



Department of Energy
Washington, DC 20585

July 15, 2014

Dear EECBG Recipient,

Re: EECBG Financing Programs

This document clarifies DOE's ongoing role in the monitoring, reporting and oversight of Energy Efficiency & Conservation Grant (EECBG)-funded "Financing Programs". This includes Revolving Loan Funds (RLFs), Loan Loss Reserves (LLRs) and Interest Rate Buydowns (IRBs).

This letter uses the term "Recipient" to refer to entities that are executing a project funded by a DOE grant, award or loan. "Recipient" is generally interchangeable with the terms "awardee," "sub-awardee" and "sub-recipient."

Effective immediately, EECBG is moving from quarterly reporting to an annual reporting requirement for Recipients with Financing Programs. EECBG recently implemented the ***EECBG Financing Program Annual Report Template*** (OMB Control Number 1910-5150) (Appendix 1). Recipients are directed to submit this shorter, simpler annual reporting form electronically.

Note: BOTH the initial Annual Report covering the period from October 1, 2012 to September 30, 2013 (FY2013) AND the Annual Report covering the period from October 1, 2013 (FY2014) through September 30, 2014 (FY2014) are due October 31, 2014.

All subsequent Annual Reports will be due at the end of October for the previous fiscal year, so the FY2015 Annual Report covering the period from October 1, 2014 to September 30, 2015 will be due on October 31, 2015, etc.

DOE Project Officers will immediately begin working with Recipients on closeout of the remaining active grants. Recipients with *self-administered* financing programs that have not yet fully expended their funds must either move their funds to a third party for ongoing administration of their EECBG financing program, thereby expending the funds, or confirm their intent to deobligate the remaining funds and return them to Treasury.

Note: This does not apply to Recipients with third-party-administered financing programs, as these programs are considered fully spent at the time the agreement for administration of the fund is executed.

The most current EECBG guidance is included in the appendices that follow. This document is intended to amplify and clarify the responsibilities of Recipients pertaining to applicable Financing Programs.

Note: As long as these Financing Programs exist, even if converted to other eligible activities, the originating funds retain their federal character and Recipients have a continuing responsibility to stay current and compliant with the most recent guidance, which may change.

Current EECBG guidance is available at <http://energy.gov/eere/wipo/energy-efficiency-and-conservation-block-grant-program-guidance>. This document outlines how DOE intends to support Recipients in the effective administration and reporting of their Financing Programs. This document also contains Frequently Asked Questions (FAQs) (Appendix 12) and provides Recipients with information on how to obtain assistance.

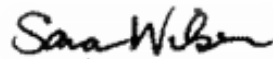
If you have any questions, please contact EECBG@ee.doe.gov.

I would like to take this opportunity to sincerely thank all of our Recipients for their incredible accomplishments in support of energy efficiency to date, and for their continued commitment to the support of clean energy projects through these Financing Programs. I wish you the best of luck in your future endeavors.

Best regards,



Ted Donat
Program Manager
Energy Efficiency & Conservation
Block Grant Program



Sara Wilson
Contracting Officer
Financial Assistance Office
Golden Service Center

Table of Contents

I.	Federal and Statutory Character of EECBG Funds.....	5
II.	Repurposing of Award Funds for another Permissible Purpose	5
III.	Reporting Requirements	7
	Annual Reporting of RLFs and LLRs.....	7
	How to Report:.....	8
	Davis-Bacon and Related Acts (DBA) Reporting	9
	How to Report:.....	9
	Historic Preservation (HP) Reporting	9
	How to Report:.....	9
	Discontinuation of Requirement to Report Jobs via FederalReporting.gov	9
	DOE Monitoring and Enforcement of Reporting Requirements / Right to Audit	10
IV.	Compliance Requirements	10
	Maintaining a Point of Contact	10
	Buy American	10
	National Environmental Policy Act	11
	Davis-Bacon Act.....	11
	Administrative Funds.....	11
	Interest Earned	12
	Return of Funds to Treasury	12
V.	Appendices/Attachments	12
	Appendix 1: EECBG Financing Program Annual Report	
	Appendix 2: EECBG Program Notice 09-002D “Guidance for Energy Efficiency and Conservation Block Grant Grantees on Financing Programs” revised October 17, 2012	
	Appendix 3: EECBG NEPA Template	
	Appendix 4: NEPA Categorical Exclusions (Cx)	
	Appendix 5: Davis-Bacon Act (DBA) Desk Guide	
	Appendix 6: Davis Bacon Semi-Annual Report Form	
	Appendix 7: Historic Preservation Report	
	Appendix 8: Buy American Desk Guide	
	Appendix 9: EECBG 11-002 “Clarification of Ten Percent Limitation on Use of Funds for Administrative Expenses” effective July 28, 2011	
	Appendix 10: SEP and EECBG 13-001 “Guidance for Returning Interest Earned” Effective March 21, 2013	
	Appendix 11: Instructions for Returning Funds to ASAP	
	Appendix 12: Frequently Asked Questions	

