

FY2025 Congressionally Directed Spending Guidelines

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies

The Ag Subcommittee will accept CDS requests for the following accounts:

- Agricultural Research Service, Building and Facilities (ARS B&F)
- Animal and Plant Health Inspection Service, Salaries and Expenses (APHIS S&E)
- Natural Resources Conservation Service, Watershed and Flood Prevention Operations (WFPO)
- Rural Development, Community Facilities Grants
- Rural Development, Distance Learning and Telemedicine Grants

Agricultural Research Service, Buildings and Facilities

Requests for ARS B&F may only include funding for existing facilities or facilities where funding has been provided in the past. Facilities must be ARS-owned.

APHIS Salaries and Expenses

Requests for APHIS S&E must align with APHIS' mission and must meet environmental review requirements (i.e. NEPA and ESA).

While the entire S&E account is open for CDS requests, below are the line items within the account that are most compatible with CDS:

- Field Crop & Rangeland Ecosystems Pests
- Pest Detection
- Plant Protection Methods Development
- Specialty Crop Pests
- Tree & Wood Pests
- Wildlife Damage Management
- Wildlife Services Methods Development
- Veterinary Diagnostics
- Equine, Cervid and Small Ruminant Health

A few APHIS programs have matching requirements:

- Grasshopper/Mormon Cricket (Field Crop & Rangeland Ecosystems Pests) – this program conducts surveys, provides technical assistance, and conducts suppression activities. When conducting suppression activities, the Plant Protection Act dictates the Federal percentage of control costs and cost-sharing for other parties. The Federal government pays the total cost of suppression on Federal land (including most tribal trust lands), 50 percent of the cost on State land, and 33 percent of cost on private land.

- Brucellosis (Cattle Health) – this program has a 40 percent match by the States.
- Wildlife Services – reimbursable service agreements are generally 50/50 cost- share and the States would reimburse for their portion.

WFPO

- CDS recipients for WFPO must have a local sponsor. Eligible local sponsors can be any State, political subdivision, soil or water conservation district, flood prevention or control district, or combinations thereof; any irrigation or reservoir company or water users' association; or any Indian tribe or tribal organization.
- Any individual project may not exceed a watershed or sub-watershed size of 250,000 acres. At least 20 percent of the project's benefits must be directly related to agriculture.
- Projects are required to complete a four-step process including:
 1. Preliminary feasibility study (PIFR)
 2. Watershed Plan development
 3. Implementation of Watershed Plan
 4. Commencement of construction for authorized watershed conservation
- If a project is a "new start" it is eligible only for PIFR funding at a level of \$55,000. Funding cannot be requested for stages 2-4 until the PIFR is completed (this includes projects where the PIFR is in progress).

**Important note for the following USDA Rural Development accounts:*

USDA Rural Development staff are available to answer specific questions regarding project eligibility for Community Facilities (CF) and Distance Learning & Telemedicine grants. Contact information for the Rhode Island USDA RD office is available here:

<https://www.rd.usda.gov/contact-page/connecticut-massachusetts-and-rhode-island-contacts>

Rural development applicants must reach out to the Rhode Island USDA Rural Development Office to verify population size from the 2020 census and to determine project eligibility. The following project and applicant eligibility criteria must be met prior to a congressionally directed spending request being approved. Applicants must complete an application with RD if awarded a CDS in the final bill.

Community Facilities Grants:

This program will fund up to 75% of total project costs, with match requirements based on population as follows:

- Maximum of 75 percent when the proposed project is located in a rural community having a population of 5,000 or fewer;
- Maximum of 55 percent when the proposed project is located in a rural community having a population of 12,000 or fewer;

- Maximum of 35 percent when the proposed project is located in a rural community having a population of 20,000 or fewer.

Towns with populations over 20,000 are not eligible for this program.

In general, CF matching funds must come from a non-Federal source (must be a cash match; it cannot be in-kind). However, there are two exceptions: (1) sometimes a Federal source will state that it can be used as a match for Federal Grants and (2) when a Federal source loses its Federal identity --- such as CDBG funds that are distributed through a Governor's office (not the CDBG entitlement funding) --- a CF project having these funds as a part of the capital stack can be a part of the applicant required contribution.

While an applicant does not need to have its match in hand at the time of submission, they must have their match at the time of obligation. If applicants fail to have their match within three years of enactment of the final bill, funds may be swept back into the general CF account.

This program is subject to the Build America Buy America Act requirements which will apply to the total project cost, not just the Federal cost-share portion.

Funds may not be used for the following activities:

- To reimburse funds for projects already constructed/acquired or projects that will be completed by the passage of the final bill;
- To pay initial operating expenses or annual recurring costs, including purchases or rentals that are generally considered to be operating and maintenance expenses (unless a CF loan is part of the funding package);
- To fund facilities to be used primarily for recreation purposes; and
- To fund facilities to be used primarily for business entrepreneur purposes.

Rural Development, Distance Learning and Telemedicine Grants

The following project and applicant eligibility criteria must be met prior to a congressionally directed spending request being approved:

- There is a flat 15 percent match (matching funds cannot come from another Federal source).
- Full list of eligible entities, uses, and limitations can be found here: 7 CFR Part 1734 Subpart A and B.
- The maximum grant size is \$1,000,000.
- Broadband deployment is not an eligible use of funds for DLT.

