

United States Geological Survey

2023 Mineral Resources Program
Earth Mapping Resources Initiative (Earth MRI) Mine Waste Cooperative Agreements



Notice of Funding Opportunity - Fiscal Year 2023
Funding Opportunity Number (FON) G23AS000XX

Closing Date: 03/06/2023

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A. Program Description

Proposals are being accepted by the Mineral Resources Program (MRP), Earth Mapping Resources Initiative (Earth MRI) for State geological survey Mine Waste activities. Funds are made available to participating State geological surveys for activities focusing on mine waste inventory and characterization data compilation and acquisition, sampling and mapping efforts in support of ongoing Earth MRI efforts. In FY 2023, approximately \$5M is available for allocation to USGS Mine Waste cooperative agreements through a competitive proposal process. **All MRP funds must be obligated by Sep 30, 2023.**

A1. Authority

The USGS Mineral Resources Program (MRP) delivers unbiased science and information to increase understanding of ore formation, undiscovered mineral resource potential, production, consumption, and how minerals interact with the environment. MRP supports data collection and research on a wide variety of nonfuel mineral resources that are important to the Nation’s economy and national security.

The Earth Mapping Resources Initiative (Earth MRI; <https://www.usgs.gov/special-topics/earth-mri>) is a component of MRP and is a national effort to carry out the fundamental resources and mapping mission of the U.S. Geological Survey (USGS). The goal of Earth MRI is to improve our knowledge of the geologic framework in the United States and to identify areas that may have the potential to contain critical mineral resources. Enhancement of our domestic mineral supply will decrease the Nation’s reliance on foreign sources of minerals fundamental to national security and the economy. Earth MRI was established in FY2019 in response to Executive Order 13817 ("A Federal Strategy to Ensure Secure and Reliable Supplies of Critical Minerals"). As of FY2022, Earth MRI is now mandated by the Infrastructure Investment and Jobs Act (otherwise known as the Bipartisan Infrastructure Law (BIL))¹ which directs the USGS to accelerate efforts to carry out fundamental integrated topographic, geologic, geochemical, and geophysical

¹ U.S. Congress, Nov. 15, 2021, “H.R. 3684 – Infrastructure Investment and Jobs Act”, Public Law: 117-58, [Text - H.R.3684 - 117th Congress \(2021-2022\): Infrastructure Investment and Jobs Act | Congress.gov | Library of Congress](https://www.congress.gov/bills/117/3684)

mapping and provide interpretation of subsurface and above-ground critical mineral resources data (mine waste).

The BIL expanded Earth MRI's scope by providing funding to initiate above-ground mine waste research and assessment activities as a means to evaluate the potential for extraction of critical minerals from mine waste materials. This funding opportunity supports three goals of this USGS effort: 1) building a national mine waste inventory, 2) characterizing mine waste at sites across the nation, and 3) partnering with State geological surveys to plan Earth MRI data acquisition.

Catalog of Federal Domestic Assistance (CFDA) Number

15.073

A2. Background, Purpose and Program Requirements

Guidelines and Requirements

The following guidelines and requirements are provided to help the State geological surveys submit a strong, competitive proposal. The membership of the Review Panel will change from year to year and applicants should not assume that reviewers will be fully aware of relevant previous work. Following these guidelines will allow the Review Panel to assess the proposed projects efficiently and effectively.

- Provide a clear justification for proposed mine waste activities. Explain how the results of the project meet the priorities of the USGS and applicant's organization and benefit stakeholders and society. Please be specific and provide examples.
- Request funding for one, two, and/or three Priorities: Priority 1) national mine waste inventory; Priority 2) mine waste characterization, and Priority 3) travel to the annual Earth MRI workshop.
- Describe the project and the process expected to be followed (**workflows, including methods and level of effort**) to complete the required objectives. If proposing multiple activities to complete the project, clearly state the work that will be accomplished for each activity. Please note that if reduced funds are awarded, the scope of work may require modification.
- Briefly describe previous work or pilot projects that have informed estimates of the level of effort and/or expertise needed to successfully complete the proposed work.
- A Data Management Plan (DMP) must be provided to conform with the Executive Order of February 22, 2013, "Increasing Access to the Results of Federally Funded Scientific Research". An example template is found in Attachment C.
- **State matching funds are not required.** However, if a State geological survey would like to leverage matching funds, please specify in Budget. Priority activities must be budgeted separately and within the itemized budget for that Priority. **Review and verify budget numbers prior to proposal submission.**
- Include descriptions of project personnel and their experience and skills relevant to completing the proposed tasks. Extended supervisory hours performed by senior staff or other management activities for which funding is requested must be well justified. For

each person give a brief statement of their background or curriculum vita (CV) and indicate whether the person works for the State geological survey or elsewhere (contractor or volunteer). (CVs do not count toward the proposal page limit, but please keep each CV to a 2-page limit.)

- Nonexpendable equipment funding requests are acceptable if the equipment is reasonable and necessary for the successful completion of the work funded by the MRP. A full justification and a dealer or manufacturer quote are required for any proposed equipment purchase. If no justification is included the cost will be disallowed. MRP will not fund computers, database software systems, or equipment required for an organization's IT infrastructure, operation, and maintenance. Funding requests for software may be allowed if prorated for the proposed-work and a quote is provided.
- Non-allowable expenses under the MRP include tuition, computer maintenance or travel to any other conference or workshop except the Earth MRI workshop. MRP funds may not be used to pay for USGS or other Federal services.
- If collaborating with staff from partner agencies (e.g., universities), or contractors please detail their roles and project hours as funded through the proposal or as representing optional state matching funds.
- Begin submitting proposals to Grants.gov well in advance of the due date as **there is no possibility of late submissions**. See Part Section D for more information on proposal submission.

Please contact the Contracting Officer, Margaret Eastman (mrussell@usgs.gov) with any questions. However, questions specific to what will or will not be funded cannot be addressed.

Program Priorities

PLEASE NOTE: Proposals that do not specifically address Earth MRI Mine Waste fiscal year (FY) 2023 priorities will NOT be considered for an award.

A proposal must address at least one of three FY 2023 mine waste priorities and describe activities accordingly. It is possible for proposed projects to receive reduced or no funding. If applicable, hiring students from underrepresented sectors, majoring in science, technology, engineering, and mathematical fields, is strongly encouraged to educate and diversify the next generation of geoscientists.

FY 2023 Priority 1 – National mine waste inventory

One goal of the USGS mine waste effort is to build a national mine waste inventory that will support other state, federal, and tribal agencies that are responsible for land management planning and remediation decisions. Mine wastes at legacy mine sites are potential sources of many by-product commodities that are currently critical but that were previously discarded or overlooked. To date, there has been no comprehensive inventory of these mine wastes, their compositions, and the critical minerals they may contain. The inventory will be developed in conjunction with stakeholders to answer outstanding questions including:

- How many mine waste sites are there in the United States, and where are they located?

- How much material is available that may contain critical mineral resources, and what is the tonnage and grade of that material?
- What are the characteristics of that material (geological, geochemical, mineralogical) that may influence recovery of the commodities of interest and environmental impacts?

In FY2023, State geological surveys may request funding up to \$50,000.00 to populate an ArcGIS database that documents the location of solid mine waste materials in the applicant’s state, and the geology and resources of those mine waste features. Perpetual waters are not included. Mine waste materials are limited to those from nonfuel deposits, so coal and uranium wastes are not included. For entry into the database, the areal extent of mine waste must exceed 2,000 m².

The database has four tables: location, geology, resources, and references (Figure 1). Records must be populated according to the template provided with the application materials (see Waste_DB_Files_2022-11-03). Populated records must use data that are available in the public domain. Funding for field work may not be requested.

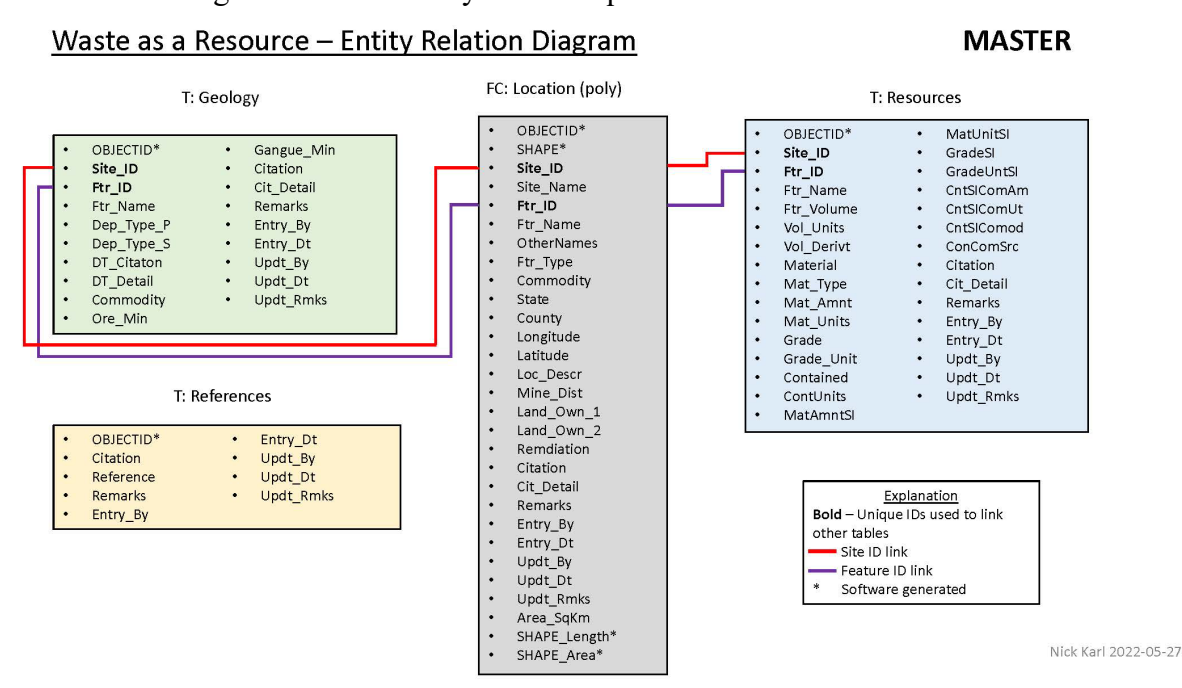


Figure 1. Entity relation diagram showing the structure of the mine waste database.

Priority 1 activities include the following:

- State compilation of mine waste materials. Compiling geospatial data from the state that outlines the location, geology, and resources of mine waste with the goal of using existing data preserved in publicly available state-held records and in the available literature. To ensure that data are compatible with the developing national USGS database on mine waste, state data must be entered into a template provided by the USGS’ mineral deposit database project (USMIN). To help state agencies populate the database, USMIN will provide training and will work closely with state agencies as described below.

1. USMIN provides a template of the ArcGIS database and documentation (see Waste_DB_Files_2022-11-03 included with application materials), and training material, and then meets with state agencies to provide training on how to populate records. At the outset, states are being asked first to populate records for five mine waste features to calibrate data entry and submit that to the USMIN project personnel to assure the data are in the proper standard format. USMIN will then check the initial five records and provide feedback to the states on those records, noting which fields are populated correctly, and which fields need to be corrected. This will assure that any questions or issues are addressed at the beginning of the project before significant time and resources are expended.
2. Based on the feedback from the USGS USMIN personnel, states then populate records for 20 additional mine waste features. USMIN then will review those 20 records, and then provides feedback to the states on those records, noting which fields are populated correctly, and which fields need to be corrected.
3. States incorporate that feedback to populate records for additional mine waste features.

Deliverables for Priority 1 include:

- The 25 records that have been populated according to the above quality control steps and then all subsequent records whose input incorporates the feedback provided by USMIN.
- All records are to be submitted as a single ArcGIS database to USMIN.
- A brief (1-2 pages) report describing the process and summarizing what was submitted is required upon project completion.
- All Earth MRI deliverables, including reports, may be made available to the public.

FY 2022 Priority 2 – Mine Waste Characterization

The USGS mine waste characterization effort will evaluate nonfuel mine waste sites that potentially contain critical mineral resources. These sites may also be candidates for remediation, which would foster economic development in conjunction with environmental restoration. Whether mine waste is a potential resource, an environmental liability, or both will depend heavily on the geochemical and mineralogic characteristics of the mine waste materials. In addition, data collected on the compositional characterization of mine waste may inform future technologies to more efficiently reprocess mine waste for extraction of critical minerals. This information will be useful for accounting for the total costs and benefits of reuse, recycling, reprocessing, reclamation and restoration of ecosystem services. Basic datasets produced by this request will not only contribute to improved models of critical mineral resources in mine waste but will also improve the understanding of the environmental impact posed by mine wastes. This effort will inform the national mine waste inventory and government-wide strategies for supporting critical mineral supply chains as well as remediation of legacy mine lands.

