FY 2024
Congressionally Directed Spending Applicant Guidance

Contents

Agriculture Subcommittee Guidance

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, Telemedicine, and Broadband Program (DLT) 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.

Animal and Plant Health Inspection Service (APHIS) Salaries and Expenses:
- 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:
    o Field Crop & Rangeland Ecosystems Pests
    o Pest Detection
    o Plant Protection Methods Development
    o Specialty Crop Pests
    o Tree & Wood Pests
    o Wildlife Damage Management
    o Wildlife Services Methods Development
    o Veterinary Diagnostics
    o Equine, Cervid and Small Ruminant Health
- A few APHIS programs have matching requirements:
    o 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.
    o Brucellosis (Cattle Health) – this program has a 40 percent match by the States.
    o Wildlife Services – reimbursable service agreements are generally 50/50 cost-share and the States would reimburse for their portion.

Watershed and Flood Prevention Operations (WFPO)
- CDS recipients for WFPO must have a local sponsor. Eligible local sponsors include 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; 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.
- If a project is a "new start" it is eligible only for PIFR funding at a level of $55,000. Offices are encouraged to request funding for projects that are nearing the construction implementation phase.
- Program sponsors must contact the National Resources Conservation Service state office and confirm this coordination in application materials

- Applications should also indicate the phase of the project for which funding is requested

Rural Development, Community Facilities Grants:
The following project and applicant eligibility criteria must be met **prior to** a congressionally directed spending request being approved:

- The Community Facilities (CF) Grant program has a match requirement on a sliding scale based on community population size. CF Grants can cover up to 75 percent of the total project costs. Rural Development (RD) will verify an applicant's population size from the 2020 census. **In order to determine whether a project is eligible, your office or the applicant is required to reach out to your State RD office.** Contact information for the State RD offices can be found at this link: [USDA Rural Development State Offices](#).
- This program will fund **up to** 75 percent 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
- The match requirements are outlined in the CF regulation: [7 CFR 3570.63(b)](#). Towns with populations over 20,000 are not eligible for this program.
- 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.
- In general, CF matching funds must come from a non-Federal source. 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 part of the capital stack can be a part of the applicant required match.
- CDS requests will be considered outside of the CF state allocations. Therefore, the sole cap that will determine the maximum grant assistance is the match requirement as described above. The average CF CDS project size funded in FY23 was $1,000,000. When considering which CDS requests to submit to the Subcommittee, this is a good baseline to use.
- **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.
  - To fund facilities to be used primarily for business entrepreneur purposes.
- Applicants must meet environmental review requirements (i.e., NEPA). Applicants must complete an application with RD if awarded a CDS in the final bill. Note: there are several set-asides within the CF grant program, but congressionally directed spending requests will only be eligible for the general CF Grant program.

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](#)

- The maximum grant size is $1,000,000.
- Reminder, even though for-profit entities are eligible for this program, they are not eligible for congressionally directed spending requests.
- Broadband deployment is **not** an eligible use of funds for DLT.
- Applicants <u>must</u> complete an application with RD if awarded a CDS in the final bill.

For both CF Grants and DLT Grants, State RD directors and local specialists are available to answer specific questions regarding eligibility of a proposed project. You can find their contact information at this link: USDA Rural Development State Offices.

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

The Subcommittee will accept requests for CDS. CDS should fund local projects that further the missions of CJS agencies by increasing the understanding of the oceans and the atmosphere, protecting our communities, and promoting space- or standards- related science. Funding recipients must be governmental or non-profit entities.

The CJS Subcommittee will accept CDS 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. The Subcommittee will accept requests for CDS for NIST STRS. Projects should address standards-related research and technology development. Construction projects will not be accepted.

NIST Construction of Research Facilities, Extramural Construction. The Subcommittee will accept CDS requests for NIST Extramural Construction projects for non-Federal research facilities, including for projects at research institutions and colleges and universities.

NOAA ORF Special Projects. The Subcommittee will accept requests for CDS for NOAA ORF. Projects should address fisheries, marine mammals, ocean, climate, weather, and atmospheric research and 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 for criminal justice systems. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide. This funding cannot be used for land acquisition or construction. Please avoid specifying brand names for equipment.

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. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide. Please avoid specifying brand names for the equipment.

<u>NASA Safety, Security and Mission Support (SSMS)</u>. The Subcommittee will accept CDS 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 does not fund construction but could be used for equipment, research funding, or education programs.