Commerce, Justice, Science, and Related Agencies (CJS) Subcommittee Guidance

The CJS Subcommittee will accept CDS requests in the following accounts:

- Department of Commerce; National Institute of Standards and Technology (NIST); Scientific and Technical Research Services (STRS); External Projects
- Department of Commerce; NIST; Construction of Research Facilities; Extramural Construction
- Department of Commerce; National Oceanic and Atmospheric Administration (NOAA); Operations, Research, and Facilities (ORF); Special Projects
- Department of Justice; Office on Justice Programs; State and Local Law Enforcement Assistance; Byrne Discretionary
- Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology and Equipment
- National Aeronautics and Space Administration; Safety, Security and Mission Support

NIST STRS, External Projects

- Projects should address scientific, technological, and standards-related research and technology development, limited to equipment, initial salaries, and limited contracting.
- There must be a clear, demonstrable nexus to the research component of the project and to a NIST research program.
- Construction projects will not be accepted. NIST allows minor alterations in terms of “retrofits,” based on how the agency utilizes STRS internally, including electrical and/or HVAC upgrades, and other minor modifications (e.g., expanding a door or putting up a partition wall).
- Anything that could be considered new construction (e.g., pouring a foundation or erecting walls or a roof) is not allowable.

NIST Construction of Research Facilities, Extramural Construction

This account funds construction projects for non-Federal research facilities, including for projects at research institutions and colleges and universities. However, given the significant investments necessary for construction projects, only a very limited number of projects will be supported on an annual basis.

NOAA ORF, Special Projects

Projects should address fisheries, marine mammals, ocean, coastal issues, climate, weather, atmospheric research, data acquisition, and forecasting programs. Construction projects will not be accepted.

DOJ Byrne Discretionary

The Subcommittee will accept CDS requests for Byrne Discretionary projects. Projects should provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems. All projects must have a nexus to the criminal justice system, and funding cannot be used for land acquisition or construction. For additional guidance on allowable expenses, please refer to the most recent Byrne Discretionary solicitation. CDS requests

funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide.

DOJ COPS Law Enforcement Technology and Equipment

The Subcommittee will accept CDS requests for COPS Law Enforcement Technology and Equipment for the development of technologies and automated systems to assist law enforcement agencies in investigating, responding to, and preventing crime. Recipients shall include State, local, Tribal, and territorial governments and their public agencies (for example, police and/or sheriff's departments). Allowable activities are limited to the statutorily allowable purpose areas under the COPS Office statute, including the procurement of equipment, technology, or support systems, and the development of new technologies to assist recipient entities in reorienting the emphasis of their activities from reacting to crime to preventing crime. For additional guidance on allowable expenses, please refer to a recent COPS Technology and Equipment Program solicitation. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide, and the applicable Award Owner's Manual.

NASA Safety, Security and Mission Support (SSMS)

The Subcommittee will accept CDS requests for NASA SSMS. Projects should focus on science education, research, and technology development related to NASA's mission. Medical research projects and projects at NASA-owned Visitor Centers or a State's designated Space Grant Consortium will not be funded. This account cannot fund construction but may be used for equipment, research funding, or education programs.

Energy and Water Development Subcommittee Guidance

The EW Subcommittee will accept CDS requests in the following accounts:

- Army Corps of Engineers: Investigations
- Army Corps of Engineers: Construction
- Army Corps of Engineers: Operation and Maintenance
- Army Corps of Engineers: Mississippi Rivers & Tributaries: Investigations
- Army Corps of Engineers: Mississippi Rivers & Tributaries: Construction
- Army Corps of Engineers: Mississippi Rivers & Tributaries: Operations & Maintenance
- Bureau of Reclamation: Water and Related Resources

For the Army Corps of Engineers and Bureau of Reclamation accounts above, only authorized projects and programs will be considered for funding. For the Corps of Engineers, with the exception of Operation and Maintenance, an authorized project or program that has not received funding in prior years is considered a new start. Few, if any, new starts will be funded.

Department of Energy: "Energy Projects"

Requests must fit under at least one of these five topic areas:

- Renewable and Clean Energy

- Electricity and Energy Resiliency
- Cybersecurity and Energy Security
- Nuclear Energy
- Fossil Energy or Carbon Management

Successful projects will be in line with current Department of Energy missions that focus on transformative science and technology research, development, and demonstration under the five topic areas listed above.

The Subcommittee is more likely to grant requests that are not eligible for funding through tax credits or other federal incentives.

Further, the Subcommittee will not fund the following projects:

- Projects that do not follow statutory cost sharing requirements. Statutory cost sharing requirements may apply to these projects, as required by section 988 of the Energy Policy Act of 2005. The amount of required cost sharing will depend on the scope and technological maturity of the project:
 - Research or development activities of a basic or fundamental nature: no minimum cost share.
 - Research or development activities of an applied nature: minimum 20 percent cost share.
 - Demonstration or commercial application: minimum 50 percent cost share.
 - Some projects may contain elements of more than one of the categories listed above. Therefore, some projects may have a blended cost share.
- Projects that require multiple years of funding.
- Construction of buildings or new facilities (no brick and mortar), even if it will have clean energy associated with it.
- Vehicle charging projects, unless the project is connected to larger clean energy sources (like a battery) or has clean energy applications beyond the charging station.
- Electrical substation replacement or routine grid upgrades that could otherwise be funded under ratepayer contracts or through existing federal incentives.
- Planning studies for a forthcoming project.
- Clean energy projects that do not show transformative or emerging technological solution. For example, solar panels, battery storage, or light bulb upgrades without any transformation technology or integrated energy system associated with it.
- Planning studies for NetZero goals, for example “City of X seeks \$500K for a NetZero planning document/report”.