Areas across the United States with the potential to host both subsurface and surface deposits of critical mineral resources ('focus areas') have been identified by the USGS and their State Geological Survey collaborators (see Dicken and others, 2019, 2021; Hammarstrom and others, 2022). Earth MRI focus areas are determined by mineral systems, deposit types, and known and potential critical mineral commodities. The mineral systems classification documents the relationship between large mineral systems that may contain multiple deposit types and the mineral commodities associated with each deposit type (Hofstra and Kreiner, 2020). Earth MRI takes a minerals systems approach for data collection efforts for both above ground and below ground critical mineral resources.

The goal of Priority 2 is to characterize mine waste to augment the internally consistent database of mine waste inventory covered under Priority 1. Priority 2 projects will focus on field-based characterization of mine waste volume estimates, geochemical composition, bulk mineralogical composition, mine water discharge load estimates, and contained mineral commodities. Also important to this effort is an understanding of the orebody from which the waste was derived.

The USGS is currently developing mine waste site characterization and sampling protocols to guide this effort under Priority 2. The protocols will, in general, follow well-established protocols for geospatial mapping and common features to support the inventory effort as well as standard sampling methods to characterize the mine waste composition. For example, sampling of solid waste material will emphasize collection of individual sub-samples that can be composited to achieve representative samples that will help to characterize waste piles. A limited latitude to collect an additional number of grab samples to address scientific interests of states will be permitted. Water sampling protocols will follow USGS approved methods in terms of sample containers, filtration, sample preservation, and holding times, among other details. Drilling, where possible, is encouraged but not required.

In FY2023, state geological surveys may request funding up to \$250,000.00 for mine waste characterization efforts within Earth MRI focus areas. States are required to indicate the mineral system(s) and their component mineral deposit types (Hofstra and Kreiner, 2020), and specific nonfuel critical mineral commodities of interest in their proposed efforts. If additional non-critical commodities are also present, then please identify as well.

Geochemical Analyses

The USGS will support projects under Priority 2 by providing geochemical analyses on samples collected from mine waste materials. Because all data funded through Earth MRI must meet USGS quality assurance/quality control (QA/QC) standards and be made public, the USGS has set aside funds to provide specific geochemical analyses at no additional cost to the State geological surveys. The types of analyses to be supported by USGS are the following:

USGS Solid phase analysis: \$415.00 per sample

Bulk geochemistry:

- 61-element major and trace element fusion-digestion with analysis by inductively coupled plasma (ICP) optical emission spectrometry (ICP-OES) and mass spectrometry (ICP-MS). Elemental analytes are Ag, Al, As, B, Ba, Be, Bi, Ca, Cd, Ce, Co, Cr, Cs, Cu, Dy, Er, Eu, Fe, Ga, Gd, Ge, Hf, Ho, In, K, La, Li, Lu, Mg, Mn,

Mo, Nb, Nd, Ni, P, Pb, Pr, Rb, Re, S, Sb, Sc, Se, Si, Sm, Sn, Sr, Ta, Tb, Te, Th, Ti, Tl, Tm, U, V, W, Y, Yb, Zn, and Zr.

- Major elements by wavelength dispersive X-ray fluorescence (WD-XRF). Analytes are Al₂O₃, BaO, CaO, Cr₂O₃, Fe₂O₃, K₂O, MgO, MnO, Na₂O, P₂O₅, SiO₂, TiO₂, SrO, V₂O₅, and Loss on Ignition (LOI)
- Fluorine by digestion and ion-selective electrode
- Gold, palladium, platinum assay
- Total sulfur, carbon, mercury, carbonate carbon

Mineralogy:

- Quantitative X-ray diffraction (XRD), limited to the composited solid samples.

Water-rock interaction

- Acid-base accounting

USGS water chemistry analysis: \$280.00 per sample

Composition:

- Major and trace element chemistry
 - Anions (ion chromatography)
 - Cations and trace elements, including precious metals (ICP-OES/ICP-MS). Analytes include Ag, Al, As, Au, B, Ba, Be, Bi, Ca, Cd, Ce, Co, Cr, Cs, Cu, Dy, Er, Eu, Fe, Ga, Gd, Ge, Hf, Hg, Ho, In, Ir, K, La, Li, Lu, Mg, Mn, Mo, Na, Nb, Nd, Ni, P, Pb, Pd, Pt, Rb, Re, Rh, Ru, S, Sb, Sc, Se, Si, Sn, Sr, Ta, Tb, Te, Th, Tm, Ti, Tl, U, V, Y, Yb, Zn, and Zr.
 - Alkalinity/acidity

States are responsible for sampling equipment, sample containers, and shipping. For water samples, multiple sample splits will be required to accommodate preservation and analysis requirements. Details on materials, equipment, sample duplicate, and preservation requirements will be provided in the USGS protocols. The USGS will provide additional QA/QC on data samples and archive the solid phase samples. The data will be published and combined into the periodic USGS mine waste data releases hosted on the Earth MRI website. If a State geological survey chooses to perform additional analyses as part of the proposed project, costs for these must be included in their budget. Although all Earth MRI data will become publicly available on-line, any non-contract geochemical data must be flagged as “unvalidated by the USGS”. Please note, Earth MRI funds are prohibited from being used to fund analytical work at any Federal facility.

To gain an understanding of the mineralogy and geochemistry of the original ore deposit(s) that sourced the mine waste materials generated during mining, up to 10 representative samples of ore and associated alteration (if relevant) are requested if possible for USGS archives. The ore and associated alteration samples will be analyzed using the same solid phase analytical methods described for the solid mine waste samples. The hand samples collected (up to 2 kg each) should be well described as to their location, host rock type, alteration type (for example, propylitic, argillic, phyllic, potassic, sodic, etc.), ore type (for example, supergene, hypogene, main-stage,

late-stage, disseminated, stockwork, vein, breccia, replacement, massive, etc.), and visual identification of mineralogy (for example, not requesting in-depth petrography, microanalyses, x-ray diffraction analysis, etc). The ore and alteration sample descriptions are to be included in the final report.

Each project is limited to a total analytical budget of \$65,000.00, which is not included in the \$250,000.00 project budget. The project scope will determine the distribution of solid samples (\$415.00 per sample) and water samples (\$280.00 per sample) submitted to the USGS for analysis, as long as the total cost does not exceed the analytical budget maximum. Proposals should include a projection of the number of samples and sample type (solid or water) to be collected. Please also include in analytical estimates the requirements for field blanks and field duplicates for QA/QC with the following frequency:

- Solid samples: 1 duplicate per 20 samples, or at least one per sampling event, if less than 20 samples collected per event.
- Water samples: 1 field blank and 1 field duplicate per 20 samples, or one blank and one duplicate per sampling event, if less than 20 samples collected per event.

Project proposals for Priority 2 must discuss the following:

- Expected critical mineral commodities in the waste, based on mine history, previous analyses, mineral system and/or deposit type processed;
- Size of the resource: the features should be large enough to contribute to the national assessment objectives stated above;
- Accessibility to the sites: proposed sites (active, managed, or abandoned) must be safely and legally available for sample collection. The state is responsible for securing access to sites in their project;
- Material type: Primary emphasis will be on tailings and perpetual water sources as the initial target materials for FY23, but other types of waste in addition to tailings and perpetual water sources may be considered pending prior approval (contact Darcy McPhee, dmcphee@usgs.gov, at least 15 days prior to proposal due date); material type will be expanded in subsequent years. Only nonfuel mine waste is considered. Perpetual water sources are those that are long-lived, such as adit flows or pit lakes.

The FY2023 Priority 2 data collection efforts/deliverables include:

- Geospatial data including waste feature boundaries that are compatible with the Priority #1 Inventory database and sample locations (latitude/longitude with defined datum) that link to National Geochemical Database ([National Geochemical Database | U.S. Geological Survey \(usgs.gov\)](https://www.usgs.gov/national-geochemical-database)).
- Volume and load estimates. Approaches for estimating volumes and masses of mine waste piles and volumes of pit lakes may vary, particularly with regards to the third dimension. Similarly for mine adit discharge waters, seasonal flows of mine effluent may factor into load estimates. An estimate of discharge at the time of sampling should be made so that volume and load estimates can be made for adits; direct measurement does not need to be made if estimates can be obtained with other data (such as discharges measured by site managers). However, please clearly describe the methodology for solid piles and water (if collected) in the final report.

- Geochemical (solid and water) data, which will be released by USGS in USGS data releases and used in the interpretive report published by the state.
- Resource estimate of contained critical minerals and other potential commodities.
- Comprehensive description of any ore-body hand samples that are collected.
- Brief (1-2 pages) progress reports every six months for the duration of the project.
- Final interpretive report, including methods and data sets used for calculating volume and resource estimates. Report must include site description, interpretation, geospatial data on waste piles and other sample sites, and mine waste inventory data for samples sites. Report must be provided as a peer-reviewed state publication.
- Digital archive of field sheets.
- All Earth MRI deliverables may be made available to the public.

If funded for Priority 2 activities, USGS will provide protocols and in person training for established protocols that must be followed for all sampling efforts. USGS will coordinate with the project principal investigator (PI) to determine timing and location of trainings, which will occur at a mine waste site identified by the state for Priority 2 activities. No additional resources will need to be allocated for training as training efforts will contribute to Priority 2 activities.

FY 2022 Priority 3 – Earth MRI workshop

Annual Earth MRI workshop –

An annual Earth MRI workshop is held in collaboration with the State geological surveys and other partners to help define and evaluate focus areas, or areas that have the greatest need for future Earth MRI data collection. The Earth MRI workshops bring together technical experts from across the USGS and state geological surveys and other agencies to assess and discuss data and information relevant to the identification of focus areas across the Nation with potential for hosting critical mineral deposits. The workshops will address both subsurface and above-ground (mine waste) critical mineral resources. The October 2023 workshop is planned to be hybrid, with both in-person and virtual participation for those not able to travel to the meeting.

Mine waste efforts will be a key component of future Earth MRI annual workshops which will require State geological survey input to help define mine waste sites within each State that are important targets for Earth MRI inventory and characterization. A unified mine waste site data sampling and mapping strategy will also be discussed.

State representatives may participate in the workshop to help Earth MRI understand the national scope of mine waste and help delineate the focus areas for future above and below ground data collection. The USGS will support travel for up to two participants per state, up to \$2,000.00 in direct costs per participant to attend the workshop. All requests for workshop travel funds will be granted up to a total of \$4,000.00 (for two travelers), regardless of whether other proposed activities are funded. Requests for Priority 3 funds are not competitive and will not be subjected to panel review. The next workshop will be held in October 2023, at designated USGS facilities. In the event workshops are virtual instead of in-person, the travel funds will not be awarded. For planning purposes, assume the workshop will be held at the USGS headquarters in Reston, VA.

The total for Priority 3 including potential travel to critical minerals workshop shall not exceed \$4,000.00. To obtain funds to support travel to the Earth MRI Critical Mineral Resources Workshops, states must:

1. Request MRP funds,
2. Provide travel estimates in the budget table (Attachment B),
3. Specify travelers names, and
4. If funds are awarded for Priority 3, States are required to use them on travel to the Earth MRI workshop only.

B. Federal Award Information

B1. Total Funding

Estimated Total Funding

\$5,000,000.00

B2. Award Amount

Maximum Award

\$304,000.00

Minimum Award

\$2,000.00

The approximate range for an individual award is a minimum of \$2,000.00 up to a maximum of \$304,000.00. In some circumstances, funding may be less than \$2,000.00 or more than \$304,000.00.

B3. Anticipated Award Funding and Dates

Anticipated Award Date

May 01, 2023

Proposal Announcement Date: January 9, 2023

Closing Date and Time for Proposal Submission: March 6, 2023, 3:00 pm, Eastern Time.

Proposals received after the deadline will NOT be considered for an award.

The earliest project start dates will be after the USGS receives its FY2023 BIL funding, or May 1, 2023, whichever is later. The latest start date is September 15, 2023. All deliverables are due 90 days following end of grant performance period.

Awards will be made for a 24-month period only.

B4. Number of Awards

Expected Number of Awards

16

B5. Type of Award

Funding Instrument Type

Cooperative Agreement

C. Eligibility Information

C1. Eligible Applicants

Eligible Applicants

00 – State governments

Additional Information on Eligibility

Only state geological surveys are eligible to apply to this Notice of Funding Opportunity under the – Infrastructure Investment and Jobs Act (Public Law: 117-58, Sec. 40201). A university may submit a proposal on behalf of a state geological survey if the state geological survey is organized under a state university system.

C2. Cost Sharing or Matching

Cost Sharing / Matching Requirement

No.

C3. Other

Non-allowable expenses under the MRP include tuition, computer maintenance or travel to any other conference or workshop except the Earth MRI workshop. MRP funds may not be used to pay for USGS services.

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

D. Application and Submission Information

Grants.gov Application Submission and Receipt Procedures

Grants.gov Application Submission and Receipt Procedures

This section provides the application submission and receipt instructions for U.S. Geological Survey (USGS) program applications. Please read the following instructions carefully and completely.

