

U.S. Department of Education¹
Fiscal Year 2022 K-12 Congressionally Funded Community Projects
Frequently Asked Questions

June 1, 2022

These Frequently Asked Questions (FAQs) are in response to technical questions the U.S. Department of Education (Department) received from applicants for fiscal year (FY) 2022 K-12 Congressionally Funded Community Projects (CFCP) awards which are the FY 2022 K-12 earmarks. The CFCP awards are authorized by the [Consolidated Appropriations Act, 2022](#). Find a list of CFCP grantees in the Explanatory Statement [here](#) beginning on page 316.

1. When must the Department award funds to FY 2022 K-12 CFCP grantees?

The Department must award funds to grantees no later than September 30, 2022.

2. What is the project period for the FY 2022 K-12 CFCP grants?

We anticipate most applicants will propose a project period of one year and will complete activities and expend funds within one year of the award date. However, each CFCP applicant may propose a longer project period in its application if justified by the scope and timing of proposed activities.

3. May the project activities that occurred before the Department awards funds to grantees be reimbursed?

Yes, grantees may charge to their grants pre-award costs incurred up to 90 calendar days before the project award date without the prior approval of the Department so long as the costs occurred after March 15, 2022 and are otherwise allowable. See [34 CFR § 75.263](#) and [2 CFR § 200.308\(e\)\(1\)](#). Pre-award costs must be documented carefully, be reasonable and necessary to carry out the grant, and meet all other requirements for allowability under the cost principles of the Uniform Guidance set out in [Subpart E of 2 CFR Part 200](#). Expenses more than 90 calendar days pre-award but no earlier than March 15, 2022 (the date that the President signed the budget) require prior approval from the Department which will happen during the approval of your application or during the post-award process.

4. Must the budget proposal in the application to Grants.gov for Department staff review be the same as the funding request submitted to the Congressperson?

No, the budget proposal in the application submitted in Grants.gov may be different from the funding request submitted to Congress so long as it does not exceed the amount allotted to your organization in the Consolidated Appropriations Act, 2022 (find the list of CFCP grantees in the Explanatory Statement [here](#)).

Your application must provide a budget that accurately reflects the current plans for using the full amount of your award to carry out the activities of your project, consistent with the language ultimately included in the Explanatory Statement accompanying the Consolidated Appropriations Act, 2022.

¹ Other than statutory and regulatory requirements included in the document, the contents of this guidance do not have the force and effect of law and are not meant to bind the public. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

For example, if your initial proposal anticipated hiring two part-time employees, your budget submitted as part of the Grants.gov application may support hiring three part-time employees, if this change enhances the project, does not change the award amount, and is consistent with the language governing your project in Consolidated Appropriations Act, 2022 (find the list of CFCP grantees in the Explanatory Statement [here](#)).

5. Our funding request to our Congressperson stated we would have a non-federal match, but we have not secured a non-federal match. May we still apply for funds without securing a non-federal match?

Yes, you may still apply and receive funds even if you have not secured the non-federal match mentioned in your funding request to your Congressperson.

6. May these funds be awarded to another organization as a subgrant?

Subgrants are generally not allowed, unless specifically authorized by statute or regulation. However, the Department is considering whether to authorize subgrants under its authority in [34 CFR 75.708\(b\)](#). Please propose in your application the most appropriate fiscal relationship – subgrant or contract- given your program design.

7. May our organization obtain goods and services from other entities to carry out our project? If so, to whom and using what mechanisms?

Yes. A grantee may obtain goods and services necessary to carry out its project from other parties, including partners, by entering into a contract with those entities. The grantee must follow any applicable governing Federal, State, local, or entity procurement laws and rules. An applicant may use the competition exception noted in [34 CFR 75.135](#) for implementation sites, implementation partners or service providers. Additionally, grantees must follow the Procurement Standards of the Uniform Guidance set out at [2 CFR §§ 200.317-200.327](#), including incorporating the contract provisions described under [Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards](#).

In limited circumstances, other instruments, such as a memorandum of agreement or interagency agreement that is entered into consistent with procurement requirements, may also be used. Please indicate this information in the applicant’s budget narrative including any implementation sites, implementation partners or service providers under the competition exception in [34 CFR 75.135](#).

