must be consistent with the "project" specified in the table on pages H3088 through H3183 of the JES at CREC-2022-03-09-bk4.pdf (congress.gov) or as provided by the technical corrections in section 421 of Division L of the FY 2023 Act.
- Project Purpose: Provide a brief one sentence summary.
- Project Scope:
    - What will the CPF grant be used for?
        - Restate the project purpose, identify general activity categories, and specify what the grant award will be used for.
    - Is the CPF funded project part of a larger project?
        - If so, please provide a brief description of the broader project.
    - Has the project started? If so, please provide a brief overview of the status of the project.
        - If the project has been started, did you initiate an HUD-NEPA environmental review?
            - First, please review HUD's environmental review requirements in Section 3.
        - For basic questions about the environmental review requirements or process, please reach out to the Environmental Review Ask A Question Help Desk. (See Section 5: Attachments for directions.)
        - For project specific questions about environmental reviews, reach out to the Regional Environmental Officers listed in Section 3 below.
    - Will you be using a subrecipient to implement any part of the project?
      (Please note HUD's conditions on using subrecipients, which are specified in Article III, section H of the Grant Agreement) and highlighted below.

Proposed Subrecipient: Use of subrecipients is subject to the conditions provided in Article III, section H of the Grant Agreement. If you intend to subaward a portion of your grant funds to a subrecipient, and have already identified that subrecipient, then that organization's name, Unique Entity ID, and an overview of the role, responsibilities, and functions to be carried out by that subrecipient must be

included in the project narrative. The use of subrecipients does not relieve the grantee from responsibility for the grant. The grantee will be responsible for all coordination with HUD on all accessing grant CPF funds, amendments requests, reporting, correspondence, grant closeout and all other grant requirements. The grantee is responsible for ensuring that the subrecipient complies with all grant requirements. Further, grantees are required to ensure that subrecipients are not debarred, suspended, or otherwise excluded from or ineligible for participation in Federal programs or activities.

Format: You may create your project narrative using software such as Microsoft Word or as a PDF.

2.5.2 Line-Item Budget (for the entire project)

Content: HUD needs to see BOTH the overall project budget and the specific use of the CPF funds. The line-item budget should include costs for the entire project showing both the budget for the CPF portion of the project and the non-CPF portions of the project.

All pertinent budgetary information should be listed and explained, such as: the overall amount for predevelopment costs; construction, renovation, and rehabilitation costs; acquisition, demolition, and site preparation; architectural and engineering fees; initial set asides for revolving loan funds; and administrative costs.

Format: You may create your project budget using software such as Microsoft Excel or provide a line item using a Microsoft Word document.

PLEASE NOTE: The CPF portion of the line-item budget must add up to the full grant amount. I line-item budget does not have to be explicit in the use of funds under a line item, provided that the Project Narrative and line-item budget provide enough detail as a whole for HUD to make a reasonable determination that the grant-funded costs are consistent with the Congressional authorization.

2.5.3 Requesting Changes to Approved Project Narrative or Budget

Applicants must submit a letter (on the organization's letterhead) requesting revisions to the project narrative or budget, and/or timeline for the project along with a justification for the proposed changes to the assigned Grant Officer. The request must be signed by the Authorized Representative. Amendments to previously approved project narratives or budget may also require a revision of the environmental review for the amended project.

After HUD approves your project narrative and budget and attaches them to the Grant Agreement, all project and budget changes will be subject to the conditions provided by 2 CFR 200.308 and Article III, section C of the Grant Agreement. Any changes to the project scope as originally proposed to your member(s) of Congress must be consistent with the Congressionally-directed purpose for your award, as stated in the JES. HUD does not have the authority to approve changes that depart from the Congressionally directed purpose for your award, as stated in the JES. For example, if a grantee wants to change a project to create a community center to a housing complex, the grantee will have to discuss this with their member(s) of Congress that authorized the grant award.

To request HUD's approval for a change in the project or approved budget, the Grantee's authorized representative will need submit a formal letter on organizational letterhead to the Director of HUD's Office of Economic Development - Congressional Grants Division. The letter must be submitted via email to the assigned Grant Officer and must provide justification for the change. The email must also include a revised project narrative or revised line-item budget, as applicable, that includes the requested change. The HUD Office of Economic Development – Congressional Grants Division will notify the Grantee in writing, by email, whether HUD approves or disapproves the change.

If, however, your project or budget changes after your initial submission to HUD but is still within the intent of the grant awarded by Congress, you must submit a letter to your Grant Officer requesting HUD to consider an amendment to revise the project description, budget and/or timelines, along with a justification for the proposed changes. This new scope of work should include a detailed explanation of how the change keeps with the intent of Congress, why the change is needed and the details of the revised narrative or line-item budget.

Before the Grantee expends Grant Funds in accordance with any change approved by HUD or otherwise allowed by 2 CFR 200.308, the Grantee must update its grant information in DRGR to reflect that change.

Amendments to previously approved project narratives or budget may also require a revision of the environmental review for the amended project.

2.5.4 SF-424: Application for Federal Assistance

The SF-424 is the common application form for federal funding. The form provides the Department basic information about the applicant, the project and the project funding source. A link to the form can be found here: https://www.hudexchange.info/resource/306/hud-form-sf424/.

Additional Certifications and Assurances: By checking "I agree" in box 21 of the SF-424 and signing the SF-424, the Authorized Representative will be understood to make the following additional certifications and assurances on behalf of the prospective grantee ("applicant"):

a. The governing body of the applicant's organization has duly authorized the application for Federal assistance. In addition, by signing and electronically submitting the application, the Authorized Representative certifies that the applicant:
   (1) has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capacity (including funds to pay for any non-Federal share of project costs) to plan, manage, and complete the project as described in the application (including the attached project narrative);
   (2) will provide HUD any additional information it may require; and
   (3) will administer the award in compliance with the grant requirements as identified in the Grant Agreement or as may otherwise be provided by Federal law.

b. Certification Regarding Lobbying. The Authorized Representative certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for 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 this Federal contract, grant, loan, or cooperative agreement, the applicant/grantee shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
(3) The applicant/grantee shall require that the language of this certification (which appears at 24 CFR part 87, Appendix A) be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

c. Federally recognized Indian tribes and Tribally Designated Housing Entities (TDHEs) established by a federally recognized Indian tribe, as a result of the exercise of the tribe's sovereign power, are excluded from coverage by item b (also known as the Byrd Amendment). However, State-recognized Indian tribes and TDHEs established under State law are not excluded from the statute's coverage and therefore agree to, and must comply with, item b above.

d. By submitting this application, the organization affirms its awareness of these certifications and assurances. The Authorized Representative submitting the application affirms that these certifications and assurances are material representations of the facts upon which HUD will rely when making an award to the applicant. If it is later determined that the signatory to the application submission knowingly made a false certification or assurance or did not have the authority to make a legally binding commitment for the applicant, the applicant may be subject to criminal prosecution, and HUD may terminate the award to the applicant organization or pursue other available remedies including false claims citation and standard clause plus 2 CFR 200.339 on noncompliance and 2 CFR 200.340 on termination.

Follow the instructions below for each box of the SF-424:

1. Check the application box 2. Check the "New" box 3. Leave blank 4. Leave blank 5. a. Enter your Grant Number (B-22-CP-XX-####) b. Leave blank 6. Leave blank 7. Leave blank 8. a. Enter the legal name of your organization b. Enter the EIN/TIN for your organization c. Enter your organization's Unique Entity Identifier d. Enter the complete address of your organization e. Enter the Department and/or Division responsible for the application f. Enter all contact information for the person responsible for the application *(This can be different than your Authorized Representative.)* 9. Enter the letter or letters describing your organization from the listing on the "Instructions for the SF-424"	10. Enter **US Department of Housing and Urban Development** 11. Enter **14.251** and under CFDA Title, "**Economic Development Initiative, Community Project Funding, and Miscellaneous Grants**" 12. Enter **FY2022** and under Title, "**CPF**" 13. Leave blank 14. Enter project address(es) 15. Enter a brief description of the project and attach a more detailed, but also brief project description and a project budget 16. See "Instructions for the SF-424" 17. Enter the proposed start and end dates for the project 18. On the "Federal line," enter only the amount of the CPF grant 19. Check box "C" 20. Check the appropriate box 21. After review of the Additional Certifications and Assurances above, check "I AGREE," enter all information for the Authorized Representative submitting the application and **sign or e sign and date the form and include it with your emailed submission.**

2.5.5 Disclosure and Certification of Lobbying

No appropriated Federal funds may be paid by or on behalf of the applicant, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, or an employee of a member of Congress, in connection with this "application" for Federal assistance or any award of funds resulting from the submission of this "application" for Federal assistance or its extension, renewal, amendment, or modification.

If your organization has paid or will pay funds other than Federal appropriated funds to influence or attempt to influence the persons listed above, you must complete and submit Standard Form LLL, Disclosure of Lobbying Activities, as part of your "application" submission package.

Except as provided below, each applicant/grantee shall require that the language of the certification at 24 CFR part 87, Appendix A, be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Federally recognized Indian tribes and TDHEs established by federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, and do not have to submit these forms. State-recognized Indian tribes and TDHEs established only under State law must comply with this requirement.