1. Electronic Delivery

USGS is participating in the Grants.gov initiative to provide the grant community with a single site to find and apply for grant funding opportunities. USGS encourages applicants to submit their applications online through Grants.gov.

2. How to Register to Apply through Grants.gov

a. *Instructions:* Read the instructions below about registering to apply for USGS funds. Applicants should read the registration instructions carefully and prepare the information requested before beginning the registration process. Reviewing and assembling the required information before beginning the registration process will alleviate last-minute searches for required information

Organizations must have an active System for Award Management (SAM) registration, and Grants.gov account to apply for grants. If individual applicants are eligible to apply for this funding opportunity, then you may begin with step 3, Create a Grants.gov Account, listed below.

Creating a Grants.gov account can be completed online in minutes, but SAM registration may take several weeks. Therefore an organization's registration should be done in sufficient time to ensure it does not impact the entity's ability to meet required application submission deadlines. Note: An entity will be assigned a Unique Entity Identifier (UEI) by SAM. No Dun and Bradstreet (DUNS) number is required after April 4, 2022.

Complete organization instructions can be found on Grants.gov here:

<https://www.grants.gov/web/grants/applicants/organization-registration.html>

1) *Register with SAM:* All organizations applying online through Grants.gov must register with the System for Award Management (SAM). Failure to register with SAM will prevent your organization from applying through Grants.gov. SAM registration must be renewed annually. For more detailed instructions for registering with SAM, refer to: <https://www.grants.gov/web/grants/applicants/organization-registration/step-2-register-with-sam.html>

2) *Create a Grants.gov Account:* The next step is to register an account with Grants.gov. Follow the on-screen instructions or refer to the detailed instructions here: <https://www.grants.gov/web/grants/applicants/registration.html>

3) *Add a Profile to a Grants.gov Account:* A profile in Grants.gov corresponds to a single applicant organization the user represents (i.e., an applicant) or an individual applicant. If you work for or consult with multiple organizations and have a profile for each, you may log in to one Grants.gov account to access all of your grant applications. To add an organizational profile to your Grants.gov account, enter UEI assigned by SAM in the UEI field while adding a profile. For more detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/registration/add-profile.html>

4) *EBiz POC Authorized Profile Roles*: After you register with Grants.gov and create an Organization Applicant Profile, the organization applicant's request for Grants.gov roles and access is sent to the EBiz POC. The EBiz POC will then log in to Grants.gov and authorize the appropriate roles, which may include the AOR role, thereby giving you permission to complete and submit applications on behalf of the organization. You will be able to submit your application online any time after you have been assigned the AOR role. For more detailed instructions about creating a profile on Grants.gov, refer to: <https://www.grants.gov/web/grants/applicants/registration/authorize-roles.html>

5) *Track Role Status*: To track your role request, refer to: <https://www.grants.gov/web/grants/applicants/registration/track-role-status.html>

b. *Electronic Signature*: When applications are submitted through Grants.gov, the name of the organization applicant with the AOR role that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC **must** authorize people who are able to make legally binding commitments on behalf of the organization as a user with the AOR role; **this step is often missed and it is crucial for valid and timely submissions.**

3. How to Submit an Application to USGS via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For each funding opportunity announcement (FOA), you can create individual instances of a workspace.

Below is an overview of applying on Grants.gov. For access to complete instructions on how to apply for opportunities, refer to:

<https://www.grants.gov/web/grants/applicants/workspace-overview.html>

1) *Create a Workspace*: Creating a workspace allows you to complete it online and route it through your organization for review before submitting.

2) *Complete a Workspace*: Add participants to the workspace to work on the application together, complete all the required forms online or by downloading PDF versions, and check for errors before submission. The Workspace progress bar will display the state of your application process as you apply. As you apply using Workspace, you may click the blue question mark icon near the upper-right corner of each page to access context-sensitive help.

a. *Adobe Reader*: If you decide not to apply by filling out webforms you can download individual PDF forms in Workspace. The individual PDF forms can be downloaded and saved to your local device storage, network drive(s), or external drives, then accessed through Adobe Reader.

NOTE: Visit the Adobe Software Compatibility page on Grants.gov to download the appropriate version of the software at: <https://www.grants.gov/web/grants/applicants/adobe-software-compatibility.html>

b. *Mandatory Fields in Forms*: In the forms, you will note fields marked with an asterisk and a different background color. These fields are mandatory fields that must be completed to successfully submit your application.

c. *Complete SF-424 Fields First:* The forms are designed to fill in common required fields across other forms, such as the applicant name, address, and UEI Number. Once it is completed, the information will transfer to the other forms.

3) *Submit a Workspace:* An application may be submitted through workspace by clicking the Sign and Submit button on the Manage Workspace page, under the Forms tab. Grants.gov recommends submitting your application package at least 24-48 hours prior to the close date to provide you with time to correct any potential technical issues that may disrupt the application submission.

4) *Track a Workspace Submission:* After successfully submitting a workspace application, a Grants.gov Tracking Number (GRANTXXXXXXXX) is automatically assigned to the application. The number will be listed on the Confirmation page that is generated after submission. Using the tracking number, access the Track My Application page under the Applicants tab or the Details tab in the submitted workspace.

For additional training resources, including video tutorials, refer to: <https://www.grants.gov/web/grants/applicants/applicant-training.html>

Applicant Support: Grants.gov provides applicants 24/7 support via the toll-free number 1-800-518-4726 and email at support@grants.gov. For questions related to the specific grant opportunity, contact the number listed in the application package of the grant you are applying for.

If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number. The Support Center ticket number will assist the USGS with tracking your issue and understanding background information on the issue.

4. Timely Receipt Requirements and Proof of Timely Submission

a. *Online Submission.* All applications must be received by the due date established for each program. Proof of timely submission is automatically recorded by Grants.gov. An electronic date/time stamp is generated within the system when the application is successfully received by Grants.gov. The applicant with the AOR role who submitted the application will receive an acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) from Grants.gov with the successful transmission of their application. This applicant with the AOR role will also receive the official date/time stamp and Grants.gov Tracking number in an email serving as proof of their timely submission.

When USGS successfully retrieves the application from Grants.gov, and acknowledges the download of submissions, Grants.gov will provide an electronic acknowledgment of receipt of the application to the email address of the applicant with the AOR role who submitted the application. Again, proof of timely submission shall be the official date and time that Grants.gov receives your application. Applications received by Grants.gov after the established due date for the program will be considered late and will not be considered for funding by USGS.

Applicants using slow internet, such as dial-up connections, should be aware that transmission can take some time before Grants.gov receives your application. Again, Grants.gov will provide either an error or a successfully received transmission in the form of an email sent to the applicant with the AOR role attempting to submit the application. The Grants.gov Support Center reports that some applicants end the transmission because they think that nothing is

occurring during the transmission process. Please be patient and give the system time to process the application.

D1. Address to Request Application Package

Grants.gov, Funding Opportunity Number XXXXX

D2. Content and Form of Application Submission

1. SF-424, Application for Federal Assistance

Applicants must submit the appropriate Standard Form (SF)-424, Application for Federal Assistance. The required application forms are available with this announcement on Grants.gov. The SF-424, Application for Federal Assistance must be complete, signed, and dated. Do not include any proprietary or personal identifiable information. Please note: Enter only the amount requested from this Federal program in the “Federal” funding box on the SF-424 Application form. Include any other Federal sources of funding in the “Other” box and provide details on those Federal source(s) and funding amount(s) in the required Budget Narrative (see the “Budget Narrative” section below).

Applicants must submit the appropriate SF-424 Budget Information form and Budget Narrative. Applicants must complete and submit the SF-424A, “Budget Information for Non-Construction Programs” form. All of the required application forms are available with this announcement on Grants.gov. Federal award recipients and subrecipients are subject to Federal award cost principles in 2 CFR 200.

All proposals must include the following documents:

1. Standard Form 424. Application for Federal Assistance (mandatory form provided in grants.gov). The person who electronically submits the SF-424 must have the authority to bind the state to the terms of the assistance award.
2. Standard Form 424A. Budget Information – Non-Construction Programs (mandatory form provided in grants.gov).
3. Standard Form 424B. Assurances – Non-Construction Programs (mandatory form provided in grants.gov).
4. Project Abstract Summary.

In accordance with the Office of Management and Budget (OMB) Memoranda M-21-20 and M-22-02, Federal agencies are now required to provide complete and accurate financial assistance award descriptions within USAspending.gov. As such, the Department of the Interior is requiring its bureaus and offices to provide a Project Abstract Summary for all financial assistance awards to include the following information:

- Include a plain language description Award purpose (avoid acronyms or Federal or agency-specific terminology);
- Activities to be performed;
- Deliverables and Expected Outcomes;
- Intended beneficiary(ies) as well as

- Subrecipient activities, if known or specified at the time of award

Project Abstract Summary character limitation as 1 page or less (no more than ~4000 characters) and use of 12 pt. font and Times New Roman is recommended. *This abstract should be attached as a separate project narrative document in the Grants.gov application.*

NOTE: Upon issuance of the cooperative agreement, this Project Abstract Summary will be publicly available at USAspending.gov.

Any applicant organization that has not completed the financial assistance certifications and representations within their SAM.gov registration must submit the appropriate signed and dated Assurances form. All of the required application forms are available with this announcement on Grants.gov.

5. Project Description and Budget, including Attachments A and B (see explanation below).

Incomplete proposals will not be forwarded to the Review Panel and will be immediately rejected by the Contracting Officer.

Proposals must be arranged according to the format provided below. Following this format ensures that every proposal contains all essential information and is evaluated equitably. The proposal may be in PDF or MS Word format. The proposal and associated forms shall be submitted to www.grants.gov. Provide requested information in the correct locations within the proposal template. Failure to do so may result in disqualification of the proposal.

Proposals are limited to 10-pages, which include 1) Project Description, provided separately for Priorities 1, 2 and 3, and limited to 5 pages each for Priority 1 and Priority 2, and limited to 1 page for Priority 3. Proposals may be shorter than 10 pages. Other forms and documents, including: (1) Standard Forms 424s, (2) Project Abstract Summary, (3) project summary sheet (Attachment A), (4) budget sheets and justification (Attachment B), (5) project personnel justification and expertise table or list, (6) Curriculum Vitae (CV; max 2 pages each), (7) letters from stakeholders, (8) DMP (see [Data Management Plans | U.S. Geological Survey \(usgs.gov\)](https://www.usgs.gov/data-management-plans); example template is provided in Attachment C), (9) negotiated rate and cost agreements, and (10) equipment quotes do not count toward the 10-page limit.

1. FY 2023 MRP Proposal Information Sheet. (Attachment A). Summary sheet shall clearly list project and budget summary for all priorities. Please include e-mail addresses for the Principal Investigator and authorized institution representative. Outcome notifications will be sent via e-mail to the authorized institution representative and the Principal Investigator. The Proposal Information Sheet is NOT included in the 10-page limit.
2. Project Description for Priority 1 and Priority 2 projects only. The project description of the proposal is limited to 5 single-space pages for each Priority (including figures, tables), with no smaller than 11-point font size, and 1-inch margins. The font size in figures and tables is limited to no smaller than 8-point font size. All text, figures, and tables shall be sized to fit on 8½” x 11” paper. The project description section of your proposal should include the following:

- a. *Introduction*: The introduction should provide a brief overview of the project activities, methods, and goals. A statement of use/access or a letter of support from a stakeholder may be included (but are not required). Letters of support from stakeholders do not count against the page limit.
 - b. *Project narrative*: Follow the guidelines and requirements listed in section A2 of this program announcement. Describe the procedures and workflows that will be carried out to gather mine waste data. Include descriptions of the separate activities for the designated processes, including the quality assurance and control methods to ensure accuracy and quality of products. Guidance and best practices for managing data quality can be found on the USGS Data Management site: <https://www.usgs.gov/products/data-and-tools/data-management/manage-quality>. Discuss the deliverables and provide a table or list that includes information about the Principal Investigator, staff, and support positions (such as geologist, information technologist, or database developer) and detail the estimated time by objective by person. Briefly discuss each person's role on the project so that it links to the budget. For each person, provide a brief statement of their background, define their roles and responsibilities, and provide a CV for primary personnel (no more than two pages) that includes skills and expertise relevant to the proposed activities, and indicate whether the person works for your organization or elsewhere (contractor or volunteer). If the contractor has not yet been hired, describe experience and skills necessary for completing the work. CVs do not count against the page limit.
3. Budget Sheets and Justification

The project budget shall include detailed information on all cost categories and must clearly identify all estimated project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors or sub-recipients. In addition, applicants shall include a narrative description/justification of the items included in the project budget, including the value of in-kind contributions of goods and services provided to complete the project when cost share is identified to be included (reference section C of this announcement). Please take care to provide justification for any extraordinary costs (such as specialized equipment purchase, drilling, among others). Cost categories can include, but are not limited to, those costs items included on the SF424A form.

