

FY 2025
Congressionally Directed Spending
Applicant Guidance

Contents

Agriculture	3
Commerce, Justice, Science, and Related Agencies (CJS).....	6
Energy and Water Development.....	8
Financial Services and General Government (FSGG).....	15
Department of Homeland Security	17
Interior, Environment, and Related Agencies.....	18
Labor, Health and Human Services, Education, and Related Agencies	25
Military Construction, Veterans Affairs, and Related Agencies	29
Transportation, Housing and Urban Development, and Related Agencies (THUD)	31

Agriculture

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). Learn more about APHIS' programs [here](#). The period of availability for APHIS CDS will be one-year funding (i.e. until the end of the fiscal year).

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).

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 the community population size of where the project will be located. CF Grants can cover up to 75 percent of the total project costs. Rural Development (RD) verifies an applicant's population size from the most recent census.
 - **In order to determine whether a project is eligible, the applicant is required**

to reach out to the state RD office. Contact information for the Minnesota office can be found at this link: <https://www.rd.usda.gov/mn>.

- 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.
- 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.
- 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 FY24 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; and
 - 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 if awarded a CDS in the final bill.

Due to the complexity of these grants, all applications should be vetted through the state RD office – the Subcommittee will not consider projects that are ineligible.

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.
- 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 must complete an application with RD if awarded a CDS in the final bill.

For both CF and DLT Grants, state directors and local specialists are available to answer specific questions regarding eligibility of a proposed project. You can find the Minnesota contact information at this link: <https://www.rd.usda.gov/mn>. Potential recipient must contact their local office and confirm the proposed project meets the program's eligibility requirements.

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

The Subcommittee will accept requests for CDS. CDS requests 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 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

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. 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

The Subcommittee will accept CDS requests for NOAA ORF. 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](#). 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. 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. The Subcommittee strongly encourages Member office staff to review the guide and manual prior to project submission. Please avoid specifying brand names for equipment.

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

The 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 topic areas:
 - Renewable and Clean Energy
 - Electricity and Energy Resiliency
 - Cybersecurity and Energy Security
 - Nuclear Energy
 - Fossil Energy or Carbon Management

For the Corps of Engineers and Bureau of Reclamation, 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. In FY24, the Subcommittee received a significant number of Corps of Engineers requests for Environmental Infrastructure projects. While the Subcommittee will consider requests in FY25 for Corps of Engineers Environmental Infrastructure projects, it is expected to provide funding for very few such items.

Special Guidance for Corps of Engineers & Bureau of Reclamation Requests:

- It is the practice of the Subcommittee to only provide funding which can be executed in the year of appropriation, and therefore CDS eligibility is further limited by the capability of the agency to obligate the funding. CDS requests for both the Corps of Engineers and Bureau of Reclamation are provided to the agencies for technical assistance to verify authorization and capability. This means that at conference CDS amounts can be reduced from Senate or House mark levels based on a reduced capability, as determined by the agencies.
- *Prior Year Funded* – Before you finalize your request please ensure that you verify with the appropriate local Corps of Engineers or Bureau of Reclamation office that the project or program you are requesting has been funded in a prior FY.

Special Guidance for Department of Energy CDS Requests:

- While the Subcommittee will consider requests in the Department of Energy, it is expected to provide **very few such items**. Requests must fit under at least one of the five topic areas listed above and be submitted to the “Energy Projects” account. Further, please carefully review the list below that lays out what type of CDS projects are not eligible for funding as the Subcommittee has updated this list for FY25. Even if you

successfully funded a project in this account in prior fiscal years, new criteria changes may make that project not eligible this year.

- 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. This includes 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. A step-by-step document explaining the cost share rules according to the Department is included as an addendum to this guidance. In short, 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 transformative 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.”

Cost Sharing DOE Financial Assistance Awards

Statutory cost sharing requirements are typically applicable to DOE Projects awarded under financial assistance instruments (grants and cooperative agreements under EPCA 2005, §988). The amount of required cost sharing depends on scope and technological maturity of the project:

Categories:

- Research and development projects - minimum 20% cost share
- Demonstration or commercial projects - minimum 50% cost share
- Outreach and educational projects - no minimum cost share

- Fundamental science projects - no minimum 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.