Subcommittee on Financial Services and General Government

The FSGG subcommittee will accept CDS requests in the following accounts:

- Small Business Administration, Administrative Provision

- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repairs and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition
- General Services Administration, Federal Buildings Fund, Repairs and Alterations
- Office of National Drug Control Policy, Administrative Provision (Prevention Grants)

Small Business Administration, Administrative Provision

Projects supporting small businesses, encompassing entrepreneur training, counseling, and research. Please be advised: SBA CDS funding is not intended for the provision of seed capital for small businesses, nor for sub-grants or loans, or the construction or acquisition of facilities.

National Archives and Records Administration, National Historical Publications and Records Commission (NHPRC)

Projects to help ensure online public discovery and use of historical records collections, encourage public engagement with historical records, strengthen the nation's archival network, or publish documentary editions of historical records. This includes initiatives like record digitization, programming, and online availability of records. In considering how to develop your project, please review the NHPRC "Eligibility" page on NARA's website.

National Archives and Records Administration, Repairs and Restoration

Projects that dedicate funding for one or more of the 15 presidential libraries established under the Presidential Libraries Act.

General Services Administration, Federal Buildings Fund, Construction and Acquisition or Repairs and Alterations Accounts

Construction projects typically include federal courthouses, federal buildings, or land ports-of-entry. Repairs projects must be federally-owned properties in need of major repairs or alterations and are typically federal buildings or federal courthouses.

Please note: Eligible projects do not include state or county facilities, DOD facilities, VA facilities, or transportation infrastructure facilities.

Office of National Drug Control Policy, Administrative Provision (Prevention Grants)

CDS projects should focus on evidence-based drug-related projects, such as primary prevention of substance use disorder. Preferred prevention programs would include community-based coalitions which, as part of their application, propose data driven, evidence-based prevention interventions; have established measurable objectives; and proposed implementing a comprehensive mix of strategies. Also, Drug-Free Communities (DFC)-funded coalitions recently trained by CDC to implement Adverse Childhood Experiences (ACEs) as part of their substance use prevention efforts are recommended. Allowable expenses include staff salaries and benefits for time spent on

the project, building rent, and equipment. Unallowable expenses include (but are not limited to) real property purchases, and construction or renovation accosts.

Please note: Programs should not be substance specific. Treatment programs are not eligible for CDS under this account.

Subcommittee on Homeland Security

The HLS Subcommittee will accept CDS requests in the following accounts:

- Pre-Disaster Mitigation (PDM) Projects
- Emergency Operations Center (EOC) Grant Program

**Important note for the following Department of Homeland Security (DHS) accounts: For any projects designated for funding in the final Homeland Security Appropriations Act, the state agency responsible for administering mitigation grants in the requestor's state must submit an application to the Federal Emergency Management Agency, and that entity will serve as the administrative agent for the grant.*

Therefore, all project proposals must be accompanied by a letter of support from the appropriate state agency affirming that it believes the project is eligible.

Pre-Disaster Mitigation (PDM) Projects

Requested projects must meet the eligibility requirements of the PDM grant program, including the non-federal cost-share requirement, benefit-cost ratio, hazard mitigation plan, and environmental and historic preservation requirements. Full requirements can be found in the fiscal year 2023 NOFO for the "Pre-Disaster Mitigation Grant Program" (the NOFO for FY24 projects is expected to be issued in the coming weeks, but requirements are unlikely to change).

Emergency Operations Center (EOC) Grant Program

Requested projects must meet the eligibility requirements of the EOC grant program, including the non-federal cost-share requirement and environmental and historic preservation requirements. Full requirements can be found in the fiscal year 2023 NOFO for the "Emergency Operations Center Grant Program".

Subcommittee on the Interior, Environment, and Related Agencies

The Interior Subcommittee will accept CDS requests in the following accounts:

1. CW: EPA, STAG, Clean Water SRF, Clean Water CDS
2. DW: EPA, STAG, Drinking Water SRF, Drinking Water CDS
3. SFC: IHS, Sanitation Facilities Construction, Sanitation Facilities Construction CDS
4. HPF: NPS, Historic Preservation Fund Projects
5. SPTF: USFS, State, Private, and Tribal Forestry, Forest Resource Information and Analysis

The Subcommittee may also consider CDS requests within the following accounts, but only on a case-by-case basis. The Subcommittee will consider the appropriateness of CDS spending for the project, history of the program and other federal spending, and availability of funding within the program, among other factors. The Subcommittee will only consider CDS requests for projects that are not included in the President's budget request or for projects that would be funded above the President's budget request.