Appendix 13: EECBG 11-001 Guidance on Basic Best Practices in Management of Energy Performance in Buildings, effective January 21, 2011

Appendix 14: EECBG 10-07B Recovery Act Reporting Requirements, effective September 17, 2010

Appendix 15: EECBG 10-011 Recovery Act Formula Grant Guidance, effective April 21, 2010

Appendix 16: EECBG 10-014 Guidance for EECBG Recipients on Procurement, effective June 23, 2010

Appendix 17: EECBG 10-021 Guidance for Eligibility of Activities, effective January 4, 2011A13. EECBG 11-001 Guidance on Basic Best Practices in Management of Energy Performance in Buildings, effective January 21, 2011

I. Federal and Statutory Character of EECBG Funds

The Energy Independence & Security Act of 2007 (EISA) is the authorizing statute for the EECBG Program. EECBG funds originated from federal funds that are subject to federal reporting and compliance requirements. The reporting and compliance requirements described in this document and in applicable regulations apply even after the grant has been closed out and retired.

Eligible activities funded with EECBG dollars also retain federal reporting and compliance requirements. EECBG funds used in Financing Programs are subject to all of the reporting and compliance requirements that apply to the expenditure of EECBG Program funds.¹

Program Notice 09-002D, revised October 17, 2012 (Appendix 2), provides information on the use of financing programs under the EECBG Program.

Note: While authority for EECBG funds stems from the Energy Independence & Security Act of 2007 (EISA), EECBG funds were issued and implemented under the American Reinvestment and Recovery Act of 2009 (ARRA) and thus retain their ARRA character in perpetuity. Due to the revolving nature of RLFs, LLRs and IRBs created with EECBG funds, loans associated with these instruments are not subject to the limitation on the period of availability of ARRA funds (September 2015). *Therefore, a loan or loan incentive made from the fund retains its ARRA character and remains subject to all the compliance requirements that apply to the expenditure of program funds.*

ARRA funds are subject to a number of special requirements including:

- Buy American (BA) provisions compliance;
- Davis-Bacon Act and Related Acts (DBA) compliance and reporting;
- Historic Preservation (HP) compliance and reporting; and
- National Environmental Policy Act (NEPA) compliance and reporting.²

Compliance with these special requirements is covered in detail below.

II. Repurposing of Award Funds for another Permissible Purpose

Per the EECBG Financing Program Guidance (EECBG Program Notice 09-002D), Recipients may request to repurpose the remaining funds in their Financing Program towards another eligible EECBG

¹ **Note:** If an EECBG Recipient establishes a Revolving Loan Fund (RLF), auditors are encouraged to include samples of the loans made from the RLF during the audit period. If an EECBG Recipient uses funds to offset loan defaults as Loan Loss Reserves (LLR), auditors are encouraged to include samples of funds to cover a third party's loans. Such financial transactions are subject to the same review as any other expenditure under the EECBG program.

² **Note:** Earlier this year Congress eliminated the 1512 Reporting requirement for ARRA award recipients by the enactment of the Omnibus Spending Bill on January 17, 2014.

activity. The terms and conditions of the EECBG award state that scope changes require a written amendment to the award and approval of the Contracting Officer. If the Recipient wishes to make a change *before* their award period of performance ends, the Recipient should contact their DOE Project Officer within ten business days after receipt of this letter.

DOE Project Officers will immediately begin working with Recipients on closeout of the remaining active grants. Recipients with *self-administered* financing programs that have not yet fully expended their funds must either move their funds to a third party for ongoing administration of their EECBG financing program, thereby expending the funds, or confirm their intent to deobligate the remaining funds and return them to Treasury.