Proposals must include completed detailed budget sheets (Attachment B). If applicable, one budget sheet must include expenses for Priority 1 inventory activities. If applicable, a separate budget sheet must include expenses for Priority 2 characterization activities. Although it should not be included in the budget request, for Priority 2, please include the number of solid and water samples that will be collected to ensure that costs do not exceed \$65,000.00 (see Attachment B, Priority 2). A budget sheet for Priority 3 must be included if requesting travel funds to the 2023 Earth MRI workshop. The detailed proposed budget(s) must be summarized and provided in the "Amount Requested" on Proposal Information Summary Sheet (Attachment A). Attachments A and B provide format guidance. Matching funds are optional and are not required, but please include if appropriate.

Please read each category description below and provide the detailed breakdown for each cost. This information will help avoid delays processing a funded proposal, as an award will not be issued until all required information is provided. Please be scrupulous in calculations as they will be meticulously analyzed for consistency and accuracy.

The detailed budget **shall** include the amount proposed for each of the following:

- a. Salaries and wages. List names, positions, number of hours individuals will spend on various activities, their rates of compensation and project roles. Salaries or wages for student assistants (undergraduate and/or graduate students) working on the project are an acceptable cost to the Program. If a position is vacant, indicate the position title. Include only personnel actively involved in the project. If senior management salary/time is covered by the overhead (indirect cost) portion of the budget, senior management salary/time should not be included. If senior management personnel participate in project work, include an explanation of their roles. Non-state survey staff working on the project should also be included if they are being supported by other state funding. The detailed proposed budget shall include the total time worked on the project (in units of hours), rate-of-compensation (hourly, monthly, or annually), and job title or role of each person.
- b. Fringe benefits. Indicate the rates/amounts in conformance with normal accounting procedures. Explain what costs are covered in this category and the basis of the rate computations. Indicate whether rates are used for proposal purposes only or whether they are also fixed or provisional rates for billing purposes. Include a copy of the Negotiated Rate Agreement or internal memo supporting the proposed rates. The Negotiated Rate Agreement and internal memo **do not** count toward the 10-page limit.
- c. Travel expenses. State the purpose of the trip(s) and itemize estimated travel costs (including reason for travel, number of people, number of travel days, per diem rate, mileage rate, airfare, or other travel costs) necessary to perform the activities in the proposal.

In the Priority 3 budget sheet, states may request funding for travel for up to 2 participants, \$2,000.00 in direct costs per participant, not to exceed \$4,000.00 of federal share, to a regional 3-day Earth MRI Critical Mineral Resources Workshop (see section A2, Priority 3). Salary costs may be included in this \$2,000.00 per traveler to cover time spent during travel or at the workshop. Earth MRI Critical Mineral Resources Workshop travel expenses are itemized in the Priority 3 proposal budget. The 2023 Earth MRI workshop will be held in Reston, VA in October, 2023.

d. Other direct costs.

- Supplies. List costs for office and laboratory/facility/field supplies. Itemize by including the number and cost for each item.
- Equipment. MRP funds may be used to purchase nonexpendable property required for the project. Nonexpendable equipment has a useful life of more than one (1) year and an acquisition cost of \$5,000.00 or more per item. If

necessary, MRP funds may be used to purchase software site licenses needed to complete mine waste inventory and characterization activities. Show the cost of all proposed equipment/software site licenses necessary and prorated if appropriate for achieving project goals. Each item should be itemized and include a **full justification** and a dealer or manufacturer quote. If full justification for equipment is not provided, equipment costs will not be supported. General-purpose equipment must be purchased from the applicant's operating funds. Routine computer maintenance contracts and charges for computer time are not acceptable direct costs under this program. Explain and justify any extraordinary items included in the proposed project budget.

- Contractual services. Identify the activities for which such services would be used. Identify proposed contractors (individual or corporate) and provide criteria by which contractors will be, or have been, selected. For each individual, include their job title, total labor hours, and rate of compensation. Include quotes for all contractual services. MRP funds may not be used to pay for USGS or other Federal services.
- e. Total direct costs. Total items (a) through (d).
- f. Indirect charges. Show the proposed rate, cost base, and proposed amount for allowable indirect costs based on the cost principles applicable to the applicant's organization. If applicant has separate rates for recovery of labor overhead and general and administrative costs, each charge should be shown. Explain the distinction between items included in the two cost pools. Applicant should propose rates for evaluation purposes, which they are also willing to establish as fixed or ceiling rates in any resulting award. A copy of the indirect negotiated cost agreement with the Federal Government must be included. If one is not established, applicants may charge 10% indirect costs. A copy of the Indirect Negotiated Cost Agreement does not count against the 10-page limit.
- g. Total charges. Total items (a) through (f).

Data Management Plan Requirements

Proposals submitted to USGS must include a supplementary document of no more than four pages labeled "Data Management Plan" (DMP). This supplementary document should describe how the proposal will conform to USGS policy on the dissemination and sharing of research results and associated data. A valid DMP may include only the statement that no detailed plan is needed (for example, "No data are expected to be produced from this project"), as long as the statement is accompanied by a clear justification. This supplementary document may include:

- the types of data, samples, physical collections, software, curriculum materials, and other materials to be produced in the course of the project;
- the standards to be used for data and metadata format and content (where existing standards are absent or deemed inadequate, this should be documented along with any proposed solutions or remedies);

- policies for access and sharing including provisions for appropriate protection of privacy, confidentiality, security, intellectual property, or other rights or requirements;
- provisions for re-use, re-distribution, and the production of derivatives; and
- plans for archiving data, samples, and other research products, and for preservation of free public access to them.

An example template for data management plans is provided in Attachment C. Additional guidance on data management plans is available from the USGS Data Management web site here: <https://www.usgs.gov/products/data-and-tools/data-management/data-management-plans>.

The DMP does not count toward the 10-page limit.

Conflict of Interest Disclosure

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

(a) Applicability.

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

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

(b) Notification.

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

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

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

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

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

Single Audit Reporting Statement

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

Certification Regarding Lobbying

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

Disclosure of Lobbying Activities

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

Overlap or Duplication of Effort Statement

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

contact. Any overlap or duplication of funding between the proposed project and other active or anticipated projects may impact selection and/or funding amount.

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

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

Register with the System for Award Management (SAM)

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

D4. Submission Dates and Times

Due Date for Applications

March 6, 2023

Application Due Date Explanation

Electronically submitted applications must be submitted no later than 3:00 pm, Eastern Time, on the listed application due date.

D5. Intergovernmental Review

Prior to application submission, U.S. state and local government applicants should visit the [OMB Office of Federal Financial Management website](#) and view the “State Point of Contact (SPOC)

List” to determine whether their application is subject to the state intergovernmental review process under Executive Order (E.O.) 12372 “Intergovernmental Review of Federal Programs.” States not on the list do not participate in the intergovernmental review process, and therefore do not have a SPOC. If you are located within a State that does not have a SPOC, you may send application materials directly to a Federal awarding agency. If your state is on the list, contact the designated entity for more information on the state’s prior review requirements for Federal assistance applications.

D6. Funding Restrictions

The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency for indirect costs, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior is your organization’s cognizant agency, the Interior Business Center will negotiate your indirect cost rate. Contact the Interior Business Center by phone 916-930-3803 or using the [IBC Email Submission Form](#). See the [IBC Website](#) for more information.

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients must have prior written approval from USGS to use amounts budgeted for direct costs to satisfy cost-share or match requirements or to cover unallowable indirect costs. Recipients shall not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

Required Indirect Cost Statement to be submitted with Application

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

We are:

- A U.S. state or local government entity receiving more than \$35 million in direct Federal funding each year with an indirect cost rate of [insert rate]. We submit our indirect cost rate proposals to our cognizant agency. Attached is a copy of our most recently approved rate agreement/certification.
- A U.S. state or local government entity receiving less than \$35 million in direct Federal funding with an indirect cost rate of [insert rate]. We have prepared and will retain for audit an indirect cost rate proposal and related documentation.
- A [insert your organization type; U.S. states and local governments, do not use this statement] that has previously negotiated or currently has an approved indirect cost rate with our cognizant agency. Our indirect cost rate is [insert rate]. [Insert either: “Attached is a copy of our most recently approved but expired rate agreement. In the event an award is made, we will submit an indirect cost rate proposal to our cognizant agency within 90 calendar days after the award is made.” *or* “Attached is a copy of our current negotiated indirect cost rate agreement.”]

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

Most states and universities have a rate agreement with the Federal Government, which may be titled “State and Local Rate Agreement” or “Colleges and Universities Rate Agreement”. This agreement provides the rates approved for use in grants, contracts, and other agreements with the Federal Government. **If you request fringe benefits or indirect costs, the indirect cost rate agreement is requested to verify rates requested. In the absence of an indirect rate agreement, applicants may charge no more than 10% indirect costs.**

D7. Other Submission Requirements

A. Electronic Proposal Submission Requirement Applicants are responsible for electronically submitting the proposal to www.grants.gov by 3:00 pm, Eastern Time, March 6, 2023. Be sure to **read the instructions carefully**. Contrary to Section D.1, only proposals submitted through grants.gov will be acceptable. Paper copies will NOT be accepted.

Please be aware the electronic submission process requires first-time users to register using eAuthentication process. This registration process can be complex and take up to 3 weeks to complete. Be advised that you may not be successful completing electronic submission for the first time if you begin the process only a few days before the due date. If your organization is affiliated with a university, contact the Office of Sponsored Programs, which may be familiar with the federal grant process and can work with you to submit the proposal.

If you have any questions or problems with the registration process, or the completion of the application package, please contact the grants.gov help desk at 1-800-518-4726 or support@grants.gov.

When you submit a grant application package to Grants.gov, you will receive a confirmation screen as well as three additional emails over two business days from Grants.gov informing you of your application processing status:

1. Confirmation screen
2. Submission Receipt (with “Track My Application” link)
3. Submission Validation (or Rejection with Errors)
4. Agency Retrieval

1. CONFIRMATION: Submission Confirmation Screen After a grant application package is submitted, a confirmation message will appear on the computer screen. This screen confirms that an application has been submitted to Grants.gov. This page contains a tracking number and a “Track My Application” link for monitoring the progress of the submission.

2. NOTIFICATION 1: Submission Receipt Email Within two business days after the application package has been received by the Grants.gov system, a submission receipt email will be sent that indicates the submission has entered the Grants.gov system and is ready for validation. This email contains the same tracking number and a “Track My Application” link that is shown in submission confirmation screen for monitoring the progress of the submission.

3. NOTIFICATION 2: Submission Validation Receipt Email – This is the important one! This second email will include a message validating or rejecting the submitted application

package due to errors. The Grants.gov system is designed to check for technical errors within the submitted application package. Grants.gov does not review application content for award determination.

4. NOTIFICATION 3: Grantor Agency Retrieval Email Once the application package has passed validation, it is delivered to the grantor for award determination and further approval. After the grantor has confirmed receipt of the application, a third and final email will be sent from Grants.gov. The grantor may also assign the application package an agency-specific tracking number for use within their

internal system. **IF THIS E-MAIL HAS NOT BEEN RECEIVED WITHIN FOUR DAYS OF THE CLOSING DATE, PLEASE CONTACT THE CONTRACTING OFFICER,**

Margaret Eastman, (703) 648-7366, mrussell@usgs.gov.

If you need help entering your proposal, you can reach the **Grants.gov Contact Center at: 1-800518-4726**. Their hours of operation are Monday-Friday, 7:00 a.m. to 9:00 p.m., Eastern Time, and they are closed on [federal holidays](#).

When contacting the Grants.gov Contact Center, please have the following information available to help expedite the inquiry:

- Funding Opportunity Number (FON)
- Name of Agency You Are Applying To
- Specific Area of Concern

The electronic submission will consist of required forms SF-424, SF-424a, and SF-424b, plus the additional items described in Section C of this Announcement.

During the application period an applicant may submit a revised or corrected proposal through grants.gov. Include a cover letter as the first page of the proposal stating that the proposal is revised and the previous submittal is to be withdrawn from consideration. Revised submissions must be completed by March 6, 2023, **at 3:00 pm ET**.

Please allow sufficient time for the proposal to be submitted electronically through Grants.gov and allow time for possible computer delays. Applicants are strongly advised not to wait until the last minute for submission. A proposal received after the closing date and time will NOT be considered for award. If the USGS determines that a proposal will not be considered for award due to lateness, the applicant will be notified immediately.

B. Involvement of Federal Employees

Federal employees, including USGS employees, are prohibited from assisting in any capacity (paid or unpaid) with preparation of any proposal submitted under this Announcement. Proposals that have a real, or apparent, conflict of interest related to federal employees will not be processed for evaluation.

C. Rejection of Proposals after Initial Review

If the proposal does not meet all requirements specified in the Program Announcement, as determined by the Contracting Officer in consultation with the MRP management, the applicant will be promptly notified in writing of the rejection along with the reason for the rejection.