8. May CFCP grant funds be used for construction?

The use of CFCP funds for construction is not permitted unless specified in the Explanatory Statement accompanying the Consolidated Appropriations Act, 2022 for your organization’s particular grant. Similarly, grant funds may not be used for mortgage payments or real estate, which, like construction costs, are prohibited under [34 CFR § 75.533](#), unless authorized by statute.

For applicants that do not have specific construction authority, some funds may be used for the costs of minor remodeling that are reasonable and necessary for the operation of the project. The definition of Minor Remodeling is from [34 CFR § 77.1\(c\)](#): “Minor remodeling means minor alterations in a previously completed building. The term also includes the extension of utility lines, such as water and electricity, from points beyond the confines of

the space in which remodeling is undertaken but within the confines of the previously completed building. The term does not include building construction, structural alterations to buildings, building maintenance, or repairs.”

Please contact k12earmarks@ed.gov with questions about construction being allowed with your FY 2022 K-12 Congressionally Funded Community Project (CFCP) funds.

9. May I include indirect costs in my proposed budget?

Yes, a grantee may include indirect costs in their proposed budget. *If you do not propose to apply an indirect cost rate, please clearly indicate zero on Form 524 section A line item 10.*

Note that indirect costs are a reimbursement of general administrative costs, and the total of direct and indirect costs must not exceed the grant amount specified in the Explanatory Statement accompanying the Consolidated Appropriations Act, 2022.

To adequately support ([2 CFR 200.403\(g\)](#) indirect costs), the grantee must:

- Provide a copy of their Federally recognized indirect cost rate agreement (if applicable with Other Attachments – Part 5);
- Elect the de minimis indirect cost rate of up to 10% modified total direct costs (MTDC) [2 CFR 200.414\(f\)](#) (if eligible, no supporting documentation required); or
- Utilize a temporary indirect cost rate of up to 10% budgeted salaries and wages ([34 CFR 75.560\(c\)](#)) until an indirect cost rate negotiation process is completed.

We have provided examples of how to calculate indirect costs in Attachment B of the [application instructions](#).

For more information about indirect costs, please see Attachment A in the [application instructions](#), [here](#), or [here](#) for a training video.

10. How will my organization receive the grant funds?

Once an award is made, each grantee may access grant funds through the payments module of the Department’s electronic grants system, G5. Additionally, grantees, in their role as stewards of Federal funds, must comply with applicable cash management requirements including those in the Uniform Guidance ([2 CFR Part 200](#)) which requires a grantee to limit the amount of funds it draws down for immediate use. Upon receipt of an award, the Department will provide more information on how to comply with cash management principles and how to access G5.

Please also review a Department-developed [training on Cash Management](#).

Other Resources

CFCP Program-specific Resources

- [Congressionally Funded Community Projects \(CFCP\) program page](#) (K-12 earmarks)
- Slides, recording, and transcripts from the April 12, 2022 webinar on the K-12 earmarks (CFCP) for fiscal year 2022 [here](#).

Relevant Frequently Asked Questions (FAQs) and Fact Sheets

- [Unique Entity Identifier \(UEI\) Fact Sheet](#)
- Grants.gov [Frequently Asked Questions \(FAQs\)](#)
- [Frequently Asked Questions about Title 2 of the Code of Federal Regulations \(2 CFR\)](#), also referred to as the Uniform Guidance
- Link to an online version of the [Code of Federal Regulations \(CFR\)](#)

Contact Information

- For help with questions not related to using Grants.gov or to your entity's Unique Entity Identifier (UEI) and SAM.gov, please email us at k12earmarks@ed.gov
- For SAM.gov customer service: https://www.fsd.gov/gsafsd_sp
- For Grants.gov customer service, call 1-800-518-4726 or send an email to: support@grants.gov.
- If you have questions related to higher education CFCP grants, please send an email to: CongressionallyDirectedGrants-OPE@ed.gov

Relevant Department-produced Trainings

- Link to a [30-minute training on allowable costs](#)
- Link to a [45-minute training on indirect costs](#)
- Link to a [30-minute training on the procurement process](#) with federal funds
- Other [Department-produced trainings](#) for grantees