***If there are no lobbying activities in association with this award, you should indicate "Not applicable" on the form and submit it with the other "application" materials.**

SF-LLL Disclosure of Lobbying Activities: https://www.hudexchange.info/resource/308/hud-form-sflll/

UPDATE ON THE CERTIFICATION REGARDING LOBBYING:

When making updates to this guide, HUD revised the Additional Certifications and Assurances above to include the complete lobbying certification required by 24 CFR 87.100(b). So if you are a prospective grantee, and your authorized representative checks "I agree" and signs the SF-424 as explained above **AFTER HUD ISSUES THIS UPDATED FY2022 CPF GRANT GUIDE**, then you will not be required to submit a separate Certification Regarding Lobbying.

For other prospective grantees: If you signed the SF-424 before receiving this Updated FY2022 Grant Guide and have yet to sign and submit a Certification Regarding Lobbying, you will need to sign and submit the Certification Regarding Lobbying that is included as an attachment at the end of this guide or else sign and submit a new SF-424.

For existing grantees: If you signed the Certification Regarding Lobbying when you signed the Grant Agreement, then HUD will retain that Certification, and the Amended and Restated Grant Agreement. will incorporate it by reference along with the other certifications and assurances you have made.

2.5.6 SF-1199A: Direct Deposit Sign-Up Form

https://www.hud.gov/sites/documents/ATTACHMENTVISF-1199A.PDF
Grantee must complete "Section 1 and 2 of SF-1199A form. Grantee's bank or financial institution must complete Section 3 of the form. Ensure that you include a voided check or deposit slip with this form and email it to your Grant Officer.

Your Authorized Representative must complete and sign the form.

Please note: If the Authorized Representative name differs on the documents and/or has changed, please contact your grant officer to obtain an updated documents with the new Authorized Representative's information.

Review and verify the contents on this form for its accuracy prior to submitting.

SF-1199A: https://www.hud.gov/sites/documents/ATTACHMENTVISF-1199A.PDF

Section 1: (To be completed by Payee (grantee))	**Section 2: (Completed by Payee (grantee))**
A. Type or print your name, address, and telephone number B. Type or print your grant number C. Type or print your EIN/TIN D. Check the type of account you want your funds deposited into E. Type or print the account number you want your funds deposited into F. Check "Other" and specify "**CPF-Grant**" G. Leave Blank H. Sign and date the form	Government Agency Name: **HUD/Office of CPD** Government Agency Address: **451 7th Street, SW, Washington, DC 20410** (Attach voided check or deposit slip) Section 3: (To be completed by your financial institution)

SECTION 3: FEDERAL REQUIREMENTS

Changes made in Version 2 of the FY2022 CPF Grant Guide to this section include: Updates to the applicable appropriations act requirements, removal of the BABA requirements, and updates to the Environmental Review sections to account for changes made by the FY2023 Act.

The FY2022 CPF Grant Agreement will set forth all applicable regulatory requirements for your grant.

As the grantee, you are responsible for managing the project and ensuring the proper use of the CPF funds in compliance with all applicable federal requirements. You are also responsible for ensuring the completion of the project and its proper closeout.

Subject to the conditions stated in Article III, section H of the FY2022 CPF Grant Agreement, you may subaward all or a portion of your funds to one or more subrecipients, as identified in your Project Narrative (which will be incorporated in your Grant Agreement) or as may be approved by HUD in accordance with 2 CFR 200.308. As the grantee, you are responsible for ensuring each subrecipient's compliance with federal requirements.

Below are the applicable regulatory requirements of the CPF grants.

- Section 3.1 details the applicable requirements of the Consolidated Appropriations Act, 2022 and the FY2023 Act.
- Section 3.2 details the applicable federal requirements standard to all HUD grants. HUD refers to these requirements as "cross-cutting" as they apply across all HUD programs.

It is important to note that if CPF funds are combined in a project budget with other Federal grant funds or the CPF funds are used on projects that are subject to other Federal grant requirements, the grantee must comply with both CPF requirements and the other Federal grant requirements.

Because CPF awards are authorized and funded through specific Congressional directives as provided by the Act, CPF awards are distinct from Community Development Block Grant funding and are **not** subject to Title I of the Housing and Community Development Act of 1974 or the Community Development Block Grant regulations at 24 CFR part 570.

Where statutory restrictions apply, HUD cannot provide waivers or exceptions without statutory authority to do so.

In circumstances where there is a conflict between this CPF guide and other HUD guidance, HUD will resolve the conflict.

3.1 Applicable Appropriations Act Requirements

SUMMARY	
The Project, Recipient, and Amount of each FY2022 CPF award	The Project, Recipient, and Amount of each FY2022 CPF award must be as consistent with the information provided in the table on pages H3088 through H3183 of the JES at CREC-2022-03-09-bk4.pdf (congress.gov) or an applicable technical correction in section 421 of Division L of the FY 2023 Act.
Eligible Expenses	Consistent with the FY2023 Act's provisions, eligible expenses of the grant may include administrative, planning, operations and maintenance, and other costs that are reasonable and necessary to carry out the "project" specified in the table on pages H3088 through H3183 of the JES at CREC-2022-03-09-bk4.pdf (congress.gov) or as provided by the technical corrections in section 421 of Division L of the FY 2023 Act. *PLEASE NOTE: To be allowable under the grant, the cost not only must be eligible, but also must meet the cost allowability criteria in 2 CFR 200.403, unless a statute expressly provides otherwise (such as in the case of pre-award costs as noted directly above).*
Pre-award costs	Consistent with the FY2023 Act's provisions, FY2022 CPF grant funds may be used to reimburse costs (including administrative, planning, operations and maintenance, and other costs) incurred before execution of the grant agreement, provided that: (1) The costs are soft costs incurred on or after March 15, 2022 or hard costs incurred on or after the later of your letter of invitation and completion of the required project-specific environmental review; and (2) The costs meet the allowability criteria in 2 CFR 200.403(a) through (g).
Eminent Domain	No Federal funds provided under your award may be used to support any Federal, state, or local project that seeks to use the power of eminent domain, unless eminent domain is employed only for a public use. Public use includes use of funds for mass transit, railroad, airport, seaport, or highway projects, and utility projects which benefit or serve the general public (including energy-related, communication-related, water-related, and waste water-related infrastructure), other structures designated for use by the general public or with other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or

	brownfields, as defined in the Small Business Liability Relief and Brownfields Revitalization Act (Pub. L. 107-118). Public use does not include economic development that primarily benefits private entities.
Restriction on Use of Funds for Computer Networks	No Federal funds provided under your award may be used to maintain or establish a computer network that does not block the viewing, downloading, and exchanging of pornography. This requirement does not limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

3.2 Cross Cutting Federal Requirements

Summary	
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (2 CFR Part 200)	The requirements of 2 CFR Part 200 apply to all CPF awards. Grantees are encouraged to review the provisions of these regulations including provisions related to: • Suspension and debarment at 2 CFR 200.214 • Prohibition on certain telecommunications and video surveillance services or equipment at 2 CFR 200.216 • Financial management, internal controls, and Federal payment requirements at 2 CFR 200.302, 200.303, and 200.305 • Program Income requirements at 2 CFR 200.307* • Revision of budget and program plans at 2 CFR 200.308 • Disposition of property acquired with CPF funds at 2 CFR §200.311 • Procurement requirements at 2 CFR §200.317-327 • Record retention and access requirements at 2 CFR 200.334-200.338 • Reporting requirements at 2 CFR 200.328-200.330, including on the status of property acquired with CPF funds at 2 CFR §200.330 • Subrecipient monitoring and management at 2 CFR 200.331-200.333** • Remedies for Noncompliance at 2 CFR 200.339-200.343 • Closeout of federal grants at 2 CFR §200.344-346 • Cost Principles at 2 CFR Part 200, subpart E • Audit requirements at 2 CFR Part 200, subpart F *For purposes of all CPF awards, program income must be used for the purposes and under the conditions of the grantee's specific CPF award in accordance with the addition requirements at 2 CFR 200.307(e)(2). In accordance with 2 CFR 200.307(b), costs incidental to the generation of