D. Award recipients must comply with the 2023 MRP Terms and Conditions (Attachment D). Submittal of an application constitutes the applicant's acceptance of these terms and conditions for inclusion in any award resulting from their application. Any concerns with the requirements of the 2023 MRP Terms and Conditions shall be presented to the Contracting Officer at least seven (7) days prior to the closing date of the announcement.

E. Application Review Information

E1. Criteria

Technical Merit

Maximum Points: 30

This factor assesses the technical approach of the proposed work on mine waste inventory and/or characterization of nonfuel critical mineral materials in mine waste and the probability of achieving positive results within the designated period. Assessment includes analysis of methodologies, technology, and workflows. Proposals must address the priorities outlined in the Notice of Funding Opportunity. Proposals must clearly specify mineral system(s), deposit types, and critical mineral commodities of interest and adhere to the guidelines presented in the Notice of Funding Opportunity.

Societal Benefits

Maximum Points: 20

This factor assesses the value of the proposed mine waste inventory and/or characterization products to advancing scientific understanding, enhancing environmental health, improving the knowledge base in underserved communities, and increasing economic growth and/or public safety.

Knowledge, Performance, and Experience

Maximum Points: 25

This factor considers knowledge, performance, and experience of the principal investigator and coworkers, including demonstrating the ability to successfully complete mine waste activities, and satisfying MRP reporting requirements. This factor includes the capability to provide necessary facilities and support to ensure satisfactory completion of the proposed work.

Appropriateness and Reasonableness of the Budget

Maximum Points: 25

This factor considers whether the proposed budget is commensurate with the level of effort needed to accomplish the project and reasonable relative to the value of the anticipated results. Proposals include clear, itemized budgets and all costs are allowable and adhere to the requirements presented in the Notice of Funding Opportunity.

E2. Review and Selection Process

MRP proposals for Priority 1 and Priority 2 projects will be reviewed separately by a seven-member peer panel consisting of four USGS representatives, one state geological survey representative, and two non-USGS representatives (for example, representatives from other Federal agencies or the Interstate Mining Compact Commission). Each Priority will be scored

according to the maximum points available for each criterion. If projects for both priorities are proposed, but only one priority is recommended for funding, then only partial funding for that specific priority will be recommended for award. Proposals must meet a minimum score (for each priority) to be considered; and as long as they meet the minimum, the proposals will be considered based on score and availability of funds.

Evaluation Criteria. All proposals for Priority 1 and Priority 2 projects will be evaluated in accordance with the criteria listed above. NOTE: To avoid conflict of interest, no panelist may vote on a proposal from his or her state geological survey or state agency, nor may any panelist discuss with other panel members his or her state’s proposal. This does not prohibit collaboration between USGS and state scientists once an agreement is in place.

E3. CFR – Regulatory Information

Refer to the U.S. Geological Survey (USGS) Award Terms and Conditions for the general administrative and national policy requirements applicable to USGS awards. USGS will communicate any other program- or project-specific special terms and conditions to recipients in their Notice of Award.

E4. Anticipated Announcement and Federal Award Dates

F. Federal Award Administration Information

F1. Federal Award Notices

F2. Administrative and National Policy Requirements

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

Refer to the U.S. Geological Survey (USGS) Award Terms and Conditions for the general administrative and national policy requirements applicable to USGS awards. The USGS will communicate any other program- or project-specific special terms and conditions to recipients in their Notice of Award.

Data Availability

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

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

(b) The Federal Government has the right to:

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

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

MRP Information Products

All Earth MRI information products received as deliverables may be made available to the public. The following information products will be required, if applicable, as a condition of receiving federal funds:

- ArcGIS database of inventory records
- Geospatial data including waste feature boundaries that are compatible with the Priority #1 Inventory database and sample locations (latitude/longitude with defined datum) that link to National Geochemical Database ([National Geochemical Database | U.S. Geological Survey \(usgs.gov\)](https://www.usgs.gov/national-geochemical-database)).
- Volume and load estimates. Approaches for estimating volumes and masses of mine waste piles may vary, particularly with regards to the third dimension. Similarly for mine adit discharge waters, seasonal flows of mine effluent may factor into load estimates. An estimate of discharge at the time of sampling should be made so that volume and load estimates can be made for adits; direct measurement does not need to be made if estimates can be obtained with other data (such as discharges measured by site managers). However, please clearly describe the methodology for solid piles and water (if collected) in the final report.
- Geochemical (solid and water) data, which will be released by USGS in USGS data releases and used in the interpretive report published by the state.
- Resource estimate of contained critical minerals and other potentially valuable commodities.
- Brief (1-2 pages) progress reports every six months for the duration of the project.
- Digital archive of field sheets.
- Samples of mine waste collected in accordance with USGS protocols (training and resource to be provided to successful applications by USGS).

Final Technical Report(s)

Following project completion of Priority 1 and/or Priority 2 efforts, all awards made under the MRP will require submittal of a final technical report(s) that must document and summarize the results of the work. If funding is received for both Priorities, two separate final reports are required. All reports will be made available to the public.

Priority 1 (Inventory):

- A brief (1-2 pages) report describing the process and summarizing what was submitted to the inventory for Priority 1 efforts.

Priority 2 (Characterization):

- Final interpretive report, including methods and data sets used for calculating volume and resource estimates. Report must include site description, interpretation, geospatial data on waste piles and other sample sites, and mine waste inventory data for samples sites. **Report must be provided as a peer-reviewed state publication.**

Final technical reports should be accompanied by a cover page that contains:

- Award Number
- Title
- Author and affiliation with address and zip code
- Author's telephone number and e-mail address
- Term covered by the award (start and end dates)
- Submittal date of final technical report
- Abstract

Final technical report(s) must be submitted within 90 days after the end of the grant performance period. Failure to submit a final technical report may hinder receipt of future MRP funds. Final technical reports shall be submitted electronically to the general MRP email box, minerals@usgs.gov. A courtesy copy shall be submitted to Margaret Eastman, USGS Contract Specialist, mrussell@usgs.gov.

Use of Geospatial Data

All geospatial data collected for a produced through the use of the Department of the Interior financial assistance funds are required to meet all relevant standards established by the Federal Geospatial Data Committee (FGDC) as authorized by Geospatial Data Act of 2018, Pub. L. 115-254, Subtitle F – Geospatial Data §§ 751-759C codified at 43 U.S.C. §§ 2801– 2811. Interior requires fully compliant metadata on all Geographic Information Systems files developed for financial assistance projects. If a funded financial assistance project involves acquiring or collecting geospatial data, the recipient is required to search GeoPlatform.gov to determine that no existing Federal, State, local or private data meet the Government's needs and are available at no cost before acquiring or collecting additional geospatial data.

2 CFR 1402.315 Availability of Data

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

(b) The Federal Government has the right to:

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

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

(c) Bureaus and offices of the Department of the Interior must include the language in paragraphs (a) and (b) of this section in full text in all NOFOs and financial assistance agreements.”

Buy America Domestic Procurement Preference

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.

Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

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

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

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at:

www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers. If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to www.doi.gov/grants/buyamerica and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).

7. Federal funding amount (reference block 11.m. on DO Notice of Award).
8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
13. Anticipated impact if no waiver is issued. Approved waivers will be posted at www.doi.gov/grants/BuyAmerica/ApprovedWaivers; recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

“Construction materials” includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

“Construction Materials” does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.”

F3. Reporting

Financial Reports

All recipients must use the [SF-425, Federal Financial Report](#) form for financial reporting. At a minimum, all recipients must submit a **final** financial report. Final reports are due no later than 90 calendar days after the award period of performance end date or termination date. For awards with periods of performance longer than 12 months, recipients are required to submit **interim** financial reports on the frequency established in the Notice of Award. We will describe all financial reporting requirements in the Notice of Award.

Performance Reports

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

Significant Development Reports

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

Conflict of Interest Disclosures

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal

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

Other Mandatory Disclosures

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

Reporting Matters Related to Recipient Integrity and Performance

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

G. Federal Awarding Agency Contact(s)

G1. Program Technical Contact

For **programmatic technical assistance**, contact:

First Name:

Margaret

Last Name:

Eastman

Address:

Telephone:

(703) 648-7366

Email:

mrussell@usgs.gov

G2. Program Administration Contact

For **program administration assistance**, contact:

First Name: James

Last Name: Mosely

Address:

Telephone: 703-648-6312

Email: jmosley@usgs.gov

For questions about the MRP, contact the general MRP email box, minerals@usgs.gov, or Darcy McPhee, the Earth MRI Program Manager, 571-342-7050, dmcphée@usgs.gov, or Jim Mosely, MRP Program Analyst, 703-648-6312, jmosely@usgs.gov.

G3. Application System Technical Support

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

Name:

Grants.gov Customer Support

Telephone:

1-800-518-4726

Email:

Support@grants.gov

H. Other Information

Payments

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

PAPERWORK REDUCTION ACT STATEMENT:

OMB Control Number: XXX, Expiration Date: XXX

We are collecting this information in accordance with the program identified above. Your response is required to obtain or retain a benefit. We will use the information you provide to conduct a competitive review and select projects for funding and, if awarded, to evaluate performance. We may not conduct or sponsor and you are not required to respond to a collection of information unless it displays a currently valid Office of Management and Budget (OMB) control number. Public report burden for this collection is estimated to average 45 hours per grant application and 12 hours to prepare a final technical report. Actual time for these activities will vary depending on program- specific requirements. You may send comments on the burden estimate or any other aspect of this information collection to the Bureau Clearance Officer, U.S. Geological Survey, 12201 Sunrise Valley Drive, MS807, Reston VA 20192.

Attachment A

USE THE FOLLOWING FORMAT

EARTH MRI MINE WASTE PROPOSAL SUMMARY SHEET

Proposal Title:

Name of State Geological Survey:

Principal Investigator (person we can call to ask questions if needed):

Name:

Address:

Phone:

Email:

Authorized Institution representative:

Name:

Address:

Phone:

Email:

Project Deliverables:

Priority 1 Amount Requested:

Deliverables:

Priority 2 Amount Requested:

Deliverables:

Priority 3, Travel to Earth MRI Workshop

Please check box: My State geological survey plans to attend workshop

In Person Virtually Both Do not plan to attend

Amount Requested:

Travelers:

Start date:

End date:

Total Federal Funds Requested:

\$ _____

Total Matching Funds (Optional):

\$ _____

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

BUDGET ESTIMATES FOR ENTIRE PROPOSAL

State: _____

Proposal Short Title: _____

Budget Category	Rate/ Level of Effort	Federal Funding Requested	Optional Matching Funds
SALARIES:			
Survey Staff		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Salaries:		\$	\$
FRINGE BENEFITS:			
Survey Staff		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Fringe Benefits:		\$	\$

(use additional pages as necessary)

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

BUDGET ESTIMATES FOR ENTIRE PROPOSAL

State: _____

Proposal Short Title: _____

Budget Category	Number/ Rate	Federal Funding Requested	Optional Matching Funds
FIELD EXPENSES			
Per Diem		\$	\$
Lodging Cost		\$	\$
Vehicle Cost		\$	\$
Mileage		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
MISCELLANEOUS SUPPLIES (breakdown the below costs):			
Office and laboratory supplies (itemize)		\$	\$
Drilling		\$	\$
Equipment		\$	\$
		\$	\$
		\$	\$
CONTRACTORS	Rate/Level of Effort		
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Direct Costs:		\$	\$
Indirect Cost (_ %)		\$	\$
GRAND TOTAL:		\$	\$

(use additional pages as necessary)

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

BUDGET ESTIMATES FOR PRIORITY #1 BUDGET

State: _____

Proposal Short Title: _____

Budget Category	Rate/ Level of Effort	Federal Funding Requested	Optional Matching Funds
SALARIES:			
Survey Staff		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Salaries:		\$	\$
FRINGE BENEFITS:			
Survey Staff		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Fringe Benefits:		\$	\$

(use additional pages as necessary)

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

BUDGET ESTIMATES FOR **PRIORITY #1 BUDGET**

State: _____

Proposal Short Title: _____

Budget Category	Number/ Rate	Federal Funding Requested	Optional Matching Funds
FIELD EXPENSES			
Per Diem		\$	\$
Lodging Cost		\$	\$
Vehicle Cost		\$	\$
Mileage		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
MISCELLANEOUS SUPPLIES (breakdown the below costs):			
Office and laboratory supplies (itemize)		\$	\$
Drilling		\$	\$
Equipment		\$	\$
		\$	\$
		\$	\$
CONTRACTORS	Rate/Level of Effort		
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Direct Costs:		\$	\$
Indirect Cost (_ %)		\$	\$
GRAND TOTAL:		\$	\$

(use additional pages as necessary)