Note: This does not apply to Recipients with third-party-administered financing programs, as these programs are considered fully spent at the time the agreement for administration of the fund is executed.

Use of remaining funds for another eligible activity *after* the end of the period of performance requires the Recipient to request approval from DOE at EECBG@ee.doe.gov at least 30 days prior to taking any action. The Recipient should include the following information in their email request:

1. In the subject line: Request to Repurpose Federal EECBG Financing Program Funds: Location, State (Grant Number);
2. In the email body:
 - a. The planned start date;
 - b. Description of the eligible EECBG activity and project to which the funds are to be repurposed;
 - c. A complete accounting of all funds up to the planned repurposing start date;
 - d. Confirmation that the repurposing project complies with all relevant requirements (ARRA, NEPA, DBA, BA, Historic Preservation, etc. (see below for further details); and
 - e. The activity or project planned beginning and ending dates for the repurposed funds.

DOE will evaluate the request and endeavor to provide a written response of approval or rejection within 30 days of receiving all the requested information.

If a Recipient wishes to repurpose funds to another eligible activity, DOE strongly encourages the Recipient to identify activities that meet the following conditions:

- Activities that are eligible under 42 U.S.C. 17154;
- Activities that are categorically excluded from further National Environmental Policy Act (NEPA) review (See Appendix 4 for a list of Categorical Exclusions);
- Activities that have limited potential to impact historic properties;
- Activities that can be completed expeditiously to ensure expenditure deadlines are met; and
- Activities that will not exceed the minimal administrative cost thresholds (see below for further details).

As explained in the Compliance Requirements section of this document, if the Recipient intends to add or modify an activity that did not previously receive a NEPA Categorical Exclusion (Cx), the Recipient is restricted from taking any action using federal funds prior to DOE providing a final NEPA determination. The Recipient should use caution in proposing or conducting any activity that would have an adverse environmental effect or limit the choice of reasonable alternatives pending final NEPA determination. The Recipient must report on its federally funded activities annually until the federal funds are expended or returned to the U.S. Treasury.

Note: If funds are expended or returned, the last annual report is due at the end of that fiscal year. For example, if a Recipient wishes to repurpose their RLF funds on February 1, 2017 to a building retrofit project, the Recipient must notify DOE by January 1, 2017 following the parameters outlined above. The Recipient must also file a final FY2017 Annual Report on October 31, 2017. If the project work extends beyond September 30, 2017, the Recipient must report on the remainder of the project in their FY2018 Annual Report on October 31, 2018, and continue to report until expending all funds or returning any remaining funds to the U.S. Treasury.

III. Reporting Requirements

Recipients must submit several regular reports, even after their grant has been closed out and retired and for as long as the Recipient maintains use of federal funds. These include:

1. The *Financing Program Annual Report* (Appendix 1);
2. A semi-annual DBA report; and
3. An annual HP report.

In addition, Recipients must report when funds move from a Financing Program to another eligible activity. Details of each of the reporting requirements are described below.

Annual Reporting of RLFs and LLRs

EECBG recently implemented a shorter, simpler annual reporting form for Recipients to submit electronically. The *EECBG Financing Program Annual Report Template* (OMB Control Number 1910-5150) is in Appendix 1.

The FY2013 and FY2014 Annual Reports are due on October 31, 2014. Subsequent Annual Reports will be due on October 31st of each year and will cover the previous fiscal year. For example, the FY2014 report will be due on October 31, 2014, and will cover the period from October 1, 2013 to September 30, 2014.

The *EECBG Financing Program Annual Report Template* (Appendix 1) requests data on the following elements of your Financing Program(s):

Financial Metrics - Fund Balances

- Program income: income earned through interest, buybacks, and other activities;

- Administrative costs: federal and cost-share award funds used to support and maintain the Program;
- Dollar value of write-offs/loan losses: amount of lost and unrecoverable funds due to making or supporting loans;
- Funds returned to the U.S. Treasury: all funds returned to the U.S. Treasury in a partial or total closure of the program activity; and
- Total program fund size: fund size of your program, including funds currently loaned and funds not loaned as well as the composition of the funds (federal vs. other).