	program income may be deducted from gross income to determine program income for purposes of your CPF grant, provided these costs have not been charged to the Federal award. Further technical assistance will be provided to grantees with projects that may generate program income. **Although neither Congress nor HUD has prohibited sub-awarding the grant funds to for-profit entities, HUD has revised the grant agreement to clarify that a subaward may be made to a for-profit entity only if (1) HUD expressly approves that subaward, and (2) the for-profit entity is made subject to the same Federal requirements that apply to all other subrecipients, including the requirements 2 CFR part 200 provides for a "non-Federal entity" that receives a subaward.
Environmental Review Requirements (24 CFR Part 50 or Part 58) **Quick Overview** **(More detailed guidance starts in Section 3.3)**	All projects funded by HUD are subject to requirements under the National Environmental Policy Act (NEPA) and HUD's NEPA-implementing regulations at 24 CFR Part 50 or 24 CFR Part 58. Environmental reviews must be completed, and a Request for Release of Funds and Certification must be approved by HUD CPD Field Office Director through issuance of the 7015.16 Authority to Use Grant Funds, as applicable, prior to taking any action, to avoid violations under 24 CFR 58.22 which prohibits limitations on activities pending clearance, and Section 110(k) of the National Historic Preservation Act which prohibits anticipatory demolition or significant harm of historic properties prior to completion of the historic preservation review process known as Section 106 review. The environmental review must be completed by a "Responsible Entity" (RE) as defined at 24 CFR 58.2(a)(7). An applicant that is a State, unit of general local government, Indian Tribe, or Alaska Native Village is the RE for the project. For other applicants, the RE is the unit of general local government within which the project is located that exercises land use responsibility, or the Indian Tribe or Alaskan Native Village jurisdiction within which the project is located that exercises land use responsibility. REs can conduct an environmental review on behalf of other entities in their jurisdiction even if they are not the grantee. In the event that an RE that is not the grantee declines to assume responsibility for the environmental review under Part 58, you must advise HUD, and HUD will complete the environmental review under 24 CFR Part 50 or designate another RE. HUD has the option under 58.2(a)(7)(ii)(C) and 58.11(d) to designate another responsible entity. Locate your nearest HUD Regional Environmental Officer here: https://www.hudexchange.info/programs/environmental-review/hud-environmental-staff-contacts/#region-i-regional-and-field-environmental-officers. Further information on environmental requirements can be found here:

	https://www.hudexchange.info/programs/environmental-review/orientation-to-environmental-reviews/#overview. **You may not commit or spend ANY project funds (HUD or non-HUD funds) on hard costs or take any choice limiting actions until the project completes an environmental review. Examples of choice limiting actions include, but are not limited to, purchasing land, entering into contracts for property acquisition or construction, or physical work on the project. Failure to comply with the prohibition on choice limiting actions and Section 110(k) can result in forfeiture of grant funds.** You are encouraged to commence the environmental review process for your project as soon as possible. Under Part 58, the environmental review process is complete when the Responsible Entity (RE) certifies the review and a Request for Release of Funds and Certification is approved by HUD CPD Field Office Director through issuance of the 7015.16 Authority to Use Grant Funds, as applicable. Under Part 50, an environmental review process is complete when certified by the HUD Authorizing Official. **See Section 3.3.1 below for additional detail on fulfilling environmental review requirements.**
Indirect Cost Rate	**Normal indirect cost rules under 2 CFR Part 200, subpart E apply.** If you intend to charge indirect costs to your award, APPENDIX 3 of the grant agreement must clearly state the rate and distribution base you intend to use. If you have a Federally negotiated indirect cost rate, your application must also include a letter or other documentation from the cognizant agency showing the approved rate. **Special instructions for state and local governments**: If your department or agency unit has a Federally negotiated indirect cost rate, your application must include that rate, the applicable distribution base, and a letter or other documentation from the cognizant agency showing the negotiated rate. If your department or agency unit receives more than $35 million in direct Federal funding per year, you may not claim indirect costs until you receive a negotiated rate from your cognizant agency for indirect costs as provided in Appendix VII to 2 CFR Part 200. If your department or agency unit receives no more than $35 million in direct Federal funding per year and your department or agency unit has developed and maintains an indirect cost rate proposal and supporting documentation for audit in accordance with 2 CFR Part 200, Appendix VII, you may use the rate and distribution base specified in that indirect cost rate proposal.

	Alternatively, if your department or agency unit receives no more than $35 million in direct Federal funding per year and does not have a current negotiated rate (including provisional) rate), you may elect to use the de minimis rate of 10% of MTDC. As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until you choose to negotiate for a rate, which you may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit. **Special instructions for applicants other than state and local governments:** If you have a Federally negotiated indirect cost rate, your application must clearly state the approved rate and distribution base and must include a letter or other documentation from the cognizant agency showing the approved rate. If your organization does not have a current negotiated rate (including provisional rate) and elects to use the de minimis rate, your application must clearly state you intend to use the de minimis rate of 10% of Modified Total Direct Costs (MTDC). As described in 2 CFR 200.403, costs must be consistently charged as either indirect or direct costs but may not be double charged or inconsistently charged as both. Once elected, the de minimis rate must be applied consistently for all Federal awards until the organization chooses to negotiate a rate, which the organization may apply to do at any time. Documentation of the decision to use the de minimis rate must be retained on file for audit.
Economic Opportunities for Low-and Very Low-income Persons: Section 3 Requirements (24 CFR Part 75) and Indian Preference	The requirements of Section 3 of the Housing and Urban Development Act of 1968 found at 24 CFR Part 75 apply to all grant recipients that are awarded $200,000 or more for projects involving housing construction, rehabilitation, or other public construction. Section 3 of the Housing and Urban Development Act of 1968 (Section 3), 12 U.S.C. 1701u (Economic Opportunities for Low- and Very Low-Income Persons in Connection with Assisted Projects), and the HUD regulations at 24 CFR Part 75, ensure, to the greatest extent feasible, that training, employment, contracting and other economic opportunities be directed to low- and very low-income persons, especially recipients of government assistance for housing, and to businesses that provide economic opportunities to low-and very low-income persons where a proposed project is located. CPF grantees are encouraged to review the requirements of this regulation to determine ways to support the mission of increasing economic opportunity for low- and very-low income persons and small business owners in your community. Grantees will submit periodic reports of Section 3 accomplishment Performance Measures in DRGR. A

	link to DRGR guidance for reporting Section 3 accomplishments is provided below. CPF grants made to Tribes and TDHEs are subject to Indian Preference requirements in Section 7(b) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5307(b)). As stated in 24 CFR §75.3(c), grants to Tribes and TDHEs are subject to Indian Preference requirements in lieu of Section 3. www.hud.gov/localoffices https://portalapps.hud.gov/Sec3BusReg/BRegistry/BRegistryHome www.EEOC.govhttp://www.dol.gov/ofccp/ https://files.hudexchange.info/resources/documents/DRGR-Guidance-on-Reporting-Section-3-Labor-Hours-Fact-Sheet.pdf
Uniform Relocation Assistance and Real Property Acquisitions Policies Act	With certain limited exceptions, HUD-funded programs or projects are subject to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) (42 U.S.C. §§ 4601 et seq.), and the government-wide regulations issued by the Federal Highway Administration at 49 CFR Part 24. The URA applies to acquisitions of real property and relocation occurring as a direct result of the acquisition, rehabilitation, or demolition of real property for Federal or Federally funded programs or projects. Real property acquisition that receives Federal financial assistance for a program or project, as defined in 49 CFR 24.2, must comply with the acquisition requirements contained in 49 CFR part 24, subpart B. Unless otherwise specified in law, the relocation requirements of the URA and its implementing regulations at 49 CFR part 24, cover any displaced person who moves from real property or moves personal property from real property as a direct result of acquisition, rehabilitation, or demolition for a program or project receiving HUD financial assistance.
Generally Applicable HUD requirements (24 CFR Part 5, subpart A and 24 CFR 1000.12)	CPF grantees and their subrecipients must comply with the generally applicable HUD and CPD requirements in 24 CFR Part 5, subpart A, including all applicable fair housing, and civil rights requirements. Grants to Tribes and TDHEs are subject to the nondiscrimination requirements in 24 CFR 1000.12 in lieu of the nondiscrimination requirements in 24 CFR 5.105(a).
Equal Participation of Faith Based Organizations	CPF grants are subject to HUD's regulations at 24 CFR §5.109 concerning equal participation of faith-based organizations in HUD programs and activities.

SAM registration and Unique Entity Identifier (UEI)	The System for Award Management (SAM) and Universal Identifier Requirements under 2 CFR Part 25 apply. Unless subject to the exceptions in 2 CFR 25.110 and 25.200(c), each applicant for a CPF award must: (a) Be registered in SAM.gov (https://sam.gov/content/home) before submitting an application or plan; (b) Maintain an active SAM registration with current information, including information on a recipient's immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a Federal contract or grant within the last three years, if applicable, at all times during which the applicant has an active Federal award or an application or plan under consideration by a Federal awarding agency; and (c) Provide its unique entity identifier in each application or plan submitted to HUD. As of April of 2022, all entities doing business with the federal government must use a Unique Entity ID created in SAM.gov. The federal government has stopped using the DUNS number to uniquely identify entities. To Sign up or Reactivate SAM.gov Account: Grantees must have a SAM.gov account. If your organization is already registered in SAM.gov, your Unique Entity ID has already been assigned and is viewable in SAM.gov. This includes inactive registrations. The Unique Entity ID is currently located below the DUNS Number on your entity registration record. Remember, you must be signed in to your SAM.gov account to view entity records. To learn how to view your Unique Entity ID, go here: https://www.fsd.gov/gsafsd_sp?id=gsafsd_kb_articles&sys_id=a05adbae1b59f8982fe5ed7ae54bcbba Subrecipients may refer to the *Guide to Getting a Unique Entity ID* at SAM.gov to get a Unique Entity ID without having to complete a full entity registration. Grantees may contact their Grant Officer for technical assistance. Please refer to this link to begin registering in SAM.gov for the Unique Entity ID number https://sam.gov/content/home.
The Federal Financial Accountability and Transparency Act of 2006,	Compliance with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282) as amended (FFATA). FFATA requires information on federal awards be made available to the public via a single, searchable website, which is www.USASpending.gov.