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

BUDGET ESTIMATES FOR **PRIORITY #2 BUDGET**

State: _____

Proposal Short Title: _____

Budget Category	Rate/ Level of Effort	Federal Funding Requested	Optional Matching Funds
SALARIES:			
Survey Staff		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Salaries:		\$	\$
FRINGE BENEFITS:			
Survey Staff		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Fringe Benefits:		\$	\$

(use additional pages as necessary)

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

BUDGET ESTIMATES FOR **PRIORITY #2 BUDGET**

State: _____

Proposal Short Title: _____

Budget Category	Number/ Rate	Federal Funding Requested	Optional Matching Funds
FIELD EXPENSES			
Per Diem		\$	\$
Lodging Cost		\$	\$
Vehicle Cost		\$	\$
Mileage		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
MISCELLANEOUS SUPPLIES (breakdown the below costs):			
Office and laboratory supplies (itemize)		\$	\$
Drilling		\$	\$
Equipment		\$	\$
		\$	\$
		\$	\$
CONTRACTORS	Rate/Level of Effort		
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Direct Costs:		\$	\$
Indirect Cost (__ %)		\$	\$
GRAND TOTAL:		\$	\$

(use additional pages as necessary)

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

USGS COST FOR ANALYSES FOR PRIORITY #2

State: _____

Proposal Short Title: _____

Number of Solid Samples (\$415 each)	Number of Water Samples (\$280 each)	USGS in-kind cost for Analyses
		\$

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste
BUDGET ESTIMATES FOR PRIORITY #3 BUDGET

State: _____

Proposal Short Title: _____

Budget Category	Number/Rate	Federal Funding Requested	Optional Matching Funds
TRAVEL EXPENSES			
Per Diem		\$	\$
Lodging Cost		\$	\$
Vehicle Cost		\$	\$
Mileage		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
Total Direct Costs:		\$	\$
Indirect Cost (__ %)		\$	\$
GRAND TOTAL:		\$	\$

Attachment B

USE THE FOLLOWING FORMAT

Mineral Resources Program Earth MRI, Mine Waste

BUDGET JUSTIFICATION NARRATIVE

State: _____

Proposal Short Title: _____

Budget Justification:

Attachment C

DATA MANAGEMENT PLAN - EXAMPLE TEMPLATE

Below is an example data management plan. Additional examples are available at <https://www.usgs.gov/products/data-and-tools/data-management/data-management-plans>.

Template 1: This template is for use with projects involving data collection or data digitizing, processing, or other transformations:

PI Name:

Project Title:

1. Will this project utilize existing data? Yes/No

If yes, where is the existing data hosted/stored currently? (Paper files, Excel spreadsheets, custom database, etc.)

2. Will your Project collect or process new data? Yes/No

If yes, what file format will be used to collect the new data? (Paper, web forms, PDF forms, etc.)

3. Are there access/use limitations associated with your data? Yes/No

If yes, describe the limitations, including proprietary or sensitive data elements, etc.

4. Is existing data currently available to the public? Yes/No

a. Where are the data made available?

b. Describe how any proprietary/sensitive data is handled.

c. Are any fees associated with release of the data?

d. What data format is the data released in? CSV Shapefile GeoTIFF Other:

e. Is associated metadata made available, and if so what format?

5. Is new data planned to be made available to the public?

a. Where will the data made available?

b. Describe how any proprietary/sensitive data will be handled.

c. Will any fees be associated with release of the data?

- d. What data format will the data be released in? CSV Shapefile GeoTIFF Other:
- e. Will associated metadata be made available, and if so what format will be used?
6. Describe the approach for backup of all data associated with this project.
7. What is the lifespan of this data? Maintained indefinitely/Moved to archive storage after __ years/Destroyed after __years/Other:
8. Does data for this project rely on proprietary or licensed software? List software:
9. Describe quality assurance and/or quality control procedures that are associated with data collection and processing:

-- End of Agreement --

FUNDING OPPORTUNITY ANNOUNCEMENT G23~~AXXX~~
ATTACHMENT D
2023 Mineral Resources Program Earth MRI Mine Waste
Award Terms and Conditions

Acceptance of a Federal Financial Assistance award from the Department of the Interior (DOI) carries with it the responsibility to be aware of and comply with the terms and conditions of award. Acceptance is defined as the start of work, drawing down funds, or accepting the award by signature or electronic means. Awards are based on the application submitted to and approved by DOI and are subject to the terms and conditions incorporated either directly or by reference below.

1. Method of Payment

Payments under financial assistance awards must be made using the Department of the Treasury Automated Standard Application for Payments (ASAP) system (www.asap.gov).

- (a) The Recipient agrees that it has established or will establish an account with ASAP. USGS will initiate enrollment in ASAP. If the Recipient does not currently have an ASAP account, they must designate an individual (name, title, address, phone and e-mail) who will serve as the Point of Contact (POC).
- (b) With the award of each grant/cooperative agreement, a sub-account will be set up from which the Recipient can draw down funds. After Recipients complete enrollment in ASAP and link their banking information to the USGS ALC (14080001), it may take up to 10 days for sub-accounts to be activated and for funds to be authorized for drawdown in ASAP.
- (c) Inquiries regarding payment should be directed to ASAP at 855-868-0151.
- (d) Payments may be drawn in advance only as needed to meet immediate cash disbursement needs.

Payment for Foreign Recipients

A waiver has been granted by the Associate Director for Administrative Policy and Services because this award involves payments to a foreign Recipient.

- (a) Payment will be made by wire transfer utilizing the International Treasury Services through Treasury upon receipt of a properly prepared SF 270, Request for Advance or Reimbursement. Foreign recipients are required to provide bank wiring instructions in order to facilitate payments. Submit the SF 270 form to the address specified in D.1. Requests should be submitted on a quarterly basis. Request for the entire award amount will be denied.
- (b) Payments may be drawn in advance only as needed to meet immediate cash disbursement needs.

2. Assistance Administrative Information

(a) Contracting Officer

This Assistance Award will be administered by:

U.S. Geological Survey
Office of Acquisition and Grants
12201 Sunrise Valley Drive, MS205
Reston, VA 20192
Margaret Eastman, Contracting Officer
Phone: (703) 648-7366
E-mail: mrussell@usgs.gov

The Contracting Officers are individuals who have been delegated in writing by the USGS Office of Acquisition and Grants as the sole authority designated to obligate Federal funds and create terms and conditions of awards. They are the only individuals who have authority to negotiate, enter into, and administer awards resulting for this program. Contracting officers have responsibility to ensure the effective use of Federal funds.

Written communications shall make reference to the Assistance Award number and shall be mailed (or emailed) to the above address.

(b) Cooperative Agreement Program Manager

The Cooperative Agreements Program Manager will work closely with the Principal Investigator to ensure that all technical requirements are being met. Cooperative Agreement Program Manager responsibilities include, but are not limited to, providing technical advice on the accomplishment of the proposal's goals; reviewing the technical content of reports and the other information delivered to the USGS; determining the adequacy of technical reports; and conducting site visits, in coordination with the Contracting Officer, as frequently as practicable. The Cooperative Agreement Program Manager is Darcy McPhee, U.S. Geological Survey, Mail Stop 913, Reston, VA, 20192.

(c) Minerals Resources Program Coordinator

The acting Mineral Resources Program Coordinator is Colin Williams, U.S. Geological Survey, US Geological Survey, Building 19, 350 N. Akron Rd., P.O. Box 158, Moffett Field, CA 94035. The Program Coordinator does not have the authority to issue any technical direction which constitutes an assignment of additional work outside the scope of the award; in any manner cause a change in the total cost or the time required for performance of the award; or change any of the terms, conditions, or general provisions of the award.

3. Reporting Requirements

(a) Requirement reports/documents

The Principal Investigator or Director, Sponsored Research Office is required to submit the following reports or documents:

Report/Document	Method of Transmittal	Submit To	When Due
(1) Priority 1: National Mine Waste Inventory Records	See Section 3(b)(1) below.	See Section 3(b)(1) below.	90 calendar day after the end of the performance period. See Section 3(b)(1) below.
(2) Priority 2: Mine Waste Characterization	See Section 3(b)(2) below.	See Section 3(b)(2) below.	See Section 3(b)(2) below.
(3) Semi-Annual Progress Report	See Section 3(b)(3) below.	See Section 3(b)(3) below.	See Section 3(b)(3) below.
(4) Final Technical Report	Adobe Acrobat PDF file as an email attachment to minerals@usgs.gov , Program Officer, and copy of transmittal to the CO	minerals@usgs.gov and Program Office, and copy of transmittal to CO	90 calendar day after the end of the performance period. See Section 3(b)(4) below.
(5) Publications*	See Section 3(b)(5) below.	Submit an Adobe Acrobat PDF file of publications to: Program Officer See Section 3(b)(5) below.	Immediately following publication. See Section 3(b)(5) below.
(6) Annual SF-425 Financial Status Report	Electronic Submission	USGS Contracting Officer at email in address at 2(a) above	See Section 3(b)(6)
(7) Final SF-425	Electronic Submission	USGS Contracting Officer at email in address at 2(a) above	See Section 3(b)(7)

* Publication means any book, report, photograph, map, chart, or recording published or disseminated to the scientific community. Preprints of articles accepted for publications will be accepted as final reports.

(b) Report Preparation Instructions

The recipient shall prepare the reports/documents listed above in accordance with the following instructions:

- (1) *Priority 1: National Mine Waste Inventory:* The USGS' mineral deposit database project (USMIN) provides a template of the ArcGIS database, documentation, and training material, and then meets with state agencies to provide training on how to populate records. Based on this information:
 - (A) States populate records for 5 mine waste features. USMIN then checks those 5 records, and then provides feedback to the states on those records, noting which fields are populated correctly, and which fields need to be corrected.
 - (B) Based on that feedback, states then populate records for 20 additional mine waste features. USMIN then checks those 20 records, and then provides feedback to the states on those records, noting which fields are populated correctly, and which fields need to be corrected.
 - (C) States incorporate that feedback to populate records for additional mine waste features.
 - (D) A brief (1-2 pages) report describing the process and summarizing what was submitted is required upon project completion. This information can be incorporated in the Final Technical Report (see section 3(b)(4) below).
 - (E) **All records are submitted as a single ArcGIS database to USMIN 0 within 90 days after the end of the period of performance.**
- (2) *Priority 2: Mine Waste Characterization:*
 - (A) Final interpretive report, including methods and data sets used for calculating volume and resource estimates. **Report must be provided as a peer-reviewed state publication.** Note: Published final interpretive report is separate and in addition to the Final Technical Report (see Section 3(b)(4) below).
 - (B) Digital archive of field sheets submitted to Program Manager.
- (3) *Semi-Annual Progress Reports:* The recipient shall submit semi-annual progress reports via email to the USGS Program Officer. Semi-annual progress reports should be submitted at six month increments from the start of the period of performance. A semi-annual progress report is not required for the final 6-month period, unless the Recipient requests an extension to the project period.
- (4) *Final Technical Report:* The final technical report must document and summarize the results of the work and is limited to no more than five pages. This report must summarize Priority 1 and/or Priority 2 work. This report must contain a comparison of actual accomplishments to the goals established for the period; reasons why established goals were not met, if applicable; and other pertinent information. The final report must be submitted within 90 calendar days after the end of the performance period as follows:
 - (A) Submit the final technical report electronically as an Adobe Acrobat PDF file email

attachment to minerals@usgs.gov and the Program Officer, with a copy of the transmittal sent to the Contracting Officer at mrussell@usgs.gov;

(B) Final technical report shall consist of the following sections:

- (i) Cover page with the following information:
 - a. Award Number;
 - b. Title;
 - c. Author and affiliation with address and zip code;
 - d. Author's telephone number and email address;
 - e. Term covered by the award (start and end dates);
 - f. Submittal date of the final technical report; and
 - g. Abstract.
- (ii) Main body of the report with the following information:
 - a. Comparison of actual accomplishments to the goals established for the period;
 - b. If established goals were not met, explanation of circumstances and impediments;
 - c. Required: 500-word summary with specific examples of user success stories and/or other societal benefits that highlight accomplishments in this project. A png image, 300 DPI or greater, is required to capture the essence of the project. Please note the summary and image may be shared in new releases, communications, or websites as examples of success stories and project types.

The final technical report is limited to no more than five pages. The final technical report must be submitted with 90 days after the end of the cooperative agreement period of performance. Failure to submit a final technical report may hinder receipt of future MRP funds. Final technical reports shall be submitted electronically to the MRP email box: minerals@usgs.gov. A courtesy copy shall be submitted to the Contracting Officer at mrussell@usgs.gov.

(5) *Publications:2*

(A) Acknowledgment of Support

Recipient is responsible for assuring that an acknowledgment of USGS support:

1. is made in the Final Technical Report and in any publication (including World Wide Web pages) of any material based on or developed under this Agreement, in the following terms:

“This material is based upon work supported by the U.S. Geological Survey under Grant No. (*insert award number*).”

2. is orally acknowledged during all news media interviews, including popular media such as radio, television and newsmagazines.