6. Projects on Agency Lists

- LWCF: Great American Outdoors Act, Land and Water Conservation Fund
 - BLM, Land Acquisition
 - FWS, Land Acquisition
 - NPS, Land Acquisition
 - USFS, Land Acquisition
 - USFS, Forest Legacy
- LRF: Great American Outdoors Act, Legacy Restoration Fund
 - BLM, Legacy Restoration Fund
 - FWS, Legacy Restoration Fund
 - NPS, Legacy Restoration Fund
 - BIE, Legacy Restoration Fund
 - USFS, Legacy Restoration Fund
- LMCON: Land Management Agencies, Construction
 - BLM, Construction
 - FWS, Construction Projects, Line Item Construction
 - NPS, Construction, Line Item Construction and Maintenance
 - USFS, Capital Improvement and Maintenance, Facilities, Road and Trails

7. Land Management Agencies, Local Projects and Research

- BLM, Management of Land and Resources, Land Management Priorities
- NPS, National Recreation and Preservation, Statutory and Contractual Aid
- FWS, Resource Management, Stewardship Priorities
- USGS, Surveys Investigations and Research, Special Initiatives

8. BIA, Operation of Indian Programs, Special Initiatives

9. EPA, Science and Technology, Research: National Priorities

10. EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

Environmental Protection Agency (EPA), State and Tribal Assistance Grants (STAG), Clean Water and Drinking Water State Revolving Funds (SRF)

- The Subcommittee anticipates that the vast majority of requests made to the Interior Subcommittee will be for water infrastructure grants to fund local wastewater and drinking water infrastructure projects within the Clean Water SRF and the Drinking Water SRF.
- This includes construction of, and modifications to, municipal sewage treatment plants and drinking water treatment plants.

- The Subcommittee has previously considered projects benefiting both a clean water and drinking water system. Any such project must meet the qualifications below and must be requested under the Clean Water CDS account.
- The Subcommittee will accept CDS requests for local and/or municipal projects included on a state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan (IUP).
- The Subcommittee may consider projects that are eligible for funding under State Revolving Loan Fund (SRF) guidelines (detailed below), but are not on the state IUP list.
- There is a minimum 20% cost share requirement for any state or local water infrastructure grant funded through CDS.
 - For example, a \$1 million project could receive a maximum of \$800,000 from the Federal government, with the remaining \$200,000 the responsibility of the grantee. In almost all cases, other federal funds cannot be used to meet this 20% cost share. Please note that only the non-federal portion of assistance provided by a State Revolving Loan Fund can be applied towards a project's matching requirement.

CDS requests made under the EPA STAG Clean Water and Drinking Water SRF accounts will be required to answer the following questions:

- I. What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?
- II. How will the project help the recipient meet applicable water standards—e.g. improve drinking water quality or improve surface/groundwater quality?
- III. Is this project primarily to support existing water needs or to support future growth? Note that projects primarily to support future growth are typically ineligible for State Revolving Funds. Is this request seeking funding for planning and design, construction, or both?
- IV. Describe the project recipient—are they a municipality? Public water system? Other public entity?
- V. What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
- VI. What is the amount requested for the project?
- VII. Is the amount requested scalable to a lower amount and if so, what is the minimum amount?
- VIII. Please list any funding received from federal appropriations, including the fiscal year and source of funding (Clean Water SRF, Drinking Water SRF, STAG grants, USDA Rural Development Program, FEMA, or others)?
- IX. Does the community have a financing plan certified by an authorized local official demonstrating how it will cover the matching funds of 20% or more?
- X. What are the anticipated non-federal sources of funding for this project?
- XI. What is the project's status (for example, preliminary engineering, initial planning and design, final design completed, construction initiated)?
- XII. Has the community ever received state or federal funding for water infrastructure projects (not limited to the specific project)?

SFC: IHS, Sanitation Facilities Construction, Sanitation Facilities Construction CDS

For Tribal water CDS projects within the Sanitation Facilities Construction account, the Subcommittee will accept CDS requests for projects included on the Indian Health Services' (IHS) Sanitation Deficiency System (SDS) list. In exceptional circumstances, the Subcommittee may consider projects that are eligible for funding under the Criteria for the Sanitation Facilities Construction Program but are not on the SDS list.

National Park Service, Historic Preservation Fund (HPF)

- The Historic Preservation Fund (HPF), established to help fund the programs engendered by the National Historic Preservation Act (Public Law 89-665; 54 USC 300301 et seq.), was designed to preserve historical and archaeological sites in the United States of America.
- The Subcommittee will accept CDS requests for projects within HPF that meet the eligibility requirements of existing HPF competitive programs, found here: <https://www.nps.gov/subjects/historicpreservationfund/project-grants.htm>.
- The Subcommittee anticipates that most requests will be made within the HPF for the Save America's Treasures (SAT) program.
 1. For SAT, the Subcommittee will require that the property be listed as an historic place on the National Register of Historic Places or as a National Historic Landmark.
 2. SAT projects require a one-to-one match with non-federal cash and/or in-kind contributions.
 3. SAT grants are limited to preservation – new construction, reconstruction, and acquisitions of historic properties or historic collections are not eligible. The SAT website has more information about eligibility, found here: <https://www.nps.gov/subjects/historicpreservationfund/sat-grant-info.htm>
- The maximum CDS funding amount is \$500,000 for any project requested under HPF.
- Each successful CDS recipient funded in a final bill must complete and submit an application containing a detailed scope of work and budget proposal to the National Park Service for review and approval.
- All HPF grantees, including successful CDS recipients, must meet standards set by the Secretary of the Interior and comply with the audit requirements, found here: <https://www.nps.gov/subjects/historicpreservationfund/audit-information.htm>.