Program Metrics - Fund Performance Measures

- Dollar value of loans made or incentivized: cumulative total value over the life of the program and the change in that value in the year covered by this Annual Report;
- Number of loans made or incentivized: cumulative total value over the life of the program and the change in that value in the year covered by this annual report; interest rate on loans given or incentivized and the average interest rate charged on loans;
- Average calendar days required to re-lend or recommit funds: number of days repaid or recovered funds sit in the account before they are re-loaned or recommitted to supporting new loans and the average number of calendar days;
- Number of write-offs/loan losses: number of lost and unrecoverable fund amounts due to making or supporting discrete loans;
- Number of jobs created or retained: number of jobs created or retained by the program, including the administration of the loan and jobs created by the loans themselves;
- Cost-share percentage of program funds: percentage of program funds that are derived from cost-share required by the Award Agreement and the change in that percentage over the past year;
- Additional cost metrics: Additional cost-share required to administer the program – cost-share used to support and maintain the program beyond that required by the Award Agreement;
- Process Metrics: Underlying activities supported by the Financing Program (e.g., number of building retrofits, square footage retrofitted); and
- Any additional information on program activities that amplifies accomplishments within the last year, any issues regarding the program and their potential impact, plans for the program in the coming year, and insights into the data provided in the quantitative fields within the report.

The report will also enable Recipients to report on any funds moved to other eligible EECBG activities.

How to Report:

Recipients are required to submit the PDF *EECBG Financing Program Annual Report* (Appendix 1) to the following email address by the reporting deadline: EECBG@ee.doe.gov.

Note: Recipients will not have access to PAGE after their grants have been retired. In the future, DOE may integrate this report into a web-based system. DOE will alert Recipients of any change in reporting requirements or methodology.

Davis-Bacon and Related Acts (DBA) Reporting

EECBG Recipients must comply with Davis-Bacon and Related Acts (DBA) as a condition of spending EECBG federal funds. Among other DBA requirements, Recipients must report semi-annually to DOE regarding their oversight of DBA compliance and enforcement.

Note: While RLFs and IRBs are subject to DBA, LLRs are not. If a Recipient has questions about DBA, they should first consult the attached guidance (***DBA Desk Guide*** (Appendix 5); ***DBA FAQs*** (Appendix 12)). If more information is needed, Recipients should send an email inquiry to EECBG@ee.doe.gov. *Recipients who no longer have an open award are still required to report semi-annually on DBA enforcement activities as long as the RLF or IRB continues.*

How to Report:

Recipients should submit the attached ***DBA Semi-Annual Report Form*** (Appendix 6) to the DBAEnforcementReports@hq.doe.gov mailbox by the 21st April and the 21st October each year and copy the EECBG@ee.doe.gov mailbox.

Historic Preservation (HP) Reporting

DOE must ensure that EECBG Recipients are compliant with Section 106 of the National Historic Preservation Act (NHPA), consistent with DOE's 2009 letter of Delegation of Authority regarding the NHPA. Recipients (including sub-recipients) are required to retain sufficient documentation to demonstrate they have received required approval(s) from the State or Tribal Historic Preservation Office (SHPO or THPO) for the Project, or that the activity will not adversely affect an historic structure or site.

Note: *All Recipients are required to report annually on Historic Preservation even after their award is closed.*

The Historic Preservation report is in Appendix 7. If a Recipient has questions about Historic Preservation, they should first check the ***HP FAQs*** (Appendix 12). If more information on Historic Preservation is needed, the Recipient should send an email inquiry to EECBG@ee.doe.gov.

How to Report:

Recipients should submit the attached ***Historic Preservation Form*** (Appendix 7) to the EECBG@ee.doe.gov mailbox by October 31st of each year.

Discontinuation of Requirement to Report Jobs via FederalReporting.gov

With the enactment of the Omnibus Spending bill, Congress ended the quarterly jobs reporting requirement for ARRA award Recipients. January 2014 was the last month in which Recipients had to report on the status of ARRA awards. The Office of Management and Budget no longer requires ARRA Recipients to report on direct jobs created or retained (in FTEs) to comply with Section 1512 of ARRA using the website FederalReporting.gov.