(B) Disclaimer

Recipient is responsible for assuring that every Final Technical report and also every publication of material (including World Wide Web pages) based on or developed under this grant, contains the following disclaimer:

“The views and conclusions contained in this document are those of the authors and should not be interpreted as representing the opinions or policies of the U.S. Geological Survey. Mention of trade names or commercial products does not constitute their endorsement by the U.S. Geological Survey.”

(C) USGS Logo

Use of the USGS logo (also known as "visual identity" or "identifier") constitutes the recipient's agreement to and acceptance of the following terms:

- The USGS identifier is trademarked and not in the public domain.
- Use of the trademarked USGS identifier is authorized by USGS for use only by recipients of USGS funding.
- Use is authorized on information products that result from research funded by the financial assistance award.
- Use the USGS identifier for any other purpose without written permission from USGS is prohibited; doing so constitutes trademark infringement.
- Recipient will adhere to the design requirements, which are as follows:
 - The USGS identifier must appear in black, white, or green only.
 - The USGS identifier cannot be modified in any way except for proportional sizing.
 - The USGS identifier should appear at the same size as logos of other agencies, if any.
 - If used on a digital product, the USGS identifier should link to www.usgs.gov

(D) Publication

Publication of the results of any project carried out under this assistance award is authorized in professional journals, trade magazines, or may be made by the USGS. Such manuscripts or publications submitted to journals or professional publications for publication shall be accompanied by the following notation:

“This manuscript is submitted for publication with the understanding that the United States Government is authorized to reproduce and distribute reprints for Governmental purposes.”

(E) Copies for USGS

One copy of each article planned for publication shall be submitted to the USGS Project Officer simultaneously with its submission for publication. One reprint of each published article shall be

submitted to the USGS Project Office immediately following publication.

Submit an Adobe Acrobat PDF file of publications to: gd-erp-coordinator@usgs.gov

(F) Department of the Interior Requirements

Two copies of each publication produced under a Grant or Cooperative Agreement shall be sent to the Natural Resources Library with a transmittal that identifies the sender and the publication. The address of the library is:

U.S. Department of the Interior
Natural Resources Library
Division of Information and Library Services
Gifts and Exchange Section
18th and C Streets, NW
Washington, DC 20240

(6) *Annual Financial Reports*

The recipient will submit annual STANDARD FORM 425, FEDERAL FINANCIAL REPORT(S) for each individual USGS award. The SF-425 is available at - <https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>. The SF-425 will be due ninety (90) calendar days after the grant year (i.e., 12 months after the approved effective date of the grant agreement and every 12 months thereafter until the expiration date of the grant agreement). USGS acknowledges that this annual reporting schedule may not always correspond with a specific budget period. The SF-425 must be submitted electronically to the Contracting Officer at the address in Section 2.A above. If after 90 days, the recipient has not submitted a report, the recipient's account in ASAP will be placed in a manual review status until the report is submitted.

(7) *Final Financial Report.*

- (a) The recipient will liquidate all obligations incurred under the award and submit a final STANDARD FORM 425, FEDERAL FINANCIAL REPORT to the Contracting Officer at the email address in 2.A above no later than 90 calendar days after the grant completion date. The SF-425 is available at - <https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html>. Recipient will promptly return any unexpended federal cash advances or will complete a final draw from ASAP to obtain any remaining amounts due. Once 120 days has passed since the grant completion date, the ASAP subaccount for this award may be closed by USGS at any time.

(b) Subsequent revision to the final SF 425 will be considered only as follows

- (i) When the revision results in a balance due to the Government, the recipient must submit a revised final Federal Financial Report (SF 425) and refund the excess payment whenever the overcharge is discovered, no matter how long the lapse of time since the original due date of the report.

- (ii) When the revision represents additional reimbursable costs claimed by the recipient, a revised final SF 425 may be submitted to the Contracting Officer with an explanation. If approved, the USGS will either request and pay a final invoice or reestablish the ASAP subaccount to permit the recipient to make a revised final draw. Any revised final report representing additional reimbursable amounts must be submitted no later than 1 year from the due date of the original report, i.e., 15 months following the agreement completion date. USGS will not accept any revised SF 425 covering additional expenditures after that date and will return any late request for additional payment to the recipient.

4. Adherence to Reporting Requirement.

A Recipient's failure to submit the required Final Technical Report and/or final financial report by the due dates noted above will likely result in delay or non-issuance of new awards. Failure to submit a Progress Report for multi-year awards will likely result in delayed renewal of funds.

5. Revision and Prior Approvals

(a) Any commitments or expenditures incurred by the Recipient in excess of the funds provided by this award shall be the responsibility of the Recipient. Expenditures incurred prior to the effective date of this award cannot be charged against award funds.

(b) Modifications to this Agreement shall generally be executed by mutual written consent of the parties, with the exception of certain purely administrative changes that may be executed unilaterally by the USGS. Recipients may make certain limited budgetary and programmatic changes without prior USGS approval as outlined in 2 CFR 200.308 and 200.407. Any proposed change which requires prior written approval of the USGS shall be submitted in writing to the mrussell@usgs.gov (see 2(a) above) at least thirty (30) days prior to the requested effective date of the proposed change. The USGS will respond to the change request within thirty (30) days of receipt. The following requests for change require advance written approval by the Contracting Officer:

- i) Extensions. Recipients are specifically advised that requests for extension or other change to the budget or project period(s) require prior written approval. Such requests must be submitted as outlined above and be accompanied by a statement supporting the extension and a revised budget indicating the planned use of all unexpended funds during the proposed extension period.
- ii) Transfer of Funds. Recipients are specifically advised that prior written approval of the USGS Grants Management Official is not required for transfer of funds between direct cost categories when the cumulative amount of the transfer during the performance period does not exceed ten percent (10%) of the total USGS award. Prior written approval is required from the USGS Grants Management Official for transfers of funds in excess of the ten percent limitation.
- iii) Carry Forward of Funds. Recipients are specifically advised that prior written approval by the USGS Grants Management Official is required to carry forward unobligated balances to subsequent budget periods. It is expected that funds be expended during the budget period for which they are obligated. The request must include the amount of funds to be carried

over, why the carry-over of funds is necessary, and for how long the funds should be carried over.

6. Preagreement Costs

The Recipient is not authorized to incur costs prior to the award of this Agreement. Costs incurred prior to the award of this agreement are not allowable.

7. Government Furnished Equipment or Equipment Authorized for Purchase

Title to equipment acquired wholly or in part with Federal funds shall be vested in the Recipient unless otherwise specified in the award document. The Recipient shall retain control and maintain an inventory of such equipment as long as there is a need for such equipment to accomplish the purpose of the project, whether or not the project continues to be supported by Federal funds. When there is no longer a need for such equipment to accomplish the purpose of the project, the Recipient shall use the equipment in connection with other Federal awards the Recipient has received. Disposal of equipment shall be in accordance with 2 CFR 200.313.

The following equipment will be vested with the Recipient: Handheld sensors such as X-ray Fluorescence (XRF) Analyzers and other meters (including but not limited to multi-parameter pH, conductivity, and field water quality meters). Also, other equipment, as specified and detailed by the Recipient, may be required to accomplish the purpose of the project.

(8) General Provisions

(a) Administrative Requirements

The Recipient shall be subject to the following regulations, which are incorporated herein by reference. Copies of these regulations can be obtained from the Internet at: <https://www.ecfr.gov/>

2 CFR Part 200, *Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards*, as implemented by the Department of the Interior in 2 CFR Part 1402 and 43 CFR Part 12.

(b) Department of the Interior Standard Terms and Conditions

The Recipient shall be subject to the Department of the Interior Standard Terms and Conditions which are incorporated herein by reference and available on the Internet at: <https://www.doi.gov/grants/doi-standard-terms-and-conditions>

(c) Additional Terms and Conditions

(i) Research Integrity

(A) USGS requires that all grant or cooperative agreement Recipient organizations adhere to the Federal Policy on Research Misconduct, Office of Science and Technology Policy, December 6, 2000, 65 Federal Register (FR) 76260. The Federal Policy on Research Misconduct outlines

requirements for addressing allegations of research misconduct, including the investigation, adjudication, and appeal of allegations of research misconduct and the implementation of appropriate administrative actions.

- (B) The Recipient must promptly notify the USGS Project Office when research misconduct that warrants an investigation pursuant to the Federal Policy on Research Misconduct is alleged.

(ii) Data Availability

(A) *Applicability.* The Department of the Interior is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.

(B) *Use of Data.* The regulations at 2 CFR 200.315 apply to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

(C) *Availability of Data.* The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third party evaluation and reproduction of the following:

- a. The scientific data relied upon;
- b. The analysis relied upon; and
- c. The methodology, including models, use to gather and analyze the data.

(iii) Conflict of Interest

(A) *Applicability.*

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

(B) *Requirements.*

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

recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.

(C) *Notification.*

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

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

(E) *Review Procedures.* The USGS Grants Management Official will examine each conflict of interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop and appropriate means for resolving it.

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

(iv) Program Income

- (A) If the Recipient is an educational institution or nonprofit research organization, any other program income will be added to funds committed to the project by the Federal awarding agency and Recipient and be used to further eligible project or program objectives, as described in 2 CFR 200.307(e)(2).
- (B) For all other types of Recipients, any other program income will be deducted from total allowable costs to determine the net allowable costs before calculating the Government's share of reimbursable costs, as provided in 2 CFR 200.307(e)(1).

The following award term applies if the recipient is an individual, small business, non-profit organization, university or other institution of higher education. This award term does not apply to State, Local or Tribal governments or foreign entities.

(v) Patent Rights (37 CFR § 401.14)

Unless otherwise provided in the Agreement, if this Agreement is for experimental, developmental, or research work, the following clause (implementing the Bayh-Dole Act, [35 U.S.C. § 200 et seq.])

shall apply. The recipient shall include this clause in all subawards for experimental, developmental, or research activities.

a. *Definitions*

1. INVENTION means any invention or discovery which is or may be patentable or otherwise protectable under Title 35 of the USC, to any novel variety of plant which is or may be protected under the Plant Variety Protection Act (7 U.S.C. § 2321 et seq.).
2. SUBJECT INVENTION means any invention of the recipient conceived or first actually reduced to practice in the performance of work under this Agreement, provided that in the case of a variety of plant, the date of determination (as defined in section 41(d)) must also occur during the period of performance.
3. PRACTICAL APPLICATION means to manufacture in the case of a composition or product, to practice in the case of a process or method, or to operate in the case of a machine or system; and, in each case, under such conditions as to establish that the invention is being utilized and that its benefits are to the extent permitted by law or Government regulations available to the public on reasonable terms.
4. MADE when used in relation to any invention means the conception or first actual reduction to practice of such invention.
5. SMALL BUSINESS FIRM means a small business concern as defined at section 2 of Pub. L. 85-536 (15 U.S.C. 632) and implementing regulations of the Administrator of the Small Business Administration. For the purpose of this clause, the size standards for small business concerns involved in government procurement and subcontracting at 13 CFR 121.3-8 and 13 CFR 121.3-12, respectively, will be used.
6. NON-PROFIT ORGANIZATION means a domestic university or other institution of higher education or an organization of the type described in Section 501(c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. § 501(c)) and exempt from taxation under Section 501(a) of the Internal Revenue Code (26 U.S.C. § 501(a)) or any domestic non-profit scientific or educational organization qualified under a State non-profit organization statute. b. Allocation of Principal Rights The recipient may retain the entire right, title, and interest throughout the world to each subject invention subject to the provisions of this Patent Rights clause and 35 U.S.C. § 203. With respect to any subject invention in which the recipient retains title, the Federal Government shall have a non-exclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the U.S. the subject invention throughout the world. If the Agreement indicates it is subject to an identified international agreement or treaty, the U.S. Geological Survey (USGS) also has the right to direct the recipient to convey to any foreign participant such patent rights to subject inventions as are required to comply with that agreement or treaty.

b. *Allocation of Principal Rights*

1. The recipient may retain the entire right, title, and interest throughout the world to each subject invention solely made by recipient subject to the provisions of this Patent Rights clause, including (2) below, 35 U.S.C. §§ 202, 203 and 37 CFR § 401.14. Inventions made under this Agreement jointly by USGS and recipient will be jointly owned by both parties. However, where a USGS employee is a coinventor, the USGS may, for the purpose of consolidating rights in the invention and if it finds that it would expedite the development of the invention:

- (a) license or assign whatever rights it may acquire in the subject invention to the nonprofit organization, small business firm, or non-Federal inventor in accordance with the provisions of this chapter; or
- (b) acquire any rights in the subject invention from the nonprofit organization, small business firm, or non-Federal inventor, but only to the extent the party from whom the rights are acquired voluntarily enters into the transaction and no other transaction under this chapter is conditioned on such acquisition.