SPTF: USFS, State, Private, and Tribal Forestry, Forest Resource Information and Analysis

The State, Private, and Tribal Forestry account provides technical and financial assistance grants to non-federal forest landowners, including state, Tribal, and local governments. Activities within

this account include forest health management, cooperative fire protection, wood innovation, and urban and community forestry. There is no matching requirement.

The following limitations apply to these CDS requests:

1. The purchase of equipment must comply with 2 CFR 200.313 and .316, including that the primary recipient is required to manage and track the equipment (they may hold title to the equipment but the Federal government retains an interest).
2. Funds cannot be used for general research, capital improvements, or projects on federal land.
3. Recipients cannot receive funding for the same project that has received funding through other Forest Service grants and agreements.

Requestors should describe how the project will contribute to meeting the goals of the State's Forest Action Plan, conserve and steward working forests or open space, protect forest health from insects and disease, meet urban and community forestry goals, create opportunities for innovative wood use, improve fire mitigation efforts, or otherwise benefit communities and forested lands.

LWCF: Great American Outdoors Act, Land and Water Conservation Fund

Prioritized project lists will accompany the President's budget request in five LWCF accounts. This requirement is delivered in two separate lists:

- 1) a list of projects proposed for funding in the President's budget request; and
- 2) a supplemental list of projects that are ready but unfunded.

Any funding request for activities not included in the President's budget request must be submitted as a CDS request.

LRF: Great American Outdoors Act, Legacy Restoration Fund

Prioritized project lists for deferred maintenance projects to be funded by the National Parks and Public Lands Legacy Restoration Fund will accompany the President's budget request for BLM, FWS, NPS, USFS, and BIE schools.

LMCON: Land Management Agency Construction

The four land management agencies (BLM, FWS, NPS, and USFS) receive annual appropriations for new construction and other capital improvement projects and typically include a short list of specific projects in the President's budget request. There will be a high bar for considering any projects not present on the current year's lists. Note that the CDS recipient is the federal agency.

The Subcommittee may also consider CDS requests within these accounts, but only on a case-by-case basis.

Land Management Agencies, Local Projects and Research

- In order for requests to be considered within this category, they must be relevant to the specified mission area within the bureaus listed below and contribute to responsible

stewardship of land, wildlife, and recreation resources or contribute to priority research areas that inform stewardship of those resources.

- Proposed projects should contribute to local, state, and federal efforts to benefit species, habitat, and/or enhanced stewardship of land and water resources.
- Project funding is not intended to primarily fund annual operations and maintenance of existing programs at the state, federal, or local level.
 - BLM, Management of Land and Resources, Land Management Priorities – project requests may be considered for activities related to wildlife and aquatic habitat management. These projects must occur on or have a nexus to BLM lands.
 - NPS, National Recreation and Preservation, Statutory and Contractual Aid – project requests may be considered for activities relating to operating, managing, and preserving resources, including as authorized by law.
 - FWS, Resource Management, Stewardship Priorities – project requests may be considered for fish and aquatic conservation, habitat conservation, recovery, and restoration activities.
 - USGS, Surveys Investigations and Research, Special Initiatives – project requests may be considered for high priority and core science research, and ecosystem and water resources related activities.

BIA, Operation of Indian Programs, Special Initiatives

BIA provides direct services and funding for compacts and contracts for Tribes to provide programs for a wide range of activities. While the Subcommittee will not consider CDS projects for individual Tribes, the Subcommittee may consider requests from other eligible entities that honor the commitment to invest in Tribal communities, create economic opportunities, foster cultural heritage, promote efficient and effective Tribal governance, and conserve natural resources.

EPA, Science and Technology, Research: National Priorities

Project requests may be considered for high priority lines of research related to environmental quality and/or human health.

EPA, State and Tribal Assistance Grants, STAG Infrastructure – Other

Requests will only be considered for projects related to existing funding categories and activities within the STAG account that will result in improvements in environmental quality and/or human health.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies

The Subcommittee will only accept CDS requests in the following accounts:

- Department of Labor—Employment and Training Administration—Training and Employment Services
- Department of Health and Human Services—Health Resources and Services Administration— Program Management

- Department of Health and Human Services—Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support
- Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs
- Department of Health and Human Services—Administration for Community Living - Aging and Disability Services Programs
- Department of Education—Innovation and Improvement—Fund for the Improvement of Education
- Department of Education—Higher Education—Fund for the Improvement of Postsecondary Education

Department of Labor (DOL)—Employment and Training Administration (ETA)—Training and Employment Services

- CDS requests under ETA (through the Workforce Innovation and Opportunity Act (WIOA) demonstration authority) should clearly articulate a project purpose and be focused on meeting the employment and training needs of workers.
- Generally, these projects should include direct services which could include career services, training services (including work-based training), supportive services, and other permissible services, as they are defined in WIOA.
- Typical activities include training unemployed individuals to increase their skills and obtain employment and enhancing the skills of incumbent workers to get higher-paying jobs.
- CDS requests should include a basic budget that clearly describes how the funds will be used for specific activities to achieve the project's goals.
- CDS funding may be used for the purchase of equipment, but generally only if it is an incidental part of the larger project to provide direct services (a similar standard applies to curriculum development). If a larger portion of the CDS funding is expected to be used for equipment or curriculum development, please note that and provide a detailed justification for why such investments are necessary to meet the employment and training needs of individuals.
- CDS funding within ETA cannot be used for construction or renovation of facilities or the purchase of land or buildings, and ETA CDS recipients may not sub-grant to other organizations or agencies.
- Finally, CDS projects will be expected to have measurable outcomes and demonstrate a linkage with the state or local workforce investment system.