Energy and Water Development Subcommittee Guidance

The E&W Subcommittee will **_only_** consider CDS requests for items in the following accounts:
- Corps of Engineers: Investigations
- Corps of Engineers: Construction
- Corps of Engineers: Operation & Maintenance
- Corps of Engineers: Mississippi Rivers & Tributaries: Investigations
- Corps of Engineers: Mississippi Rivers & Tributaries: Construction
- Corps of Engineers: Mississippi Rivers & Tributaries: Operation & Maintenance
- Bureau of Reclamation: Water and Related Resources
- Department of Energy: "Energy Projects" Account will include the following areas:
  - Renewable and Clean Energy projects
  - Electricity and Energy Resiliency projects
  - Cybersecurity and Energy Security projects
  - Nuclear Energy Projects
  - Fossil Energy or Carbon Management Projects

For the Corps of Engineers and Bureau of Reclamation, only authorized projects and programs will be considered for funding. For the Corps of Engineers, except for 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.

Special Guidance for Department of Energy CDS Requests:
- The Committee will not fund projects for multiple years, the funding requested should reflect a funding amount that can complete the project.
- The Committee will not fund construction of buildings or new facilities (no brick and mortar), even if it will have clean energy associated with it.
- The Committee will not fund electric 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.
- 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 shown above. Therefore, some projects may have a blended cost share.

Financial Services and General Government (FSGG) Subcommittee Guidance

The Subcommittee will accept requests for CDS items only in the accounts listed below:
- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repair 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 – Prevention Grants

The Committee will not fund CDS to for-profit entities.

FSGG CDS Eligibility Requirements: CDS requests must meet all applicable eligibility requirements for the program in which the request is made. Please see below for eligibility criteria for the accounts accepting CDS requests:
- **Small Business Administration, Administrative Provision**: Projects in support of small businesses, including but not limited to entrepreneur training, counseling, research, and construction or acquisition of facilities. Please note: SBA CDS funding cannot be used to provide seed capital for small businesses, nor can it be used by the CDS recipient to make grants/loans.
- **National Archives and Records Administration, National Historical Publications and Records Commission (NHPRC)**: Projects that 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.
- **National Archives and Records Administration, Repairs and Restoration**: Projects that direct spending for presidential libraries or new archival facilities.
- **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 repair or alteration 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)**: 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, DFC-funded coalitions recently trained by CDC to implement Adverse Childhood Experiences (ACEs) as part of their substance use prevention efforts are recommended.

Department of Homeland Security Subcommittee Guidance

The following accounts are eligible for CDS requests:
- Federal Emergency Management Agency Pre-Disaster Mitigation Projects; and
- Federal Emergency Management Agency Emergency Operations Center Grant Program.

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, and environmental and historic preservation requirements. Full requirements can be found in the fiscal year 2022 NOFO for the "Pre-Disaster Mitigation Grant Program". For any projects designated for funding in the final fiscal year 2024 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.

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 2022 NOFO for the "Emergency Operations Center Grant Program". For any projects designated for funding in the final fiscal year 2024 Homeland Security Appropriations Act, the state administrative agency (SAA) must submit an application to the Federal Emergency Management Agency, and that agency will serve as the administrative agent for the grant. Therefore, all project proposals must be accompanied by a letter of support from the appropriate SAA affirming that it believes the project is eligible.

Interior, Environment, and Related Agencies Subcommittee Guidance

This guidance will use the following abbreviations:

DOI: Department of the Interior   BIE: Bureau of Indian Education
BLM: Bureau of Land Management   USFS: U.S. Forest Service
FWS: Fish and Wildlife Service   EPA: Environmental Protection Agency
NPS: National Park Service   IHS: Indian Health Service
USGS: U.S. Geological Survey   LWCF: Land & Water Conservation Fund
BIA: Bureau of Indian Affairs

The subcommittee will accept CDS requests within the following programs. Information about each program and the justification required for each project are explained in detail below.