(Public Law 109-282), as amended (FFATA)	Accordingly, your award will be subject to the requirements provided by the Award Term in Appendix A to 2 CFR Part 170, "REPORTING SUBAWARD AND EXECUTIVE COMPENSATION INFORMATION," unless the Federal funding for the award (including funding that may be added through amendments) is not expected to equal or exceed $30,000. Requirements under this Award Term include filing subaward information in the Federal Funding Accountability and Transparency Act (FFATA) Sub-award Reporting System (FSRS.gov) by the end of the month following the month in which the recipient awards any sub-grant equal to or greater than $30,000. **Each applicant must have the necessary processes and systems in place to comply with the Award Term in Appendix A of 24 CFR Part 170 if the applicant receives an award, unless an exception applies as provided in 2 CFR 170.110.**
Davis Bacon and Related Acts (DBRA)	Compliance with Davis Bacon and Related Acts (DBRA) is not a condition or requirement for CPF grants but may be required if your project is also supported by other funds which do require adherence to the DBRA.
Suspension and debarment	The governmentwide debarment and suspension regulations in 2 CFR Part 180 apply as incorporated and supplemented by HUD's implementing regulations in 2 CFR Part 2424. These regulations restrict awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.
Prohibition Against Lobbying Activities	Applicants are subject to the provisions of Section 319 of Public Law 101-121, 31 U.S.C. 1352, (the Byrd Amendment), and 24 CFR Part 87, which prohibit recipients of federal awards from using appropriated funds for lobbying the executive or legislative branches of the Federal government in connection with a Federal award. Applicants will be required to certify in their grant agreements that no Federal funds have been used to lobby. In addition, applicants must disclose, using Standard Form LLL (SF-LLL), "Disclosure of Lobbying Activities," any funds, other than federally appropriated funds, that will be or have been used to influence federal employees, members of Congress, or congressional staff regarding specific awards. Federally recognized Indian tribes and TDHEs established by Federally recognized Indian tribes as a result of the exercise of the tribe's sovereign power are excluded from coverage of the Byrd Amendment, but state-recognized Indian tribes and TDHEs established only under state law shall comply with this requirement. Applicants must submit the SF-LLL if they have used or intend to use non-federal funds for lobbying activities.

Drug-Free Workplace	The following award term applies to all grantees of CPF awards: You as the recipient must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 CFR Part 2429, which adopts the governmentwide implementation (2 CFR Part 182) of sections 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701-707).
Trafficking in persons	The following award term and condition, which is required by 2 CFR Part 175, applies as written: a. Provisions applicable to a recipient that is a private entity. 1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not— i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect; ii. Procure a commercial sex act during the period of time that the award is in effect; or iii. Use forced labor in the performance of the award or subawards under the award. 2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity: i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either— A. Associated with performance under this award; or B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR Part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by HUD at 2 CFR 2424. b. Provision applicable to a recipient other than a private entity. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity— 1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or 2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either: i. Associated with performance under this award; or

	ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by HUD at 2 CFR 2424. c. Provisions applicable to any recipient. 1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term. 2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section: i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and ii. Is in addition to all other remedies for noncompliance that are available to us under this award. 3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity. d. Definitions. For purposes of this award term: 1. "Employee" means either: i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements. 2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery. 3. "Private entity": i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25. ii. Includes: A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b). B. A for-profit organization.

	4. “Severe forms of trafficking in persons,” “commercial sex act,” and “coercion” have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).
Conflicts of Interest	i. Conflicts Subject to Procurement Regulations. In the procurement of property or services by recipients and subrecipients, the conflict-of-interest rules in 2 CFR 200.317 and 2 CFR 200.318(c) shall apply. In all cases not governed by 2 CFR 200.317 and 2 CFR 200.318(c), recipients and subrecipients must follow the requirements contained in paragraphs ii-v below. ii. General prohibition. No person who is an employee, agent, consultant, officer, or elected or appointed official of the recipient or subrecipient and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from the activity, or have a financial interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has immediate family or business ties, during his or her tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild, and in-laws of a covered person. iii. Exceptions. HUD may grant an exception to the general prohibition in paragraph (ii) upon the recipient’s written request and satisfaction of the threshold requirements in paragraph (iv), if HUD determines the exception will further the Federal purpose of the award and the effective and efficient administration of the recipient’s program or project, taking into account the cumulative effects of the factors in paragraph (v). iv. Threshold requirements for exceptions. HUD will consider an exception only after the recipient has provided the following documentation: a. A disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and b. An opinion of the recipient's attorney that the interest for which the exception is sought would not violate state or local law. v. Factors to be considered for exceptions. In determining whether to grant a requested exception after the recipient has satisfactorily met the threshold requirements in paragraph (iii),

	HUD will consider the cumulative effect of the following factors, where applicable: a. Whether the exception would provide a significant cost benefit or an essential degree of expertise to the program or project that would otherwise not be available; b. Whether an opportunity was provided for open competitive bidding or negotiation; c. Whether the person affected is a member of a group or class of low- or moderate-income persons intended to be the beneficiaries of the assisted activity, and the exception will permit such person to receive generally the same interests or benefits as are being made available or provided to the group or class; d. Whether the affected person has withdrawn from his or her functions or responsibilities, or the decision-making process with respect to the specific assisted activity in question; e. Whether the interest or benefit was present before the affected person was in a position as described in paragraph (ii); f. Whether undue hardship will result either to the recipient or the person affected when weighed against the public interest served by avoiding the prohibited conflict; and g. Any other relevant considerations. vi. Disclosure of potential conflicts of interest. Recipients must disclose in writing to your CPF Grant Officer any potential conflict of interest.
Award Term and Condition for Recipient Integrity and Performance Matters	If the total Federal share of the Federal award may include more than $500,000 over the period of performance, the following award term and condition applies as written: Reporting of Matters Related to Recipient Integrity and Performance 1. *General Reporting Requirement* If the total value of your currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds $10,000,000 for any period of time during the period of performance of this Federal award, then you as the recipient during that period of time must maintain the currency of information reported to the System for Award Management (SAM) that is made available in the designated integrity and performance system (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) about civil, criminal, or administrative proceedings described in paragraph 2 of this award term and condition. This is a statutory requirement under section 872 of Public Law 110-417, as amended (41 U.S.C. 2313). As required by section 3010 of Public Law 111-212, all information posted in the designated integrity

	and performance system on or after April 15, 2011, except past performance reviews required for Federal procurement contracts, will be publicly available. 2. *Proceedings About Which You Must Report* Submit the information required about each proceeding that: a. Is in connection with the award or performance of a grant, cooperative agreement, or procurement contract from the Federal Government; b. Reached its final disposition during the most recent five-year period; and c. Is one of the following: (1) A criminal proceeding that resulted in a conviction, as defined in paragraph 5 of this award term and condition; (2) A civil proceeding that resulted in a finding of fault and liability and payment of a monetary fine, penalty, reimbursement, restitution, or damages of $5,000 or more; (3) An administrative proceeding, as defined in paragraph 5. of this award term and condition, that resulted in a finding of fault and liability and your payment of either a monetary fine or penalty of $5,000 or more or reimbursement, restitution, or damages in excess of $100,000; or (4) Any other criminal, civil, or administrative proceeding if: (i) It could have led to an outcome described in paragraph 2.c.(1), (2), or (3) of this award term and condition; (ii) It had a different disposition arrived at by consent or compromise with an acknowledgment of fault on your part; and (iii) The requirement in this award term and condition to disclose information about the proceeding does not conflict with applicable laws and regulations. 3. *Reporting Procedures* Enter in the SAM Entity Management area the information that SAM requires about each proceeding described in paragraph 2 of this award term and condition. You do not need to submit the information a second time under assistance awards that you received if you already provided the information through SAM because you were required to do so under Federal procurement contracts that you were awarded.

	4. *Reporting Frequency* During any period of time when you are subject to the requirement in paragraph 1 of this award term and condition, you must report proceedings information through SAM for the most recent five-year period, either to report new information about any proceeding(s) that you have not reported previously or affirm that there is no new information to report. Recipients that have Federal contract, grant, and cooperative agreement awards with a cumulative total value greater than $10,000,000 must disclose semiannually any information about the criminal, civil, and administrative proceedings. 5. *Definitions* For purposes of this award term and condition: a. Administrative proceeding means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (*e.g.,* Securities and Exchange Commission Administrative proceedings, Civilian Board of Contract Appeals proceedings, and Armed Services Board of Contract Appeals proceedings). This includes proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include audits, site visits, corrective plans, or inspection of deliverables. b. Conviction, for purposes of this award term and condition, means a judgment or conviction of a criminal offense by any court of competent jurisdiction, whether entered upon a verdict or a plea, and includes a conviction entered upon a plea of nolo contendere. c. Total value of currently active grants, cooperative agreements, and procurement contracts includes— (1) Only the Federal share of the funding under any Federal award with a recipient cost share or match; and (2) The value of all expected funding increments under a Federal award and options, even if not yet exercised.
Lead-Based Paint Requirements	If grant funds are used for purchase, lease, support services, operation, or work that may disturb painted surfaces, of pre-1978 housing, you must comply with the lead-based paint evaluation and hazard reduction requirements of HUD's lead- based paint rules (Lead Disclosure; and Lead Safe Housing (24 CFR part 35)), and EPA's lead- based paint rules (e.g., Repair, Renovation and Painting; Pre-Renovation Education; and Lead Training and Certification (40 CFR part 745)).