With respect to any subject invention in which the recipient retains title, the Federal Government shall have a non-exclusive, nontransferable, irrevocable, paid-up license to practice or have practiced for or on behalf of the U.S. the subject invention throughout the world. If the Agreement indicates it is subject to an identified international agreement or treaty, the U.S. Geological Survey (USGS) also has the right to direct the recipient to convey to any foreign participant such patent rights to subject inventions as are required to comply with that agreement or treaty.

2. If the recipient performs services at a Government owned and operated laboratory or at a Government owned and recipient operated laboratory directed by the Government to fulfill the Government's obligations under a Cooperative Research and Development Agreement (CRADA) authorized by 15 U.S.C. 3710a, the Government may require the recipient to negotiate an agreement with the CRADA collaborating party or parties regarding the allocation of rights to any subject invention the recipient makes, solely or jointly, under the CRADA. The agreement shall be negotiated prior to the recipient undertaking the CRADA work or, with the permission of the Government, upon the identification of a subject invention. In the absence of such an agreement, the recipient agrees to grant the collaborating party or parties an option for a license in its inventions of the same scope and terms set forth in the CRADA for inventions made by the Government.
- c. *Invention Disclosure, Election of Title and Filing of Patent Applications by Recipient*
1. The recipient will disclose each subject invention to USGS within two months after the inventor discloses it in writing to recipient personnel responsible for the administration of patent matters. The disclosure to USGS shall be in the form of a written report and shall identify the Agreement under which the invention was made and the inventor(s). It shall be sufficiently complete in technical detail to convey a clear understanding of the nature, purpose, operation, and, to the extent known, the physical, chemical, biological or electrical characteristics of the invention. The disclosure shall also identify any publication, on sale or public use of the invention, whether a manuscript describing the invention has been submitted for publication and, if so, whether it has been accepted for publication, at the time of disclosure. In addition, after disclosure to USGS, the recipient will promptly notify USGS of the acceptance of any manuscript describing the invention for publication, or of any on sale or public use planned by the recipient.
 2. The recipient will elect in writing whether or not to retain title to any such invention by notifying USGS within two years of disclosure to USGS. However, in any case where publication, on sale, or public use has initiated the one-year statutory period wherein valid patent protection can still be obtained in the U.S., the period for election of title may be shortened by USGS to a date that is no more than 60 days prior to the end of the statutory period.
 3. The recipient will file its initial patent application on an invention to which it elects to retain title within one year after election of title or, if earlier, prior to the end of any statutory period wherein valid patent protection can be obtained in the U.S. after a publication, on sale, or public use. The recipient will file patent applications in additional countries or international

patent offices within either ten months of the corresponding initial patent application, or six months from the date when permission is granted by the Commissioner of Patents and Trademarks to file foreign patent applications when such filing has been prohibited by a Secrecy Order.

4. Requests for extension of the time for disclosure to USGS, election, and filing under subparagraphs 1., 2., and 3. may, at the discretion of USGS, be granted.

d. *Conditions When the Government May Obtain Title*

The recipient will convey to USGS, upon written request, title to any subject invention:

1. if the recipient fails to disclose or elect the subject invention within the times specified in paragraph c. above, or elects not to retain title, provided that USGS may only request title within 60 days after learning of the failure of the recipient to disclose or elect within the specified times;
2. in those countries in which the recipient fails to file patent applications within the times specified in paragraph c. above, but prior to its receipt of the written request of USGS, the recipient shall continue to retain title in that country; or in any country in which the recipient decides not to continue the prosecution of any application for, to pay the maintenance fees on, or defend in a reexamination or opposition proceeding on, a patent on a subject invention.

e. *Minimum Rights to Recipient*

1. The recipient will retain a non-exclusive royalty-free license throughout the world in each subject invention to which the Government obtains title, except if the recipient fails to disclose the subject invention within the times specified in paragraph c. above. The recipient's license extends to its domestic subsidiaries and affiliates, if any, within the corporate structure of which the recipient is a party and includes the right to grant sublicenses of the same scope to the extent the recipient was legally obligated to do so at the time the Agreement was made. The license is transferable only with the approval of USGS except when transferred to the successor of that part of the recipient's business to which the invention pertains.
2. The recipient's domestic license may be revoked or modified by USGS to the extent necessary to achieve expeditious practical application of the subject invention pursuant to an application for an exclusive license submitted in accordance with applicable provisions at 37 CFR Part 404. This license will not be revoked in that field of use or the geographical areas in which the recipient has achieved practical application and continues to make the benefits of the invention reasonably accessible to the public. The license in any foreign country may be revoked or modified at discretion of USGS to the extent the recipient, its licensees, or its domestic subsidiaries or affiliates have failed to achieve practical application in that foreign country.
3. Before revocation or modification of the license, USGS will furnish the recipient a written notice of its intention to revoke or modify the license, and the recipient will be allowed thirty days (or such other time as may be authorized by USGS for good cause shown by the recipient) after the notice to show cause why the license should not be revoked or modified. The recipient has the right to appeal, in accordance with applicable regulations in 37 CFR Part 404 concerning the licensing of Government-owned inventions, any decision concerning the revocation or modification of its license.

f. *Recipient Action to Protect Government's Interest*

1. The recipient agrees to execute or to have executed and promptly deliver to USGS all instruments necessary to: (i) establish or confirm the rights the Government has throughout the world in those subject inventions for which the recipient retains title; and (ii) convey title

- to USGS when requested under paragraph d. above, and to enable the Government to obtain patent protection throughout the world in that subject invention.
2. The recipient agrees to require, by written agreement, its employees, other than clerical and non-technical employees, to disclose promptly in writing to personnel identified as responsible for the administration of patent matters and in a format suggested by the recipient each subject invention made under this Agreement in order that the recipient can comply with the disclosure provisions of paragraph c. above, and to execute all papers necessary to file patent applications on subject inventions and to establish the Government's rights in the subject inventions. The disclosure format should require, as a minimum, the information requested by paragraph c.1 above. The recipient shall instruct such employees through the employee agreements or other suitable educational programs on the importance of reporting inventions in sufficient time to permit the filing of patent applications prior to U.S. or foreign statutory bars.
 3. The recipient will notify USGS of any decision not to continue prosecution of a patent application, pay maintenance fees, or defend in a reexamination or opposition proceeding on a patent, in any country, not less than 30 days before the expiration of the response period required by the relevant patent office.
 4. The recipient agrees to include, within the specification of any U.S. patent application and any patent issuing thereon covering a subject invention, the following statement: "This invention was made with Government support under (identify the Agreement) awarded by the U.S. Geological Survey. The Government has certain rights in this invention."
 5. The recipient or its representative will complete, execute and forward to USGS a confirmation of a License to the U.S. Government and the page of a United States patent application that contains the Federal support clause within two months of filing any domestic or foreign patent application.
- g. *Subcontracts*
1. The recipient will include this Patent Rights clause, suitably modified to identify the parties, in all subcontracts, regardless of tier, for experimental, developmental or research work. The subcontractor will retain all rights provided for the recipient in this Patent Rights clause, and the recipient will not, as part of the consideration for awarding the subcontract, obtain rights in the subcontractors' subject inventions.
 2. In the case of subcontracts, at any tier, when the prime award by USGS was a contract (but not a cooperative agreement), USGS, subcontractor, and contractor agree that the mutual obligations of the parties created by this Patent Rights clause constitute a contract between the subcontractor and the Foundation with respect to those matters covered by this Patent Rights clause.
- h. *Reporting on Utilization of Subject Inventions*
- The recipient agrees to submit on request periodic reports no more frequently than annually on the utilization of a subject invention or on efforts at obtaining such utilization that are being made by the recipient or its licensees or assignees. Such reports shall include information regarding the status of development, date of first commercial sale or use, gross royalties received by the recipient and such other data and information as USGS may reasonably specify. The recipient also agrees to provide additional reports in connection with any march-in proceeding undertaken by USGS in accordance with paragraph j. of this Patent Rights clause. As required by 35 U.S.C. § 202(c)(5), USGS agrees it will not disclose such information to persons outside the Government without the permission of the recipient.
- i. *Preference for United States Industry*

Notwithstanding any other provision of this Patent Rights clause, the recipient agrees that neither it nor any assignee will grant to any person the exclusive right to use or sell any subject invention in the U.S. unless such person agrees that any products embodying the subject invention or produced through the use of the subject invention will be manufactured substantially in the U.S. However, in individual cases, the requirement for such an agreement may be waived by USGS upon a showing by the recipient or its assignee that reasonable but unsuccessful efforts have been made to award licenses on similar terms to potential licensees that would be likely to manufacture substantially in the U.S. or that under the circumstances domestic manufacture is not commercially feasible.

j. *March-in Rights*

The recipient agrees that with respect to any subject invention in which it has acquired title, USGS has the right in accordance with procedures at 37 CFR § 401.6 and USGS regulations at 45 CFR § 650.13 to require the recipient, an assignee or exclusive licensee of a subject invention to grant a non-exclusive, partially exclusive, or exclusive license in any field of use to a responsible applicant or applicants, upon terms that are reasonable under the circumstances and if the recipient, assignee, or exclusive licensee refuses such a request, USGS has the right to grant such a license itself if USGS determines that:

1. such action is necessary because the recipient or assignee has not taken or is not expected to take within a reasonable time, effective steps to achieve practical application of the subject invention in such field of use;
2. such action is necessary to alleviate health or safety needs which are not reasonably satisfied by the recipient, assignee, or their licensees;
3. such action is necessary to meet requirements for public use specified by Federal regulations and such requirements are not reasonably satisfied by the recipient, assignee, or licensee; or
4. such action is necessary because the agreement required by paragraph i. of this Patent Rights clause has not been obtained or waived or because a licensee of the exclusive right to use or sell any subject invention in the U.S. is in breach of such agreement.

k. *Special Provisions for Agreements with Non-profit Organizations*

If the recipient is a nonprofit organization, it agrees that:

1. rights to a subject invention in the U.S. may not be assigned without the approval of USGS, except where such assignment is made to an organization which has as one of its primary functions the management of inventions, provided that such assignee will be subject to the same provisions as the recipient;
2. the recipient will share royalties collected on a subject invention with the inventor, including Federal employee co-inventors (when USGS deems it appropriate) when the subject invention is assigned in accordance with 35 U.S.C. § 202(e) and 37 CFR § 401.10;
3. the balance of any royalties or income earned by the recipient with respect to subject inventions, after payment of expenses (including payments to inventors) incidental to the administration of subject inventions, will be utilized for the support of scientific or engineering research or education; and
4. it will make efforts that are reasonable under the circumstances to attract licensees of subject inventions that are small business firms and that it will give preference to a small business firm if the recipient determines that the small business firm has a plan or proposal for marketing the invention which, if executed, is equally likely to bring the invention to practical application as any plans or proposals from applicants that are not small business firms; provided that the recipient is also satisfied that the small business firm has the capability and resources to carry out its plan or proposal. The decision whether to give a preference in any specific case will be at the discretion of the recipient. However, the recipient agrees that the Secretary of Commerce may review the recipient's licensing

program and decisions regarding small business applicants, and the recipient will negotiate changes to its licensing policies, procedures or practices with the Secretary when the Secretary's review discloses that the recipient could take reasonable steps to implement more effectively the requirements of this paragraph k.4.

1. *Communications*

All communications required by this Patent Rights clause must be submitted through the Office of Policy and Analysis (OPA), U.S. Geological Survey, Reston, VA
20192, gs_usgs_patents@usgs.gov.

(9) Special Provisions

(A) Geospatial Requirements

Geospatial Data Act of 2018, Pub. L. 115-254, Subtitle F – Geospatial Data §§ 751-759C codified at 43 U.S.C. §§ 2801– 2811 – Federal recipient collection of geospatial data through the use of the Department of the Interior financial assistance funds requires a due diligence search at the GeoPlatform.gov list of datasets to discover whether the needed geospatial-related data, products, or services already exist. If the required data set already exists, the recipient must use it. If the required data is not already available, the recipient must produce the proposed geospatial data, products, or services in compliance with applicable proposed guidance and standards established by the Federal Geospatial Data Committee (FGDC) posted to www.fgdc.gov.

2 CFR 1402.315 Availability of Data

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

(b) The Federal Government has the right to:

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

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

(c) Bureaus and offices of the Department of the Interior must include the language in paragraphs (a) and (b) of this section in full text in all NOFOs and financial assistance agreements.

(B) Buy America Domestic Procurement Preference

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or

products under this program. Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

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

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

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at: www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers. If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the

criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to www.doi.gov/grants/buyamerica and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DO Notice of Award).
8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
13. Anticipated impact if no waiver is issued. Approved waivers will be posted at www.doi.gov/grants/BuyAmerica/ApprovedWaivers; recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

“Construction materials” includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

“Construction Materials” does not include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

“Domestic content procurement preference” means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

“Infrastructure” includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

“Project” means the construction, alteration, maintenance, or repair of infrastructure in the United States.

– END OF 20232 MRP EARTH MRI MINE WASTE AWARD TERMS AND CONDITIONS –