Department of Health and Human Services (HHS)—Health Resources and Services Administration (HRSA)—Program Management

- Health Facilities Construction and Equipment:
 - CDS requests should be for the cost of limited-scope construction, renovation, or capital equipment purchase for facilities for health, mental health, or substance abuse services, training of health professionals, or medical research.

- Examples of eligible facilities include hospitals, health centers, and clinics; skilled nursing facilities; mental health centers; facilities for schools of medicine, nursing, or other health professions; and medical research laboratories.
- In addition to construction and renovation, CDS funding can be used to acquire capital equipment, such as lab equipment, x-ray machines, or telehealth and information technology.
- The Committee will not consider a CDS request for federal funding within this account that exceeds \$15 million.
 - Equipment-only CDS requests—that is, requests not involving construction— are permissible. Generally, any equipment having a useful life of more than one year and a unit cost of at least \$5,000 will be eligible as capital equipment. In addition, equipment with lower costs may also be eligible, provided that it is treated as an item of capital expense under the recipient institution’s pre-existing, written accounting policies.
 - Equipment expenses for health information systems and electronic medical records systems are permitted expenditures.
 - The costs of expendable supplies such as pharmaceuticals, lab chemicals, or office paper are not eligible.
- HRSA Health Facilities funding cannot be used to acquire land or purchase existing buildings, or to pay salaries or other operating costs.
- Funding cannot be used to pay for work previously completed.
- CDS requests can be used for architectural and engineering costs associated with an eligible construction project but cannot be used for general feasibility studies or planning and design.

Rural Health

- CDS requests should be for projects to improve health care in rural areas.
- Examples of eligible activities include medical, dental, or mental health care services; health promotion and education; chronic disease management; telehealth services; and improvements to emergency medical services.
- CDS funds can be used for services only in areas that meet HRSA’s definition of rural. For lists of eligible rural areas and further information regarding that definition, see: <https://www.hrsa.gov/rural-health/aboutus/definition/index.html>.

Department of Health and Human Services (HHS)—Substance Abuse and Mental Health Services Administration (SAMHSA)—Health Surveillance and Program Support

Mental Health

- CDS requests should be for funding to support programs that promote the prevention or treatment of mental health disorders, including rehabilitation, outreach, and other support services.

Substance Abuse Treatment

- CDS requests should be for funding to support programs that improve access, reduce barriers, and promote high quality, effective treatment and recovery services.

Substance Abuse Prevention

- CDS requests should be for funding to support programs to prevent the onset of illegal drug use, prescription drug misuse and abuse, alcohol misuse and abuse, and underage alcohol and tobacco use.

Prohibited activities under SAMHSA account

- Needle Exchange: A General Provision prohibits the award of funding for projects which distribute sterile needles or syringes for I.V. drug injection.
- Use of Illegal Substances: A General Provision prohibits the award of funding for projects which promote the legalization of illegal drugs or substances.
- CDS requests made under the SAMSHA account cannot be used for construction (other than a limited amount of renovation necessary to carry out a funded project), and recipients may not sub-grant to other organizations.

Department of Health and Human Services (HHS)—Administration for Children and Families (ACF)—Children and Families Services Programs

Child Abuse Prevention

- CDS requests should be for projects to improve the prevention, assessment, identification, and treatment of child abuse and neglect through research, model service improvement, information dissemination, and technical assistance.
- Projects must serve or target abused and/or neglected children and their families.

Social Services Research and Demonstration:

- CDS requests should be for projects to promote the ability of families to thrive through financial self-sufficiency in order to reduce poverty and to promote the healthy development and greater well-being of children and families.
- Projects can serve a diverse population including: low-income individuals, children, youth, families, individuals with developmental disabilities, and Native Americans.
- CDS requests made under the ACF account cannot be used for construction or renovation of facilities, and recipients may not sub-grant to other organizations or agencies.

Department of Health and Human Services (HHS)—Administration for Community Living (ACL) Aging and Disability Services Programs

- CDS requests should be for projects to improve the ability of older adults and individuals of all ages with disabilities to live independently and participate fully in their communities.
- Generally, CDS requests should focus on improving access to, or the quality of, education, training, support services, and independent living services for older adults and individuals with disabilities.

- CDS requests made under the ACL account cannot be used for construction or renovation of facilities, and recipients may not sub-grant to other organizations or agencies.

Department of Education—Innovation and Improvement—Fund for the Improvement of Education (FIE)

- Elementary and secondary education CDS requests can be designated under this account for a wide variety of elementary and secondary education projects, including:
 - instructional services
 - afterschool centers
 - curricula development
 - teacher training
 - acquisition of books and computers
 - arts education
 - social and emotional learning activities
 - full-service community schools
 - early childhood education
- In general, the focus of elementary and secondary education CDS requests should be providing early childhood or K-12 educational services.
- CDS requests to provide and improve special education services at the elementary and secondary levels are also eligible under this account.
- These CDS requests may include early intervention services for infants and toddlers, transition services, and postsecondary education services.
- Eligible CDS recipients are state education agencies, school districts, colleges and universities, and other public and private nonprofit entities.
- Generally, CDS requests intended for individual schools are provided to the applicable school district and not directly to the individual school.
- CDS funding within FIE cannot be used for construction or renovation of school buildings, except in the case of minor remodeling or minor alterations in a previously completed building, for example as part of technology upgrades.
- Daycare and childcare projects that do not include educational services are also not eligible under this account.