3.3 Environmental Guidance and Scenarios

An environmental review is the process of reviewing a project and its potential environmental impacts to determine whether it meets federal, state, and local environmental standards. The environmental review process is required for all HUD-assisted projects to ensure that the proposed project does not negatively impact the surrounding environment and that the property site itself will not have an adverse environmental or health effect on end users.

This guidance seeks to clarify the environmental review requirements for the CPF Program for expenditure of funds for planning, administration, management, operations, and maintenance activities, as well as for development projects where construction contracts were entered into, or construction was started prior to the receipt of the LOI and/or completion of a satisfactory environmental review.

3.3.1 Contacts and Project-Specific Assistance

For environmental review purposes, CPF Grantees should contact their CPF Grant Officers and Regional Environmental Officers. The CPF Grant Officers and REOs can assist in specific project questions and environmental review requirements for individual projects.

HUD will also be providing trainings on environmental review. HUD has also initiated a technical assistance "Ask A Question" (AAQ) Desk for environmental review to support grantees in navigating the environmental review requirements. You can access the AAQ desk here: https://www.hudexchange.info/program-support/my-question/.

Included in Section 5: Attachments is a short guide for requesting support through the AAQ desk (see Attachment 5: Environmental Review Ask-A-Question (AAQ) Guide).

3.3.2 Legal Framework and Policy

Grant Agreement
The first action that grantees should take is to submit your project narrative and project budget to your Grant Officer per the instructions provided in the Grant Guide. Submitting these materials initiates the processing of the Grant Agreement. The Grant Agreement is the legally binding document that outlines requirements and incorporates assurances and certifications for your project. The Grant Agreement must be signed by HUD prior to the grantee drawing funds for reimbursement.

Environmental Review, Federal Nexus, and Choice-Limiting Actions
HUD or the RE will be required to complete an environmental review of ALL work that took place or is proposed to take place following receipt of the LOI (Federal Nexus). A "Federal Nexus" is defined as the event that, by its occurrence, triggers the requirements for federal environmental review under a host of laws, regulations, and Executive Orders.

The date of the LOI is the Federal Nexus for the FY2022 CPF program. For FY2022 CPF grantees, the date of the LOI (Federal Nexus) was sometime between July 18-20, 2022.

After the Federal Nexus, Grantees are prohibited from taking new choice-limiting actions related to hard costs, including commitment or expenditure of HUD and non-HUD funds, until a satisfactory environmental review has been completed for the aggregated project. HUD's aggregation requirements under 24 CFR 58.32 state that environmental reviews must group together and evaluate as a single project all individual activities performed after the federal nexus which are related either on a geographical or functional basis or are logical parts of a composite of contemplated actions. This includes activities associated with pre-nexus contractual obligations that were performed after the federal nexus but would not include related activities performed prior to the nexus or soft costs covered by HUD's Part 50 nationwide environmental review for CPF soft costs, or that have been disaggregated into a separate environmental review under Part 58. For more information on HUD's aggregation requirements for the CPF program, see CPF ER Webinar #1: Determining Level of Review, Environmental Roles and Responsibilities, which can be found on the CPF Landing Page. A *satisfactory environmental review* must include analysis of the applicable environmental laws and authorities, a determination that the project activities will not result in environmental harm that cannot be mitigated, consultation with federal/state agencies in a manner that allows for mitigation measures/conditions to be implemented, and a Request for Release of Funds and Certification (RROF/C) for the project that has been approved by the HUD CPD Field Office Director, if required. Most soft costs are covered by HUD's Part 50 nationwide environmental review for CPF soft costs, can be incurred any time after the date of legislative enactment (March 15, 2022), and can be drawn down for reimbursement after the Grant Agreement for the project has been executed.

A choice limiting action is any activity that a grantee undertakes, including committing or expending HUD or non-HUD funds, that reduces or eliminates a grantee's opportunity to choose project alternatives that would avoid or minimize environmental impacts or enhance the quality of the human environment.

Examples of Choice Limiting Actions include acquisition, leasing, rehabilitation, demolition, new construction and ground disturbance work such as clearing, grading or grubbing. HUD's prohibition on choice limiting actions at 24 CFR 58.22 is derived from the regulations of the Council on Environmental Quality implementing the National Environmental Policy Act of 1969 (NEPA), which state that (with certain exceptions), "until an agency issues a finding of no significant impact, as provided in § 1501.6 of this chapter, or record of decision, as provided in § 1505.2 of this chapter, no action concerning the proposal may be taken that would: (1) Have an adverse environmental impact; or (2) Limit the choice of reasonable alternatives." 40 CFR § 1506.1.

In addition, the related environmental laws and authorities with which HUD must comply contain their own procedural requirements which have the effect of limiting actions that may be taken before approval of the environmental review. For example, under the National Historic Preservation Act of 1966 regulations (54 U.S.C. 300101, et seq.; 36 CFR Part 800; see 24 CFR § 50.4(a)(1)), in the early stages of project planning, the agency official must determine whether the proposed federal action is an undertaking as defined by the regulations. The agency must then determine whether it is a type of activity that has the potential to cause effects on historic properties, and if so, seek ways to avoid, minimize or mitigate any adverse effects on the property. Similarly, under Section 7 of the Endangered Species Act (16 U.S.C. 1536), the agency must ensure that any action it authorizes,

funds, or carries out is not likely to jeopardize the continued existence of a listed species in the wild or destroy or adversely modify critical habitat.

Taking new choice-limiting actions is not permitted after the Federal Nexus until a satisfactory environmental review process has been completed for the aggregated project. In addition, HUD will not be able to fund a project where work that occurred after the Federal Nexus has resulted in environmental harm or where environmental compliance with one or more of the laws and authorities cannot be achieved.

Environmental Review

HUD or the RE will be required to complete an environmental review of ALL work that took place or is proposed to take place following the Federal Nexus. If work that has taken place after the Federal Nexus causes unmitigable environmental harm, is prohibited under environmental laws or HUD's environmental regulations (e.g., damaging endangered species habitat, impacting a structure eligible for listing on the National Register of Historic Places, or work within a regulatory floodway), or precludes completion of federal consultation requirements, those project activities cannot be funded. If a project is unable to satisfactorily complete the environmental review process, HUD can potentially fund other project activities that do not require aggregation with the work started after the Federal Nexus, such as operations, maintenance, or program services. Contact your Grant Officer to discuss additional project activities that may be able to be funded on an as needed basis.

Programmatic Environmental Review for Planning, Administration, Operations and Maintenance

HUD has completed a nationwide Part 50 Programmatic Environmental Review covering CPF soft costs for planning, administration, operations, and maintenance activities under the CPF program. Following execution of the Grant Agreement, grantees may request HUD funds for planning, administration, operations and costs categorized as maintenance activities under CPD Notice 16-02: Guidance for Categorizing an Activity for Maintenance. Grantees can incur reimbursable soft costs any time after the date of enactment (March 15, 2022) and can draw down those funds after the execution of the Grant Agreement for the project. Soft costs not covered by HUD's Nationwide Part 50 for CPF soft costs will require the completion of their own environmental review under Part 58.

Part 50 Nationwide ERR for CPF Soft Costs

Covered

- Environmental and other studies, resource identification, development of plans and strategies. 58.34(a)(1)
- Information and financial advisory services. 58.34(a)(2)
- Administrative and management expenses. 58.34(a)(3)
- Inspections and testing of properties for hazards or defects. 58.34(a)(5)
- Engineering or design costs. 58.34(a)(8)
- Technical assistance and training. 58.34(a)(9)
- Operating costs including most maintenance*. 58.35(b)(3)
- Purchase of vehicles, but not other equipment.

NOT Covered

- Public services. 58.34(a)(4)
- Purchase of insurance. 58.34(a)(6)
- Purchase of tools. 58.34(a)(7)
- Emergency assistance necessary to control or arrest the effects from disasters or imminent threats to public safety. 58.34 (a)(10)
- Tenant-based rental assistance. 58.35(b)(1)
- Supportive services. 58.35(b)(2)
- Economic development activities. 58.35(b)(4)
- Homebuyer Assistance. 58.35(b)(5)
- Affordable housing pre-development costs 58.35(b)(6)
- Approval of supplemental assistance 58.35(b)(7)

Work Under Contract
Grantees can proceed with work covered by contracts that predate the date of receipt of the Letter of Invitation (identified by HUD as the Federal Nexus triggering federal environmental and historic preservation laws and regulations) at your own risk.