DOE financial assistance actions are subject to the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, at 2 CFR Part 200, as amended by 2 CFR Part 910.

The Uniform Administrative Requirements defines Research and Development (R&D) and Demonstration as follows:

- 2 CFR 200.1: Research and development (R&D) means all research activities, both basic and applied, and all development activities that are performed by non-Federal entities. The term research also includes activities involving the training of individuals in research techniques where such activities utilize the same facilities as other research and development activities and where such activities are not included in the instruction function. “Research” is defined as a systematic study directed toward fuller scientific knowledge or understanding of the subject studied. “Development” is the systematic use of knowledge and understanding gained from research directed toward the production of useful materials, devices, systems, or methods, including design and development of prototypes and processes.
- 2 CFR 910.130(e): Demonstration means a project designed to determine the technical feasibility and economic potential of a technology on either a pilot or prototype scale.

Cost Sharing or Cost Matching

The terms “cost sharing” and “cost matching” are often used synonymously. Even 2 CFR 200.306, “Cost Sharing or Matching” uses both of the terms in the title specific to regulations applicable to cost sharing. DOE almost always uses the term “cost sharing,” because it conveys the concept that non-federal share is calculated as a percentage of the Total Project Cost. An exception is the State Energy Program Regulation, which is subject to 10 CFR Part 420. Specifically, in accordance with 10 CFR 420.12, “State Matching Contribution” is calculated as a percentage of the federal funds only, rather than the Total Project Cost.

How Cost Sharing Is Calculated

As stated above, cost sharing is calculated as a percentage of the Total Project Cost. Following is an example of how to calculate cost sharing amounts for a project with \$1,000,000 in federal funds with a minimum 20% non-federal cost sharing requirement:

Formula: Federal share (\$) divided by Federal share (%) = Total Project Cost

Example: \$1,000,000 divided by 80% = \$1,250,000

Formula: Total Project Cost (\$) minus Federal share (\$) = Non-federal share (\$)

Example: \$1,250,000 minus \$1,000,000 = \$250,000

Formula: Non-federal share (\$) divided by Total Project Cost (\$) = Non-federal share (%)

Example: \$250,000 divided by \$1,250,000 = 20%

Included at the end of this section is a sample cost share calculation for a blended cost share percentage.

What Qualifies for Cost Sharing

While it is not possible to explain what specifically qualifies for cost sharing in one or even a couple of sentences, in general, if a cost is allowable under the cost principles applicable to the organization incurring the cost and is eligible for reimbursement under a DOE grant or cooperative agreement, then it is allowable as cost share. Conversely, if the cost is not allowable under the cost principles and not eligible for reimbursement, then it is not allowable as cost share. In addition, costs may not be counted as cost share if they are paid by the Federal Government under another award unless authorized by Federal statute to be used for cost sharing.

The Cost Principles, 2 CFR 200, Subpart E explains what is allowable as cost share specific to the type of organization that is receiving funds under the grant or cooperative agreement, though are generally the same for all types of entities. The specific rules applicable to:

- State and Local Governments and Indian Tribes are found at 2 CFR 200.416;
- Institutions of Higher Education are found at 2 CFR 200.418; and
- For-profit Organizations are found at 2 CFR 910.130.

In addition to the regulations referenced above, other factors may also come into play such as timing of donations and length of the project period. For example, the value of ten years of donated maintenance on a project that has a project period of five years would not be fully allowable as cost share. Only the value for the five years of donated maintenance that corresponds to the project period is allowable and may be counted as cost share.

Additionally, DOE generally does not allow pre-award costs for either cost share or reimbursement when these costs precede the signing of the appropriation bill that funds the award. In the case of a competitive award, DOE generally does not allow pre-award costs prior to the signing of the Selection Statement by the DOE Selection Official.

Following is a link to the Uniform Administrative Requirements. You can click on the specific section for each Code of Federal Regulations reference mentioned above.

- [Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards](#)
- [Federal Agency Regulations for Grants and Agreements – Department of Energy](#)

As stated above, the rules associated with what is allowable cost share are generally the same for all types of organizations. Following are the rules found to be common, but again, the specifics are contained in the regulations and cost principles specific to the type of entity:

A) *Acceptable contributions*. All contributions, including cash contributions and third party in-kind contributions, must be accepted as part of the recipient's cost sharing if such contributions meet all of the following criteria:

- 1) They are verifiable from the recipient's records.
- 2) They are not included as contributions for any other federally-assisted project or program.