- EPA, State and Tribal Assistance Grants (STAG), Clean Water SRF, Clean Water
- EPA, STAG, Drinking Water SRF, Drinking Water CDS
- IHS, Sanitation Facilities Construction, Sanitation Facilities Construction
- NPS, Historic Preservation Fund Projects
- USFS, State and Private Forestry, Forest Resource Information and Analysis
- Land and Water Conservation Fund
  - BLM, Land Acquisition
  - FWS, Land Acquisition
  - NPS, Land Acquisition
  - USFS, Land Acquisition
  - USFS, Forest Legacy
- Legacy Restoration Fund
  - BLM, Legacy Restoration Fund
  - FWS, Legacy Restoration Fund
  - NPS, Legacy Restoration Fund
  - BIE, Legacy Restoration Fund
  - USFS, Legacy Restoration Fund
- 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
- Land Management Agencies, Local Projects and Research
- BIA, Operation of Indian Programs, Special Initiatives
- EPA, Science and Technology, Research: National Priorities
- EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

EPA, STAG, Clean Water SF, Clean Water and Drinking Water

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 State Revolving Fund and the Drinking Water State Revolving Fund. This includes construction of, and modifications to, municipal sewage treatment plants and drinking water treatment plants. The subcommittee will be limiting water infrastructure grants only to projects that are publicly- owned or owned by a non-profit entity. Privately-owned projects are NOT eligible for water infrastructure grants.

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 congressionally directed spending. 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.

Note that SRF projects have very specific eligibility requirements, and the subcommittee will not consider projects that do not meet those requirements. The following table lists some of the project types that are ineligible for SRF funding:

Projects that generally are NOT eligible for SRF funding	
Clean Water Waste Water	**Drinking Water**
1. Land, except for projects described in the subsequent table under eligibility #11	1. Dams or rehabilitation of dams
2. Operations and maintenance costs	2. Operations and maintenance costs
3. Non-municipal point source control	3. Water rights, except if the water rights are owned by a system that is being purchased through consolidation as part of a capacity development strategy or if the water rights purchase is covered by EPA's DWSRF Class Deviation for Water Rights 2019
4. Acid drainage correction	
5. Ambient water quality monitoring	
6. Flood Control Projects, unless the project is otherwise managing, reducing, treating, or recapturing stormwater.	4. Reservoirs, except for finished water reservoirs and those reservoirs that are part of the treatment process and are located on the property where the treatment facility is located
7. Privately owned sewer pipes	
	5. Laboratory fees for monitoring
	6. Projects needed mainly for fire protection.
	7. Projects for systems that lack adequate technical, managerial, and financial capability, unless assistance will ensure compliance.
	8. Projects for systems in significant noncompliance unless funding will ensure compliance.
	9. Projects primarily intended to serve future growth

The following list provides some examples of the types of projects that are typically eligible for SRF funding and are most frequently funded. <u>This list is not intended to be exhaustive.</u>

Projects that generally ARE eligible for SRF funding

Clean Water Waste Water

1. Wastewater treatment plants, including sludge handling facilities.

2. Collector Sewers – Small sewers that convey wastewater from residences, commercial establishments, and industrial sites.

3. Interceptor Sewers – Large sewers that convey wastewater from collector sewers directly to a wastewater treatment facility.

4. Sewer Pipes – Rehabilitation is only eligible if the pipes are publicly owned.

5. Outfall Sewer – A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters.

6. Storm Water Management – Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e. storm sewers, green infrastructure, etc.).

7. Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control.

8. Infiltration/Inflow Correction – Construction activities that prevent surface water or groundwater from entering the sewer system.

9. Water Security – Installation or upgrade of physical security infrastructure such as lighting, fencing, monitoring and access control. Also, cybersecurity measures, installation of safer treatment technologies, and more secure storage of on-site treatment.

10. Septic Tanks – Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks.

11. Land – The leasing and fee-simple purchase of land, including surface and subsurface easements, needed to locate eligible municipal or Tribal projects, and land integral to the treatment process. Municipal purchase of land and/or conservation easements for source water protection are also eligible.

Drinking Water

1. Facilitate compliance with national primary drinking water regulations or address serious risks to public health including non-regulated contaminants (i.e. PFAS)

2. Rehabilitate or develop water sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources

3. Install or upgrade treatment facilities

4. Install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system

5. Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or improve water pressure to safe levels

6. Projects to consolidate water supplies – for example, when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons

7. Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection

8. Project planning, design and other related costs.

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12. Water Reuse – Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water.

13. Capital Nonpoint Source Pollution Control Projects – e.g., river or streambank restoration, agricultural best management practices (i.e., buffer strips, manure containment structures), wetlands restoration, etc.

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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 committee may consider projects that are eligible for funding under the Criteria for the [Sanitation Facilities Construction Program](#) but are not on the SDS list (see pg. 5-1 through 5-12 of the criteria).