If your organization is under a legally binding construction contract prior to receiving the LOI (Federal Nexus), work funded by non-federal funds may proceed to the extent practical and to the extent permitted in accordance with the previously executed contract. After receiving the LOI (Federal Nexus), grantees may not enter into additional construction contracts or make other choice-limiting commitments or actions, including commitments of HUD or non-HUD funds to the project, until a satisfactory environmental review by a Responsible Entity (RE) under 24 CFR Part 58 is completed and a Request for Release of Funds and Certification (RROF/C) is approved by the HUD CPD Field Office Director via certification of the 7015.16 Authority to Use Grant Funds in HEROS, if applicable; or an environmental review by HUD under 24 CFR Part 50 is completed.

Hard Costs
HUD or the RE is required to complete a satisfactory environmental review of ALL work that took place or is proposed to take place following the Federal Nexus. Grantees can undertake project activities covered under contracts entered into prior to the Federal Nexus and incur reimbursable hard costs related to construction and ground-breaking activities occurring any time after the Federal Nexus at their own risk. If work that has taken place after the Federal Nexus causes unmitigable environmental harm, is prohibited under environmental laws or HUD's environmental regulations (e.g., damaging endangered species habitat, impacting a structure eligible for listing on the National Register of Historic Places, or work within a regulatory floodway), or precludes completion of federal consultation requirements, those project activities cannot be funded.

If a project is unable to satisfactorily complete an environmental review, HUD can potentially fund other project activities that do not require aggregation with the work started after the Federal Nexus, such as operations and maintenance or program services. Contact your Grant Officer to discuss additional project activities that may be able to be funded on an as needed basis.

Grant funds can be drawn down for reimbursement of eligible costs after execution of the Grant Agreement for the project.

3.3.3 CPF Environmental Review Scenarios

The below scenarios offer consideration of some common scenarios received from grantees to date about the status of their projects and next steps.

In order for HUD's Congressional Grants Division (CGD) and the Office of Environment and Energy (OEE) to best assist you in determining your next steps, you should submit your project narrative and budget to your Grant Officer within CGD. This will enable HUD to:

1) initiate the Grant Agreement, and

2) work with grantees to determine the level of environmental review necessary for the project.

3.3.4 Questions and Answer/Project Scenarios

1. Can I use my planning and administration funds prior to completion of my environmental review?

ANSWER:

- Prior to the completion of the aggregated environmental review for the project, grantees can incur eligible reimbursable soft costs for planning and administration any time after the date of enactment (March 15, 2022).
- A list of covered CPF soft costs can be found in HUD's Part 50 Programmatic Environmental Review for CPF Soft Costs and such costs can be drawn down for reimbursement after execution of the Grant Agreement.

2. Can I use my planning and administration funds to cover the costs to complete an environmental review?

ANSWER:

- Yes. The costs to complete an environmental review are eligible under the planning, administration, management, and maintenance activities covered by HUD's Part 50 Programmatic Environmental Review for CPF Soft Costs discussed in Scenario 1 above.
- Again, grantees may incur reimbursable soft costs any time after the date of enactment (March 15, 2022), but in order to draw down funds for reimbursement the grantee must have a fully executed Grant Agreement.

3. Can my local government Responsible Entity use their own HUD funds to pay for the cost of preparing the environmental review for my CPF grant?

ANSWER:

- Local government Responsible Entities that are also HUD CPD Entitlement communities may use Community Development Block Grant (CDBG) funds to pay for the staff cost of preparing an environmental review for another recipient, but only if all of the project activities are CDBG-eligible AND the project also meets all other CDBG programmatic requirements.

4. I was awarded a grant that is for a 100% planning activity. Do I have to complete an environmental review?

ANSWER:

- Based on your project narrative, your Grant Officer will confirm that your project is for planning only activities.
- As mentioned above, HUD has completed a programmatic environmental review for all planning activities within the Community Project Funding portfolio.
- Thus, if you have a planning only grant, you do not have to conduct a new environmental review because the review has already been completed by HUD.

- You must have a fully executed Grant Agreement to draw down HUD funds for reimbursement of eligible activities.

5. I completed my project before receiving a signed grant agreement from HUD. Can I be reimbursed?

ANSWER:

- Some activities may be reimbursable depending on their timing and nature.
- Soft costs covered by HUD's programmatic review that were incurred after the date of enactment (March 15, 2022) can be reimbursed after the execution of the Grant Agreement.
- Eligible hard costs incurred after receipt of the Letter of Invitation (Federal Nexus) are reimbursable after the execution of the Grant Agreement, with the completion of a satisfactory environmental review covering the aggregated project. See Federal Nexus and Choice-Limiting Actions section above for more information on HUD's project aggregation principles and what is included in a satisfactory environmental review process.
- For activities that fall outside of the scope of eligibility for reimbursement, HUD may be able to fund a related activity associated with the completed project. HUD's CPF Grant Officers will work with you to determine if there are other elements of the CPF-referenced project that can be funded in keeping with the intent of Congress.

6. I have started construction on my project with non-HUD funds, but plan to use HUD funds for a portion of my project:

a. Do I have to stop work on the project if the work was under contract prior to the Letter of Invitation (Federal Nexus)?

ANSWER:

- HUD is not directing grantees to stop construction work in instances where a construction contract was entered into prior to receipt of the Letter of Invitation (Federal Nexus). In such cases, work funded by non-federal funds may proceed to the extent practical, and to the extent permitted in accordance with the previously executed contract. Grantees may not enter into additional construction contracts or take other choice-limiting commitments or actions, including commitments of HUD or additional non-HUD funds to the project after receipt of the Letter of Invitation (Federal Nexus), without the completion of a satisfactory environmental review covering the aggregated project. An environmental review must be completed before HUD funds and new commitments of non-HUD funds can be used on a project.
- However, HUD does recommend that grantees stop work after receipt of the Letter of Invitation (Federal Nexus) as best practice. If any work conducted results in environmental harm that cannot be mitigated (e.g., damaging endangered species habitat, impacting a structure eligible for listing on the National Register of Historic Places), or precludes completion of federal consultation requirements, those project activities cannot be funded. For these reasons, continuing with work has risk of ineligibility for funding.

b. Do I have to stop work on a project if there isn't a contract in place?

ANSWER:

- If you are using your own workforce to do the work and can stop work – i.e., there is no preexisting legal obligation with another party to continue the construction activities – you must pause construction (where practical) until the environmental review is completed.

c. How is the environmental review conducted when the project is underway under an existing contract?

ANSWER:

- Upon receipt of the Letter of Invitation (Federal Nexus), federal compliance requirements apply to the project and HUD funds cannot be expended on work that results in environmental harm that cannot be mitigated. A satisfactory environmental review is necessary to determine the environmental impacts of the project.
- While CPF funds can be used for soft costs incurred after enactment (March 15, 2022) and hard costs incurred after receipt of the Letter of Invitation (Federal Nexus), an environmental review is required for activities taking place after receipt of the LOI.
- Analysis with the environmental laws and authorities must be conducted and determine that there hasn't been environmental harm that cannot be mitigated, and that consultation with federal/state agencies is conducted in a manner that allows for mitigation measures/conditions to be implemented.

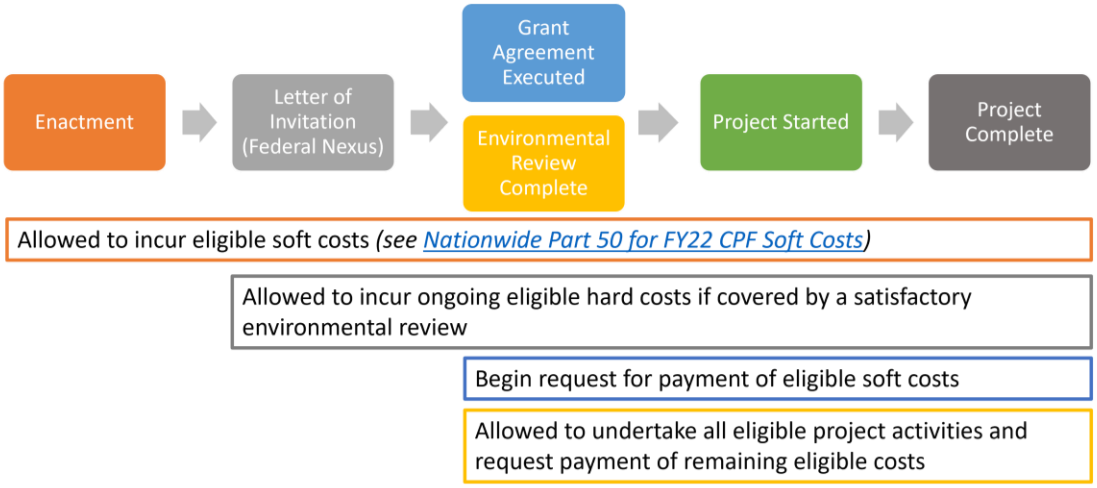
Note: If a satisfactory environmental review cannot be completed for any reason, work with your Grant Officer and Regional Environmental Officer to determine next steps.