Department of Education—Higher Education—Fund for the Improvement of Postsecondary Education (FIPSE)

- CDS requests made under this account should primarily be focused on improving access to, or the quality of, postsecondary education. This can include a range of activities as authorized and specified in section 741(a) of the Higher Education Act (20 U.S.C. 1138(a)).
- CDS recipients are usually colleges and universities but may include other public and private nonprofit organizations.
- Examples of the types of CDS requests that can be funded under this account include projects to:
 - hire and train faculty

- establish and improve degree programs
- improve teacher preparation programs
- develop and improve curricula
- upgrade technology, equipment, and telecommunications
- provide student support
- implement university partnerships with school districts

If a significant portion of CDS funds are expected to be used for the purchase of equipment, a justification needs to be clearly noted.

CDS requests made under the FIPSE account cannot be used for endowments, or for the construction or renovation of facilities, except in the case of minor remodeling or minor alterations in a previously completed building, for example as part of technology upgrades.

Military Construction and Veterans Affairs, and Related Agencies (MilCon-VA)

The following accounts are eligible for CDS requests:

- Military Construction, Army
- Military Construction, Navy and Marine Corp
- Military Construction, Air Force
- Military Construction, Defense-Wide
- Military Construction, Army National Guard
- Military Construction, Air National Guard
- Military Construction, Army Reserve
- Military Construction, Navy Reserve
- Military Construction, Air Force Reserve

Requests may include major construction, unspecified minor military construction, and planning and design, however, only certain major military construction projects within these accounts are eligible for CDS.

Eligible projects include:

- Future Years Defense Program (FYDP): Each military department, to include the Guard and Reserve, as well as Defense-Wide agencies, plans its major military construction program five years into the future. FYDPs identify these future planned projects, which are candidates for CDS requests. Some of the lists can be found on the website of the Under Secretary of Defense (Comptroller).
- Unfunded Requirements/Priorities Lists (UFR/UPL): In addition to the annual budget request and as required by law, each military department submits to the congressional defense committees a document identifying unfunded priorities that could be funded if additional appropriations were provided.
- Cost-to-Complete (CTC)—Variables such as construction market conditions can affect cost estimating throughout the military construction programming process, and as such, DOD can experience cost increases that cannot be sufficiently covered by available

appropriated funding. In these cases, the military departments may submit a list of projects separate from the budget request that have received an authorization and appropriation but require additional funding to be completed.

Funding will only be provided for CDS requests which can be executed in the year of appropriation, and therefore CDS eligibility is further limited by the executability of funding. Eligible major military construction projects must therefore be:

- authorized in the previous or prior year's National Defense Authorization Act;
- at 35% design or higher with a DD 1391*; and
- prepared to award a contract in the next fiscal year

**A DD 1391 form is required by the Department of Defense for any military construction project. It contains scope and cost estimates, an assessment of the current requirements, justification for the project, and anticipated contracting and construction timelines. Any project that meets the CDS eligibility requirements should have a DD 1391.*

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies

The Subcommittee will only accept CDS requests in the following accounts:

- "Transportation Planning, Research, and Development (TPR&D)" for transportation research projects eligible under title 23 or title 49, United States Code (not for project specific planning that is eligible for funding under HIP, TIG, or CRISI);
- "Grants-in-Aid for Airports (Airport Improvement Program or AIP)" for airport projects eligible under chapter 471 of title 49, United States Code;
- "Highway Infrastructure Programs (HIP)" for highway projects eligible under title 23, United States Code;
- "Transit Infrastructure Grants (TIG)" for transit projects eligible under chapter 53 of title 49, United States Code;
- "Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grants" for rail projects eligible under section 22907 of title 49, United States Code; and
- "Community Development Fund" for "Economic Development Initiatives (EDI)" for activities eligible under section 5305 of chapter 69 of title 42, United States Code, as well as for affordable housing construction.

**The Subcommittee will not fund CDS requests for operational expenses or administrative salaries and benefits. All Department of Transportation (DOT) CDS requests will have a non-Federal cost-share requirement, consistent with the authorized program. The cost share may vary by State and by type of project, and it is recommended that you consult with DOT for the cost-share requirements of any specific project.*

Transportation Planning, Research and Development (TPR&D)

- CDS requests can be made under the TPR&D account for transportation research projects eligible under title 23 or title 49 of the United States Code.

- Planning for specific local highway, transit, or rail projects that are eligible under HIP, TIG, or CRISI should NOT be included in this account.
- Requests are encouraged for national or regional research and development projects.