DOE Monitoring and Enforcement of Reporting Requirements / Right to Audit

Submission of the Annual Report is a statutory requirement of EISA. Submission of other reports is subject to agreements between DOE and cognizant Federal agencies. If DOE does not receive the required reports from Recipients by the established deadlines, DOE may take action, up to and including an expedited monitoring visit and/or notifying the DOE Office of the Inspector General (OIG) of the delinquency and requesting an audit or investigation (see 2 CFR 600.251).

As previously described, DOE has a responsibility to maintain oversight of EECBG funds for as long as the funds remain federal in nature. Per 10 CFR 600.242(e)(1), DOE has the right of access to any pertinent books, documents, papers, or other records of the Recipients (including that of sub-awardees) that are pertinent to the grant, in order to make audits, examinations, excerpts and transcripts. An audit may be conducted as frequently as DOE deems necessary to ensure that Recipients are following all federal requirements, including but not limited to ARRA requirements and statutory reporting requirements. *See* 10 CFR 600.242(e)(1). In addition, Recipients may continue to be subject to A-133 audit requirements.

Note: Movement of RLF funds and/or LLR funds is considered material towards the \$500,000 threshold of federal funds for A-133 audits. (Effective January 1, 2015, the threshold changes to \$750,000.)

Recipients may also be subject to other financial audit requirements (e.g., state, county, city, etc.).

IV. Compliance Requirements

Maintaining a Point of Contact

The Recipient is responsible for updating DOE regarding any changes in the point of contact for reporting and compliance. Recipients must notify DOE at EECBG@ee.doe.gov within 30 days of any changes to the point of contact and provide updated contact information.

Buy American

Funds utilized for projects in Public Buildings or Public Works are subject to the Buy American Provisions. These Provisions require that all “iron, steel, and manufactured goods incorporated into a public building or public work” be manufactured in the United States (*See* 2 CFR § 176.140(a)(1)). This includes funds supported by RLFs, LLRs, IRBs and/or any federal funds utilized for the purposes of improvements to a public building or public works. If a Recipient has questions about the Buy American provisions, they should first consult the *Buy American Desk Guide* (Appendix 7). If the Recipient has further questions, they should direct them to EECBG@ee.doe.gov.

National Environmental Policy Act

The Recipient is responsible for continuing to report to DOE any instance wherein DOE may need to undertake a NEPA project. If the Recipient intends to add to or modify activities that have not previously received a Categorical Exclusion (Cx), the Recipient is restricted from taking any action using federal funds that would have an adverse effect on the environment or limit the choice of reasonable alternatives, prior to DOE providing a final NEPA determination. A Financing Program may qualify for a Cx to the NEPA provisions if the underlying projects to be funded fall under the EECBG NEPA Template. If the Recipient used the DOE provided EECBG NEPA Template to obtain a Cx determination, then DOE can complete a NEPA review for the entire Financing Program portfolio without having to conduct a later NEPA review of individual projects. However, if the Financing Program portfolio changes, or if it is redirected for a purpose not stated in the Template, the Recipient is responsible to report to DOE that change at least 30 days prior to the change. The Recipient may be responsible for completing an amended EECBG NEPA Template and awaiting DOE's performance of a Cx determination or a NEPA review.

DOE must complete a NEPA review for any LLR activity before the Recipient commits funds to cover a third party's loans. Recipients continue to be responsible for completing the EECBG NEPA Template and awaiting DOE's performance of a Cx determination or completion of a NEPA review before proceeding. See the *EECBG NEPA Template* (Appendix 3).

Should the Recipient elect to undertake activities prior to DOE's completion of a NEPA determination (if applicable), DOE may disallow costs for those activities and may refer the matter for audit by the Inspector General and/or the cognizant audit agency.

If a Recipient has questions about the NEPA process, or wishes to submit a NEPA template, they should contact EECBG@ee.doe.gov.

Davis-Bacon Act

As stated in the EECBG Financing Program Guidance (EECBG Program Notice 09-002D), individual homeowners receiving loans supported by a Financing Program are not required to comply with DBA. Further, LLRs and third party loan insurance are not subject to DBA, because the funds are not being loaned or used for construction or installation work. If the LLR is used only for the purposes of providing a fund for the third party lender in the event of default by the borrower, DBA is not applicable to the LLR fund. However, if an RLF is used to lend funds to a commercial entity or a public entity, DBA may apply. In addition, if the funds supporting the RLF, LLR or IRB are utilized for another eligible EECBG activity, DBA may apply. (For more information, see the *DBA Desk Guide* (Appendix 5).) If a Recipient has further questions about the applicability of DBA to their financing programs, they should contact EECBG@ee.doe.gov.