National Park Service, Historic Preservation Fund Projects

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 anticipates that most requests will be made within the HPF for the Save America's Treasures (SAT) program. All HPF grantees must meet standards set by the Secretary of the Interior and comply with the [audit requirements,](#) and each successful CDS recipient must complete an application through grants.gov. The subcommittee will accept CDS requests for non-formula funded activities within HPF that meet the qualifications of HPF programs. Please note that acquisitions of collections or historic properties are not eligible under the HPF. For more information, please visit [here.](#) The maximum project amount is $500,000.

USFS, State & Private Forestry, Forest Resource Information and Analysis

The State & Private 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. Requests must meet USFS eligibility requirements for the appropriate grant program. Project requests should be part of the state's Forest Action Plan or contribute to meeting the goals of the Forest Action Plan.

Land Management Agencies, Local Projects and Research
- BLM, Management of Land and Resources, Habitat Management Priorities
  - Projects should be related to wildlife and aquatic habitat management.
- NPS, National Recreation and Preservation, Statutory and Contractual Aid
  - Projects should be related to operating, managing, and preserving resources, including as authorized by law.
- FWS, Resource Management, Stewardship Priorities
  - Projects should relate to fish and aquatic conservation, habitat conservation, recovery, and restoration activities.
- USGS, Surveys Investigations and Research, Special Initiatives
  - Projects should focus on high priority and core science research, and ecosystem and water resources related activities.

- Application will include a supplemental section requiring applicants to answer the following questions in order:
  1. Describe the project and make the case for its consideration.
  2. Is the recipient entity a federal agency, state agency, Tribal entity, local city/county agency, university or college, or non-profit organization?
  3. Does the project meet the eligibility and matching requirements for a specific grant program (provide description)?
  4. Does the relevant federal agency have the authority to provide funds to this project and/or recipient (cite authority)?
  5. Is the project specifically authorized (cite public law or other authority)?
  6. Is the project on federal land or a federal facility?
  7. Is the project funded in the President's budget request (provide amount and describe any difference between the budget and your request)?
  8. What is the federal nexus for this project and why should there be a federal funding component?
  9. What is the total cost of the project?
  10. Has this project received previous federal funds (provide year, amount, and program)?
  11. Are there matching funds or partner contributions?
  12. Is this request being submitted to other Subcommittees for consideration (note Subcommittee, program, amount, and other relevant information)?
  13. Is the project ranked on any federal, state, or other prioritized list (provide list name and rank)?
  14. What is the timeline for this project and why are federal funds required in this fiscal year?
  15. What are the estimated start and completion dates for the project?
  16. Can the project obligate all of the requested funding within 12 months of receipt?

Bureau of Indian Affairs, Operation of Indian Programs, Special Initiatives
- Individual Tribes are not eligible for this account.
- Projects should invest in Tribal communities, create economic opportunities, foster cultural heritage, promote efficient and effective Tribal governance, and conserve natural resources.
- Entities must be otherwise eligible for funds from BIA.
- Application will include a supplemental section requiring applicants to answer the following questions in order:
  1. Describe the project and make the case for its consideration.
  2. Is the recipient entity a federal agency, state agency, Tribal entity, local city/county agency, university or college, or non-profit organization?
  3. Does the project meet the eligibility and matching requirements for a specific grant program (provide description)?
  4. Does the relevant federal agency have the authority to provide funds to this project and/or recipient (cite authority)?
  5. Is the project specifically authorized (cite public law or other authority)?
  6. Is the project on federal land or a federal facility?
  7. Is the project funded in the President's budget request (provide amount and describe any difference between the budget and your request)?
  8. What is the federal nexus for this project and why should there be a federal funding component?
  9. What is the total cost of the project?
  10. Has this project received previous federal funds (provide year, amount, and program)?
  11. Are there matching funds or partner contributions?
  12. Is this request being submitted to other Subcommittees for consideration (note

Subcommittee, program, amount, and other relevant information)?
13. Is the project ranked on any federal, state, or other prioritized list (provide list name and rank)?
14. What is the timeline for this project and why are federal funds required in this fiscal year?
15. What are the estimated start and completion dates for the project?
16. Can the project obligate all of the requested funding within 12 months of receipt?