Grants-in-Aid for Airports (Airport Improvement Program (AIP))

- CDS requests may be made under the AIP account for airport projects eligible under chapter 471 of title 49, United States Code.
- As AIP CDS follows the existing AIP statute, the Federal cost-share requirements still apply to CDS. For large and medium primary hub airports, CDS can cover 75 percent of eligible costs (or 80 percent for noise program implementation). For small primary, reliever, and general aviation airports, CDS can cover a range of 90-95 percent of eligible costs, based on statutory requirements.
- AIP applicants will be asked to provide:
 - a link to the airport master plan that includes the requested project,
 - the status of the planning and environmental work to assess the readiness of the project,
 - a description of all other sources of funding contributing to the total cost of the project; and
 - the airport name (see NPIAS for airport names).

Highways (HIP)

- CDS requests may be made under the HIP account for highway projects eligible under title 23, United States Code, including, but not limited to, highway and bridge construction projects, planning, environmental review, design, and right-of-way acquisition.
- Operational expenses are not eligible.
- CDS requests under HIP are required to provide a link to the STIP or TIP that includes the request project.
 - If the project is not included on either STIP or TIP, the State DOT may provide a letter confirming that: (1) the project is eligible for Federal-aid highway funding under title 23, United States Code; (2) the State DOT is willing to carry out the project if funding is enacted.
- All highway CDS funds will be provided directly to the State Department of Transportation.
 - If the local or county level government is requesting the CDS, they will be required to coordinate with the State DOT to receive the funding and ensure a nonfederal match is available.
 - The only exception to this is if the project is intended to be for a Tribal government, in which case you should provide the name and POC information for the relevant Tribal government.

Transit (TIG)

- Members can request CDS within the TIG account for transit projects eligible under chapter 53 of title 49, United States Code.

- CDS requests under HIP are required to provide a link to the STIP or TIP that includes the request project.
 - If the project is not included on either STIP or TIP, the transit agency may provide a letter confirming that: (1) the project is eligible for transit funding under chapter 53 of title 49, United States Code; (2) the transit agency is willing to carry out the project if funding is enacted; and (3) the transit agency will include the project on
 - the STIP or TIP once funding for the project is enacted.

Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grants

- CDS requests may be made under the CRISI account for rail capital projects eligible under section 22907 of title 49, United States Code.
- CDS requests under CRISI are required to provide a link to the State Rail Plan that includes the request project.
- If the project is not included on the State Rail Plan, the State rail agency or State DOT may provide a letter confirming that: (1) the project is eligible for rail funding under title 22907 of title 49, United States Code; (2) the State rail agency, State DOT, or relevant is willing to carry out the project if funding is enacted; and (3) the State DOT will include the project on the State Rail Plan once funding for the project is enacted.

Economic Development Initiatives (EDIs)

EDI projects are funded within the “Community Development Fund” account for activities eligible under section 5305 of chapter 69 of title 42, United States Code, as well as for affordable housing construction.

Requests to pursue projects that address affordable housing, community services, and economic development, and are comparable to activities in the CDBG program are encouraged. Eligible EDI activities include, but are not limited to:

- Acquisition of real property
- Construction, rehabilitation, and improvements to affordable housing
- Blight removal or remediation
- Public housing modernization
- Construction, rehabilitation, and improvements of public facilities
 - Such as neighborhood centers, parks, and shelter for persons having special needs such as survivors of domestic violence and the homeless, except for buildings for the general conduct of government.

Federal requirements: EDIs are subject to all general Federal requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards under 2 CFR Part 200, the National Environmental Policy Act (NEPA), HUD’s NEPA implementing regulations under 24 CFR Part 50 or 24 CFR Part 58, and all appropriate Federal environmental and historic preservation laws, regulations, and Executive Orders.

The environmental review must be completed by a “Responsible Entity” (RE), which is a state, unit of general local government, Indian tribe or Alaska Native Village. Nonprofits will need the RE for where the project is located to conduct the environmental review on their behalf.

Consistent with HUD’s “Build America, Buy America” phased implementation, all EDIs are required to comply with the Build America Preference for iron, steel, construction materials, and manufactured products.

You can review HUD’s current implementation of the EDI program and the applicable Federal requirements here: https://www.hud.gov/program_offices/comm_planning/edigrants

Any expenses incurred prior to the enactment of a final FY 2025 appropriations bill cannot be reimbursed with EDI funds. THUD CDS cannot be used for operational expenses or administrative salaries and benefits for EDIs. Examples of these ineligible expenses are costs that cover an organization’s day-to-day operations, such as utilities, rent, office supplies and equipment, insurance, and an organization's staff salaries and benefits.

National Objectives Requirement:

A CDS request should clearly identify which of the three National Objectives of the broader CDBG program the EDI project and its activities meets and include relevant data or a description indicating how it meets such National Objective(s). The three CDBG program National Objectives are:

1. benefit low- and moderate-income persons or communities;
2. prevent or eliminate slums or blight;
3. address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.

The most common CDBG National Objective that EDI projects will meet is the benefit to low- and moderate-income (LMI) persons, which, depending on the type of project, can be demonstrated through a benefit to a specific service area, serving a limited clientele, housing for certain income households, and the creation or retention of jobs for certain income individuals. If using the LMI National Objective, please review this HUD resource: <https://www.hudexchange.info/programs/cdbg/cdbg-low-moderate-income-data/>

If the project is meeting the LMI National Objective through the service area, use the “Map Application” tool to provide the necessary data points on the LMI population in that service area:

<https://hud.maps.arcgis.com/home/item.html?id=ffd0597e8af24f88b501b7e7f326bedd>