Administrative Funds

Under the EECBG Program, an eligible unit of local government or an Indian tribe may use "an amount equal to the greater of 10% or \$75,000" for administrative expenses, excluding the cost of meeting reporting (42 USC 17155(b)(3)(A)). "A State may not use more than ten (10) percent of program funds for administrative expenses" (42 USC 17155(c)(4)).

Recipients may apply this 10% limit to internal and contracted administrative expenses to a third party. In the case where a sub-award is used towards the administration of a Recipient's prime award, the administrative expenses must be counted towards the 10% limitation. When a Recipient provides a sub-award, administrative expenses may be accrued by the sub-awardee beyond the 10% limit. However, DOE recommends that Recipients stay within the 10% limit for sub-awardee administrative funds. See *EECBG Program Notice 11-002* (Appendix 8) for further details.

The cap on funds that can be used for administrative expenses applies to the funds that the Recipient received under the EECBG program, which include principal repayments under an RLF. The cap does not apply to program income, including interest paid by borrowers under an RLF. See *EECBG Program Notice 9-002D* (Appendix 2) for further details.

Interest Earned

Because the funds in an RLF, LLR or IRB housed with a third party institution (e.g., a bank or credit union) are considered "fully expended," the interest earned may be recapitalized into the fund, or used for another permissible purpose under the original grant agreement. The interest remains subject to the same requirements as the original funds. See 10 C.F.R § 600.122, 10 C.F.R. § 600.221, and *EECBG Program Notice 13-001* (Appendix 9).

Return of Funds to Treasury

It is preferred that a Recipient return funds to the U.S. Treasury using the Automated Standard Application for Payments (ASAP) to ensure the repayment is captured in the Award's ASAP records. A Recipient can maintain their ASAP account even after the grant has retired. EECBG Financing Program Recipients are encouraged to keep their ASAP accounts open. Instructions for returning funds to ASAP are in Appendix 11.

V. Appendices/Attachments

Appendix 1: EECBG Financing Program Annual Report

Appendix 2: EECBG Program Notice 09-002D "Guidance for Energy Efficiency and Conservation Block Grant Grantees on Financing Programs" revised October 17, 2012

Appendix 3: EECBG NEPA Template

Appendix 4: NEPA Categorical Exclusions (Cx)

Appendix 5: Davis-Bacon Act (DBA) Desk Guide

Appendix 6: Davis Bacon Semi-Annual Report Form

Appendix 7: Historic Preservation Report

Appendix 8: Buy American Desk Guide

Appendix 9: EECBG 11-002 "Clarification of Ten Percent Limitation on Use of Funds for Administrative Expenses" effective July 28, 2011

Appendix 10: SEP and EECBG 13-001 "Guidance for Returning Interest Earned" Effective March 21, 2013

Appendix 11: Instructions for Returning Funds to ASAP

Appendix 12: Frequently Asked Questions

Appendix 13: EECBG 11-001 Guidance on Basic Best Practices in Management of Energy Performance in Buildings, effective January 21, 2011

Appendix 14: EECBG 10-07B Recovery Act Reporting Requirements, effective September 17, 2010

Appendix 15: EECBG 10-011 Recovery Act Formula Grant Guidance, effective April 21, 2010

Appendix 16: EECBG 10-014 Guidance for EECBG Recipients on Procurement, effective June 23, 2010

Appendix 17: EECBG 10-021 Guidance for Eligibility of Activities, effective January 4, 2011

Appendix 12: Frequently Asked Questions

Q1: If a Recipient's grant is closed out, do they have to continue to report?

A1: Yes. As long as the funds remain in a Financing Program, they retain their federal character, and the Recipient must continue to report.

Q2: A Recipient determines that there is no longer demand for their residential RLF for energy efficiency upgrades. The Recipient would like to repurpose the funds for an energy audit and lighting upgrade of City Hall. What are the responsibilities of the Recipient?