7. I have a completed environmental review, but I do not have an executed Grant Agreement. Can I start using HUD funds?

ANSWER:

- Soft costs covered by HUD's programmatic review for CPF soft costs can be incurred any time after the date of enactment (March 15, 2022) and can be drawn down for reimbursement after the execution of the Grant Agreement.
- Eligible hard costs can be incurred after receipt of the Letter of Invitation (Federal Nexus) and can be drawn down for reimbursement after the execution of the Grant Agreement and the completion of a satisfactory environmental review for the aggregated project.

Figure 1: FY2022 CPF Payment Request Process Flow



3.3.5 Resources

Congressional Appropriations Bill:
CPF Laws and Regulations

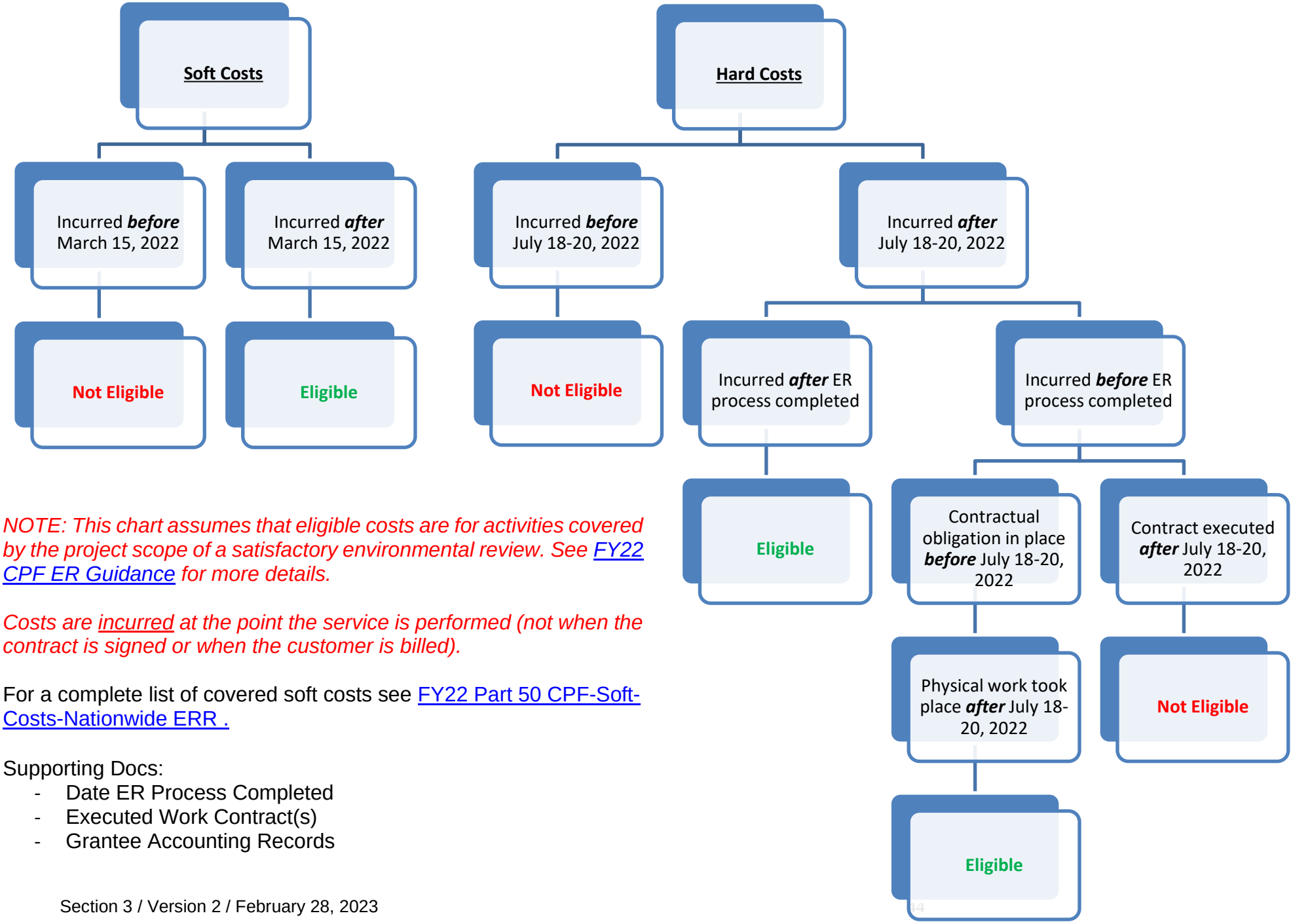
CPF Program Resources:
CPF Landing Page
CPF Grant Officer Portfolio Assignments
Community Project Funding Grant Guide
CPF Cost Eligibility Chart
CPF Frequently Asked Questions

CPF Environmental Review Resources:
CPF ER Guidance & Scenarios
HUD Environmental Contacts
Guidance for Documenting the Environmental Review for CPF Grants
Request for Release of Funds (RROF) Point-of-Contact for CPF Grants
Ask A Question (AAQ) Help Desk for CPF
Sample MOA between a Responsible Entity and CPF Non-profit Grantee

General Environmental Review Resources:
24 CFR Part 58: Procedures for Entities Assuming HUD Environmental Responsibilities
HEROS - HUD Environmental Review Online System
HUD Environmental Review Landing Page

HUD's Nationwide Part 50 Programmatic Environmental Review for CPF Soft Costs:
Part 50 CPF-Soft-Costs-Nationwide-Programmatic ERR

FY2022 CPF Payment Eligibility Chart



NOTE: This chart assumes that eligible costs are for activities covered by the project scope of a satisfactory environmental review. See FY22 CPF ER Guidance for more details.

Costs are incurred at the point the service is performed (not when the contract is signed or when the customer is billed).

For a complete list of covered soft costs see FY22 Part 50 CPF-Soft-Costs-Nationwide ERR .

Supporting Docs:

- Date ER Process Completed
- Executed Work Contract(s)
- Grantee Accounting Records

SECTION 4: CONTACT INFORMATION FOR GRANT OFFICERS AND REGIONAL ENVIRONMENTAL OFFICERS

Below is a link to the HUD "Congressional Grants Division Contact information, Congressional Grants Division (CGD) Staff: Community Project Funding (CPF) Portfolio Assignments" that includes on page 2 the list of Economic Development Initiative / Community Project Funding Grants: Grant Officer Portfolio Assignments. This link also includes the Regional Environmental Officers contact information.

https://www.hud.gov/sites/dfiles/CPD/documents/Community-Project-Funding-Portfolio-Assignments.pdf

SECTION 5: ATTACHMENTS

Attachment 1: Grant Agreement Submission Checklist
Attachment 2: Website Links to Key Forms and Form Instructions
Attachment 3: SF-1199A (Direct Deposit Sign-up Form)
Attachment 4: Certification Regarding Lobbying
Attachment 5: HUD-27056 (Change of Address Request)
Attachment 6: Ask-A-Question (AAQ) Technical Assistance Guide

Attachment 1: Grant Agreement Submission Checklist

To assist you with completing the required materials, please make sure that you have completed the following:

- ☐ The grantee has an active registration on the SAM.gov system.
- ☐ The legal name of the funding recipient in the SF-424's Block 8 is the same as the entity named in the JES or FY2023 Act's technical corrections.
- ☐ The amount of the requested grant is the same as the amount authorized in the JES.
- ☐ The SF-424 is complete, properly executed, and dated.
- ☐ The SF-424-B, if required, is properly executed and dated.
- ☐ The SF-424-D, if required, is properly executed and dated.
- ☐ The SF-LLL, if applicable, is complete, properly executed, and dated.
- ☐ The project narrative describes the ENTIRE project and indicates the specific activities that will be financed with CPF grant funds.
- ☐ The project budget is consistent with the requirements of the applicable appropriations acts and cost principles in 2 CFR part 200.
- ☐ Indirect Cost Rate
    - Will you charge Indirect Costs to the Grant? ☐ Yes ☐ No
    - If yes, are you opting for following:
    - De Minimis Rate (10% of MTDC)
    - Federally Negotiated Indirect Cost Rate Agreement:
    - Approving Agency: _____
    - Approved Rate and Base: _____
    - Is Appendix 3 of the Grant Agreement filled out as appropriate?

Attachment 2: Website Links to Key Forms and Form Instructions

Below are website links to key forms and form instructions for your FY2022 CPF Grant.

