



United States  
Department of  
Agriculture

Forest  
Service

Region 1  
Northern Region  
PO Box 7669  
Missoula, MT 59807

Region 4  
Intermountain Region  
324 25<sup>th</sup> Street, Suite 5301  
Ogden, UT 84401

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**File Code:** 1580  
**Date:** April 22, 2025

City of Billings  
210 N 27<sup>th</sup> ST  
Billings, Montana 59101-1938

Re: Grant Number 24-DG-11010013-002  
Title: Inflation Reduction Act Urban and Community Forestry Billings Urban Forestry Grant for Disadvantaged Areas

Dear City of Billings,

This letter provides notice that the United States Department of Agriculture is terminating your federal award, 24-DG-11010013-002 Inflation Reduction Act Urban and Community Forestry Billings Urban Forestry Grant for Disadvantaged Areas, in accordance with the terms and conditions of your award, which include applicable regulations relating to termination. *See* 2 C.F.R. §§ 200.340-343.

It is a priority of the Department of Agriculture to eliminate discrimination in all forms throughout the United States. The Secretary of Agriculture has determined, per the Department's obligations to the Constitution and laws of the United States, that priority includes ensuring that the Department's awards do not support programs or organizations that promote or take part in diversity, equity, and inclusion ("DEI") initiatives or any other initiatives that discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic. Such DEI policies and practices can violate both the letter and purpose of Federal civil rights laws and conflict with the Department's policy of maximizing and promoting American agriculture, ensuring a safe, nutritious and secure food supply, enhancing rural prosperity, and protecting our National Forests. In addition to complying with the letter and spirit of the civil rights laws, it is vital that the Department assess whether all awards are free from fraud, abuse, and duplication, as well as to assess whether current awards are in the best interests of the United States.

Termination. The award specified above provides funding for programs that promote or take part in DEI initiatives or other initiatives that unlawfully discriminate on the basis of race, color, religion, sex, national origin, or another protected characteristic; that violate either the letter or purpose of Federal civil rights laws; that conflict with the Department's policies and priorities; that are not free from fraud, abuse, or duplication; or that otherwise fail to serve the best interests of the United States. The award is therefore inconsistent with, and no longer effectuates, Department priorities. *See* 2 C.F.R. § 200.340(a)(4). Pursuant to, among other authorities, 2 C.F.R. §§ 200.339-343, which are applicable to your award, the Department hereby terminates award No. 24-DG-11010013-002 in its entirety effective April 22, 2025.

Closure. You must submit all final reports and a final payment request no later than 120 calendar days after the date of this notice. You will be reimbursed for costs incurred up to the date of this notice that are determined to be consistent with 2 C.F.R. § 200.343, *Effects of suspension or termination*. Any open balance remaining 120 days after the date of this notice will be unavailable for payment.

If you do not submit all reports in accordance with the terms and conditions of the Federal award within one (1) year of the effective termination date, Forest Service must proceed to close out the award with the information available. In these circumstances, in accordance with 2 C.F.R. § 200.344, Forest Service must report your material failure to comply with the terms and conditions of the award in SAM.gov using the Contractor Performance Assessment Reporting System (CPARS). In this way, failure to submit timely and accurate final reports may affect your future funding.

Recipients are required by Federal regulation to retain all Federal award records consistent with 2 C.F.R. § 200.334. *Including the following payments made to the recipient, \$24,327.99.* Termination of the agreement does not affect a Federal agency's or a pass-through entity's right to disallow costs and recover funds based on a later audit or other review. In addition, termination does not affect a recipient's obligation to return any funds due as a result of later refunds, corrections, or other transactions, including final indirect cost rate adjustments (refer to 2 C.F.R. § 200.345).

Appeal Process. In the event of any issue of controversy under this agreement, the parties may pursue Alternate Dispute Resolution (ADR) procedures to voluntarily resolve those issues. These procedures may include, but are not limited to conciliation, facilitation, mediation, and fact finding.

Should the parties be unable to resolve the issue of controversy through ADR, then the Signatory Official will make the decision. A written copy of the decision will be provided to the Cooperator.

Decisions of the Signatory Official shall be final unless, within 30 days of receipt of the decision of the Signatory Official, the Cooperator appeals the decision to the Forest Service's Deputy Chief, State, Private, and Tribal Forestry (SPTF). Any appeal made under this provision shall be in writing and addressed to the Deputy Chief, SPTF, USDA, Forest Service, Washington, DC 20024. A copy of the appeal shall be concurrently furnished to the Signatory Official.

A decision under this provision by the Deputy Chief, SPTF, is final. The final decision by the Deputy Chief, SPTF, does not preclude the Cooperator from pursuing remedies available under the law.

If you have questions, contact your Forest Service Program Contact at Jacob Biar email: [jacob.biar@usda.gov](mailto:jacob.biar@usda.gov) and Sarah Fusselman [sarah.fusselman@usda.gov](mailto:sarah.fusselman@usda.gov) .

Sincerely,

*/s/Daniel McBride*

DANIEL MCBRIDE

Director, State, Private & Tribal Forestry, Regions 1 & 4

*CC: William Cole, Mayor, City of Billings*

*Gayle Lam, Urban Forestry Grant Technician, City of Billings*

*Jacob Biar, Urban & Community Program Manager FS-SPTF R1 & R4*

*Kamie Vaux, Supervisory Grants Management Specialist FS-SPTF R1 & R4*

*Sarah Fusselman, Grants Management Specialist FS-SPTF R1 & R4.*