A2: The Recipient must first perform an eligibility assessment to ensure that this is a permissible purpose under the terms and conditions of the award; and is an eligible EECBG activity. If the Recipient is unsure, they can reach out to DOE at EECBG@ee.doe.gov for guidance. If the activity is determined to be eligible under EECBG, the Recipient must then report to DOE their intention to repurpose the funds towards another eligible activity within 30 days of the action at EECBG@ee.doe.gov. If applicable, the Recipient should complete an EECBG NEPA worksheet to ensure that the project is covered by the Cx at EECBG@ee.doe.gov. Like all EECBG projects, the project will be subject to Buy American, Davis-Bacon and Historic Preservation requirements. As such, the Recipient must retain documentation sufficient to document compliance with these requirements for audit purposes. The Recipient must also continue to report on the utilization of award funds until they are fully expended and/or returned to the U.S. Treasury.

Q3: A Recipient determines that there is no longer demand for their residential RLF for energy efficiency upgrades, and would like to repurpose the funds. For what activities can the Recipient use the funds?

A3: The Recipient may utilize the funds for any eligible EECBG activity. If the Recipient is unsure whether an activity is eligible, they can reach out to DOE at EECBG@ee.doe.gov for guidance.

Q4: A Recipient has repurposed the funds to a building retrofit (or other eligible non-revolving activity). How long do they have to report?

A4: The Recipient must report until the funds are fully expended. *For example: if the Recipient begins the retrofit in September 2015 and completes it in November 2015 fully utilizing all of the funds they had initially for a Financing Program; the Recipient must complete an Annual Report & Historic*

Q5: A Recipient wants to give the remainder of the money back. How do they do that?

A5: The Recipient should contact EECBG@ee.doe.gov. A DOE employee will contact you to walk you through the process of returning the funds to the U.S. Treasury.

Q6: A Recipient has spent all of their funds and wants to close out. How do they do that?

A6: The Recipient should contact EECBG@ee.doe.gov. If the award has passed the end of its project period of performance, the Financial Assistance agreement may have been formally closed out in FedConnect by the DOE procurement office. For Recipients who continued to conduct financing programs after the project end date, certain completion requirements still apply when the programs conclude. A DOE employee will contact you to walk you through the process of submitting final documentation to DOE. You will be required to submit a final Annual Report, and you should be prepared to provide documentation of all expenditures and any remaining funds.

Q7. A Recipient wants to transfer responsibility for ongoing EECBG Financing Programs to another entity. Is this allowed?

A7. For recipients of the EECBG Formula awards, any other entity assuming responsibility for a Financing Program must have been an eligible entity/direct recipient under the original EECBG formula allocation. For competitive EECBG recipients selected under DE-FOA-0000148, any entity assuming responsibility for a Financing Program must have been an eligible entity under the FOA Topic under which the original award and selection was made (For example, if the original awardee was selected under FOA Topic 2 (General Innovation Competitive Grants), the transferee must also have been an eligible entity as stipulated under Topic 2). As stated in Section V, above, “Maintaining Point of Contact,” any change in point of contact must be reported to DOE.

Note: The original award recipient is ultimately responsible for reporting and compliance regardless of any subsequent transfers.

Q8: Where can a Recipient find guidance on the National Environmental Policy Act?

A8: In addition to the information provided in the letter above, the Recipient should review the guidance in Appendices 3 and 4. If the Recipient needs further assistance, they should reach out to DOE at EECBG@ee.doe.gov for guidance.

Q9: Where can a Recipient find guidance on the Davis Bacon Act?

A9: In addition to the information provided in the letter above, the Recipient should review the guidance in Appendices 5 and 6. If the Recipient needs further assistance, they should reach out to DOE at EECBG@ee.doe.gov for guidance.

Q10: Where does a Recipient find guidance on the Historic Preservation Act?

A10: In addition to the information provided in this letter, the Recipient should review the guidance in Appendix 7, and the guidance of the Office of General Counsel at <http://energy.gov/gc/action-center-office-general-counsel/faqs-related-recovery-act/historic-preservation>. If the Recipient needs further assistance, they should reach out to DOE at EECBG@ee.doe.gov for guidance.

Q11: Where can a Recipient find guidance on the Buy American Provisions?

A11: In addition to the information provided in the letter above, the Recipient should review the guidance at Appendix 8. If the Recipient needs further assistance, they should reach out to DOE at EECBG@ee.doe.gov for guidance.