EPA, Science and Technology, Research: National Priorities
- Projects should be high priority lines of research related to environmental quality and human health
- Application will include a supplemental section requiring applicants to answer the following questions in order:
  1. Describe the project and make the case for its consideration.
  2. Is the recipient entity a federal agency, state agency, Tribal entity, local city/county agency, university or college, or non-profit organization?
  3. Does the project meet the eligibility and matching requirements for a specific grant program (provide description)?
  4. Does the relevant federal agency have the authority to provide funds to this project and/or recipient (cite authority)?
  5. Is the project specifically authorized (cite public law or other authority)?
  6. Is the project on federal land or a federal facility?
  7. Is the project funded in the President's budget request (provide amount and describe any difference between the budget and your request)?
  8. What is the federal nexus for this project and why should there be a federal funding component?
  9. What is the total cost of the project?
  10. Has this project received previous federal funds (provide year, amount, and program)?
  11. Are there matching funds or partner contributions?
  12. Is this request being submitted to other Subcommittees for consideration (note Subcommittee, program, amount, and other relevant information)?
  13. Is the project ranked on any federal, state, or other prioritized list (provide list name and rank)?
  14. What is the timeline for this project and why are federal funds required in this fiscal year?
  15. What are the estimated start and completion dates for the project?
  16. Can the project obligate all of the requested funding within 12 months of receipt?

EPA, State and Tribal Assistance Grants (STAG), STAG Infrastructure Grants
- Projects related to existing funding categories and activities within the STAG account that will result in improvements in environmental quality and/or human health.
- Application will include a supplemental section requiring applicants to answer the following questions in order:
  1. Describe the project and make the case for its consideration.
  2. Is the recipient entity a federal agency, state agency, Tribal entity, local city/county agency, university or college, or non-profit organization?
  3. Does the project meet the eligibility and matching requirements for a specific grant program (provide description)?
  4. Does the relevant federal agency have the authority to provide funds to this project and/or recipient (cite authority)?
  5. Is the project specifically authorized (cite public law or other authority)?
  6. Is the project on federal land or a federal facility?

7. Is the project funded in the President's budget request (provide amount and describe any difference between the budget and your request)?
8. What is the federal nexus for this project and why should there be a federal funding component?
9. What is the total cost of the project?
10. Has this project received previous federal funds (provide year, amount, and program)?
11. Are there matching funds or partner contributions?
12. Is this request being submitted to other Subcommittees for consideration (note Subcommittee, program, amount, and other relevant information)?
13. Is the project ranked on any federal, state, or other prioritized list (provide list name and rank)?
14. What is the timeline for this project and why are federal funds required in this fiscal year?
15. What are the estimated start and completion dates for the project?
16. Can the project obligate all of the requested funding within 12 months of receipt?

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

The Subcommittee will accept requests for CDS in the accounts noted below. CDS requests should fund local projects that further the missions of LHHS agencies.

- 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—Employment and Training Administration (ETA)
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 WIOA1. 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 within ETA cannot be used for construction or renovation of facilities or the purchase of land or buildings, and CDS recipients may not sub-grant to other organizations or agencies.

Department of Health and Human Services—Health Resources and Services Administration (HRSA)
CDS requests within HRSA should be submitted through the Program Management account and must fall under one of the following categories:
- **Health Facilities Construction and Equipment**—CDS requests 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 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/about-us/definition/index.html Please include the address of the project's activities in the Project Detail, if different than the legal entity recipient address, for purposes of determining project eligibility.

Department of Health and Human Services—Substance Abuse and Mental Health Services Administration (SAMHSA)
CDS requests within SAMHSA should be submitted through the Health Surveillance and Program Support account and must fall under one of the following categories:

- **Mental Health**—funding to support programs that promote the prevention or treatment of mental health disorders, including rehabilitation, outreach, and other support services.
- **Substance Abuse Treatment**—funding to support programs that improve access, reduce barriers, and promote high quality, effective treatment and recovery services.
- **Substance Abuse Prevention**—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.

- 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 funding within SAMSHA cannot be used for construction (other than a limited amount of renovation necessary to carry out a funded project), and SAMHSA CDS recipients may not sub-grant to other organizations or agencies.

Department of Health and Human Services—Administration for Children and Families (ACF)
CDS requests within ACF should be submitted through the Children and Families Services Programs account and must fall under one of the following categories:

- **Child Abuse Prevention**—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**—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 funding within ACF cannot be used for construction or renovation of facilities, and ACF CDS recipients may not sub-grant to other organizations or agencies.

Department of Health and Human Services—Administration for Community Living (ACL)
CDS requests within ACL should be submitted through the Aging and Disability Services Programs account and must fall under the following category:
- **Aging and Disability Services Programs**—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 funding within ACL cannot be used for construction or renovation of facilities, and ACL CDS recipients may not sub-grant to other organizations or agencies.