- **Form HUD-1044, Assistance Award/Amendment Form**
  - https://www.hud.gov/sites/documents/1044.pdf
- **Standard Form, Application for Federal Assistance SF-424**
  - https://www.hudexchange.info/resource/306/hud-form-sf424/
  - Form: https://apply07.grants.gov/apply/forms/sample/SF424_4_0-V4.0.pdf
  - Instructions: https://apply07.grants.gov/apply/forms/instructions/SF424_4_0-V4.0-Instructions.pdf
- **Standard Form 424B, Assurances - Non-Construction Programs**
  - https://www.grants.gov/forms/sf-424-family.html
  - Form: https://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf
  - Instructions: https://apply07.grants.gov/apply/forms/instructions/SF424B-V1.1-Instructions.pdf
- **Standard Form 424D, Assurances for Construction Programs**
  - https://www.grants.gov/forms/sf-424-family.html
  - Form: https://apply07.grants.gov/apply/forms/sample/SF424D-V1.1.pdf
  - Instructions: https://apply07.grants.gov/apply/forms/instructions/SF424D-V1.1-Instructions.pdf
- **SFLLL Disclosure of Lobbying Activities (as applicable)**
  - https://www.hudexchange.info/resource/308/hud-form-sflll/
- **SF 1199A Direct Deposit Sign Up Form (Also see Attachment 3)**
  - https://www.hud.gov/sites/documents/DOC_8841.PDF

Attachment 3: SF-1199A - Direct Deposit Sign Up Form

Standard Form 1199A (EG)
(Rev. June 1987)
Prescribed by Treasury Department
Treasury Dept. Cir. 1076

OMB No. 1510-0007

DIRECT DEPOSIT SIGN-UP FORM

DIRECTIONS

- To sign up for Direct Deposit, the payee is to read the back of this form and fill in the information requested in Sections 1 and 2. Then take or mail this form to the financial institution. The financial institution will verify the information in Sections 1 and 2, and will complete Section 3. The completed form will be returned to the Government agency identified below.
- A separate form must be completed for each type of payment to be sent by Direct Deposit.
- The claim number and type of payment are printed on Government checks. (See the sample check on the back of this form.) This information is also stated on beneficiary/annuitant award letters and other documents from the Government agency.
- Payees must keep the Government agency informed of any address changes in order to receive important information about benefits and to remain qualified for payments.

SECTION 1 *(TO BE COMPLETED BY PAYEE)*

A NAME OF PAYEE *(last, first, middle initial)*
CITY OF ANYWHERE

ADDRESS *(street, route, P.O. Box, APO/FPO)*
123 ANYWHERE STREET

CITY: ANYWHERE | STATE: XX | ZIP CODE: 12345

TELEPHONE NUMBER
AREA CODE (XXX) XXX-XXXX

B NAME OF PERSON(S) ENTITLED TO PAYMENT
B-22-CP-XX-1234

C CLAIM OR PAYROLL ID NUMBER
12 (Prefix) 3456789 TAX-ID # (Suffix)

D TYPE OF DEPOSITOR ACCOUNT ☐ CHECKING ☐ SAVINGS

E DEPOSITOR ACCOUNT NUMBER

F TYPE OF PAYMENT *(Check only one)*
- ☐ Social Security
- ☐ Supplemental Security Income
- ☐ Railroad Retirement
- ☐ Civil Service Retirement (OPM)
- ☐ VA Compensation or Pension
- ☐ Fed. Salary/Mil. Civilian Pay
- ☐ Mil. Active
- ☐ Mil. Retire.
- ☐ Mil. Survivor
- ☒ Other EDI-CP- GRANT *(specify)*

G THIS BOX FOR ALLOTMENT OF PAYMENT ONLY *(if applicable)*
TYPE | AMOUNT

PAYEE/JOINT PAYEE CERTIFICATION

I certify that I am entitled to the payment identified above, and that I have read and understood the back of this form. In signing this form, I authorize my payment to be sent to the financial institution named below to be deposited to the designated account.

SIGNATURE | DATE
SIGNATURE | DATE

JOINT ACCOUNT HOLDERS' CERTIFICATION *(optional)*

I certify that I have read and understood the back of this form, including the SPECIAL NOTICE TO JOINT ACCOUNT HOLDERS.

SIGNATURE | DATE
SIGNATURE | DATE

SECTION 2 *(TO BE COMPLETED BY PAYEE OR FINANCIAL INSTITUTION)*

GOVERNMENT AGENCY NAME
HUD/OFFICE OF CPD

GOVERNMENT AGENCY ADDRESS
451-7TH STREET, SW
WASHINGTON, DC 20410
(ATTACH VOIDED CHECK OR DEPOSIT SLIP)

SECTION 3 *(TO BE COMPLETED BY FINANCIAL INSTITUTION)*

NAME AND ADDRESS OF FINANCIAL INSTITUTION
NOTE: BANK MUST COMPLETE SECTION 3

ROUTING NUMBER | CHECK DIGIT

DEPOSITOR ACCOUNT TITLE

FINANCIAL INSTITUTION CERTIFICATION

I confirm the identity of the above-named payee(s) and the account number and title. As representative of the above-named financial institution, I certify that the financial institution agrees to receive and deposit the payment identified above in accordance with 31 CFR Parts 240, 209, and 210.

PRINT OR TYPE REPRESENTATIVE'S NAME | SIGNATURE OF REPRESENTATIVE | TELEPHONE NUMBER | DATE

Financial institutions should refer to the GREEN BOOK for further instructions.
THE FINANCIAL INSTITUTION SHOULD MAIL THE COMPLETED FORM TO THE GOVERNMENT AGENCY IDENTIFIED ABOVE.

Reset

NSN 7540-01-058-0224

GOVERNMENT AGENCY COPY

1199-207
Designed using Perform Pro, WHS/DIOR, Mar 97

Attachment 4: Certification Regarding Lobbying

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for 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 this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

_____

(Signature of Authorized Official)

_____

(Typed Name and Title of Authorized Official)

_____

(Date)

Attachment 5: HUD-27056 Form - Change of Address Request

https://www.hud.gov/sites/documents/27056.PDF

Change of Address Request
for Recipients of HUD Grants
or Contracts

U.S. Department of Housing
and Urban Development
Office of the Chief Human Capital Officer

Instructions: This form is to be completed by recipients of HUD Grants or Contracts when their address changes. Please note the maximum characters per area. Characters in excess of the maximum will be truncated. The recipient shall submit this request to the appropriate Field/ Program Office for approval. Once approved, the Field/Program Office will forward the request to Accounting for processing. After being processed, the U.S. Department of Housing and Urban Development will send all future correspondence to the new address.

	Recipient's Tax Identification Number (9 characters)	Effective Date of Address Change	
Current Information	Recipient's Name (33 characters max.)		
	Address (33 characters per line max.)		
	City (22 characters max.)	State (2 chars.)	Zip Code (5 or 9 characters)
	Contact Name	Phone Number (include area code)	
Enter the Requested Changes	Recipient's Name (33 characters max.)		
	Address (33 characters per line max.)		
	City (22 characters max.)	State (2 chars.)	Zip Code (5 or 9 characters)
	Contact Name	Phone Number (include area code)	
	Name and Signature of the Recipient Official Authorized to sign the Grant Agreement / Contract X		
Approval (only necessary on requests for a recipient name change)	Name and Signature of the HUD Program Official Authorized to sign the Grant Agreement / Contract X		

FY2022 Community Project Funding Grant Guide (Version 2.0)

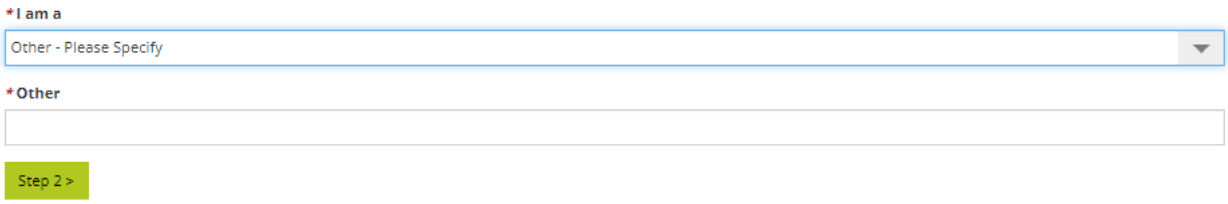
Attachment 6: Ask-A-Question (AAQ) Technical Assistance Guide

We are excited to announce that the Ask-A-Question tool on HUD Exchange has been expanded to provide technical assistance for Community Project Funding (CPF). You can access the website by going to https://www.hudexchange.info/program-support/my-question/.

The first step in submitting a question is to fill in the Personal Information fields. All the fields are required.

Once you have entered your personal information, please select I am a… "HUD Grantee." If your organization or community is listed, please select the correct grantee name.

If you do not find your entity's name, select "Other – Please Specify" in the I am box and you will be able to provide the entity name in the Other box.



Once you have identified yourself, select the button for Step 2.

You will be taken to Step 2 of 2 after a prompt to review your personal information. Please select "CPF: Community Project Fund" in the My question is related to… box. Then add a subject line, enter your question, and upload any applicable documents. Submit your question.

PAPERWORK REDUCTION ACT

Economic Development, Community Project Funding/Congressionally Directed Spending
U.S. Department of Housing and Urban Development
OMB Approval No 2506-0217

Public Reporting Burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering, and maintaining the data needed, and completing and reviewing the collection of information. Response to this collection of information is mandatory to obtain a benefit. The information requested does not lend itself to confidentiality. HUD may not conduct or sponsor, and an applicant is not required to respond to a collection of information unless it displays a currently valid OMB control number.