Department of Education—Fund for the Improvement of Education (FIE)
Elementary and secondary education CDS requests can be designated under this heading 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, and 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 heading. 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 Fund for the Improvement of Postsecondary Education (FIPSE)
CDS requests through FIPSE 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 FIPSE 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, and implement university partnerships with school districts. If a significant portion of CDS

funds are expected to be used for the purchase of equipment make sure to note that and include a justification for that use of funds.

CDS funding within FIPSE 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, Veterans Affairs, and Related Agencies Subcommittee Guidance

The following accounts are eligible for CDS requests:
- Military Construction, Army
- Military Construction, Navy and Marine Corps
- 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. Eligible projects can be found on the lists outlined below.

Eligible Lists:
- 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. Inquiries related to the FYDP or whether a specific project is included should be directed to the Senate Liaison Offices of each military department.
- 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. Questions about the UFR list or whether a specific project is included should be directed to the Senate Liaison Offices of each military department.
- 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. Once the full budget request is released, questions about these lists and whether specific projects are included should be directed to the Senate Liaison Offices of each military department.

It is the practice of the Committee to only provide funding which can be executed in the year of appropriation. Eligible major military construction projects must therefore be:
- Authorized in the Fiscal Year 2024 or prior year National Defense Authorization Act;
- At 35% design or higher with a DD 1391*; and
- Prepared to award a contract in Fiscal Year 2024.

*The 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.

Transportation, Housing and Urban Development, and Related Agencies (THUD) Subcommittee Guidance

Projects under this subcommittee must have a reasonable expectation of having funds obligated by the end of FY2026. Projects should also provide a link to the relevant planning document in their application, such as the airport master plan for AIP and F&E, State Transportation Improvement Plan (STIP) or Transportation Improvement Program for HIP and TIG, State Rail Plan for CRISI, or the project website or relevant planning document for TPR&D and EDI. For transportation projects not on the relevant planning document, you may provide a letter from MnDOT supporting the project.

THUD will accept CDS in these 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; Federal cost-share requirements will apply; for large and medium hub airports, the cost share is 75 percent federal or 80 percent for noise program implementation; for small primary, reliever, or general aviation airports, the award can cover a range of 90-95 percent of eligible costs, based on statutory requirements. Application materials should include the status of planning and environmental work
- **FAA Facilities and Equipment** for terminal air traffic control facility replacement projects. Projects must be eligible under part A of Subtitle VII of Title 49, U.S. Code. Application materials should clearly explain why the tower needs to be replaced, including the age, number of enplanements, operational line of site issues, other related infrastructure work, and any other justification. Application materials should also explain the status of planning and environmental work
- **Highway Infrastructure Program (HIP)** for highway projects eligible under title 23, United States Code, such as highway and bridge construction, planning, environmental review, design, and right-of-way acquisition. Eligible expenses do not include operational costs. Funds will be provided directly to MnDOT, and applicants should ensure that non-federal match is available (unless it's for a Tribal government). Application materials should include the STIP or TIP ID number.
- **Transit Infrastructure Grants (TIG)** for transit projects eligible under chapter 53 of title 49, United States Code. Application materials should include the status of planning and environmental work. Application materials should include the STIP or TIP ID number.
- **Consolidated Rail Infrastructure and Safety Improvement (CRISI) Grants** for rail projects eligible under section 22907 of title 49, United States Code. Projects must be eligible under section 22907 of title 49, United States Code. Application materials should include the status of planning and environmental work.
- **Community Development Fund for Economic Development Initiatives (EDI)** eligible under chapter 69 of title 42, United States Code.
  - Projects may focus on addressing affordable housing, community services, and/or economic development. Project examples include:
    - Acquisition of real property
    - Construction of new affordable housing
    - Blight removal or remediation
    - Construction, rehabilitation, and improvements of public facilities (except for buildings for general conduct of government), such as community centers, parks, and shelters for persons, such as survivors of domestic violence.

- Projects will be subject to NEPA, HUD's NEPA-implementing regulations, and all appropriate federal environmental and historic preservation policies ([more information here](#))
- Reimbursement for expenses incurred prior to the enactment of a final FY24 appropriations bill is not permitted.
- Application materials should include a link to a project website, if available, or a link to an existing CDBG grantee's Consolidated Plan or Annual Action Plan
- Application materials should also include the status of planning and environmental work.
- Application will include a supplemental field asking which CDBG National Objectives the project meets and include [relevant data](#) and description. The three objectives are:
  - [Benefit low- and moderate-income persons or communities](#)
  - Prevent or eliminate slums or blight.
  - 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.