- 3) They are necessary and reasonable for proper and efficient accomplishment of project or program objectives.
 - 4) They are allowable under the cost principles applicable to the type of entity incurring the cost as follows:
 - a) *For-profit organizations.* Allowability of costs incurred by for-profit organizations and those nonprofit organizations listed in 2 CFR 910.130 is determined in accordance with the for-profit costs principles in 48 CFR Part 31 in the Federal Acquisition Regulation, except that patent prosecution costs are not allowable unless specifically authorized in the award document.
 - b) *Other types of organizations.* Allowability of costs incurred by other types of organizations that may be subrecipients under a prime award is determined in accordance with [2 CFR 200, Subpart E](#).
 - 5) They are not paid by the Federal Government under another award unless authorized by Federal statute to be used for cost sharing or matching.
 - 6) They are provided for in the approved budget.
- B) *Valuing and documenting contributions*
- 1) *Valuing recipient's property or services of recipient's employees.* Values are established in accordance with the applicable cost principles, which mean that amounts chargeable to the project are determined on the basis of costs incurred. For real property or equipment used on the project, the cost principles authorize depreciation or use charges. The full value of the item may be applied when the item will be consumed in the performance of the award or fully depreciated by the end of the award. In cases where the full value of a donated capital asset is to be applied as cost sharing or matching, that full value must be the lesser or the following:
 - a) The certified value of the remaining life of the property recorded in the recipient's accounting records at the time of donation; or
 - b) The current fair market value. If there is sufficient justification, the contracting officer may approve the use of the current fair market value of the donated property, even if it exceeds the certified value at the time of donation to the project. The contracting officer may accept the use of any reasonable basis for determining the fair market value of the property.
 - 2) *Valuing services of others' employees.* If an employer other than the recipient furnishes the services of an employee, those services are valued at the employee's regular rate of pay, provided these services are for the same skill level for which the employee is normally paid.
 - 3) *Valuing volunteer services.* Volunteer services furnished by professional and technical personnel, consultants, and other skilled and unskilled labor may be counted as cost sharing or matching if the service is an integral and necessary part of an approved project or program. Rates for volunteer services must be consistent with those paid for similar work in the recipient's organization. In those markets in which the required skills are not found in the recipient organization, rates must be consistent with those paid for similar work in the labor market in which the recipient competes for the kind of services involved. In either case, paid fringe benefits that are reasonable, allowable, and allocable may be included in the valuation.
 - 4) *Valuing property donated by third parties.*
 - a) Donated supplies may include such items as office supplies or laboratory supplies.

Value assessed to donated supplies included in the cost sharing or matching share must be reasonable and must not exceed the fair market value of the property at the time of the donation.

- b) Normally only depreciation or use charges for equipment and buildings may be applied. However, the fair rental charges for land and the full value of equipment or other capital assets may be allowed, when they will be consumed in the performance of the award or fully depreciated by the end of the award, provided that the contracting officer has approved the charges. When use charges are applied, values must be determined in accordance with the usual accounting policies of the recipient, with the following qualifications:
 - (i) The value of donated space must not exceed the fair rental value of comparable space as established by an independent appraisal of comparable space and facilities in a privately-owned building in the same locality.
 - (ii) The value of loaned equipment must not exceed its fair rental value.
- 5) *Documentation.* The following requirements pertain to the recipient's supporting records for in-kind contributions from third parties:
 - a) Volunteer services must be documented and, to the extent feasible, supported by the same methods used by the recipient for its own employees.
 - b) The basis for determining the valuation for personal services and property must be documented.

SAMPLE COST SHARE CALCULATION FOR BLENDED COST SHARE PERCENTAGE

Following example shows the math for calculating required cost share for a project with \$2,000,000 in Federal funds with four tasks requiring different Non-federal cost share percentages:

<u>Task</u>	<u>Proposed Federal Share</u>	<u>Federal Share %</u>	<u>Required Non-federal Cost Share %</u>
Task 1 (R&D)	\$1,000,000	80%	20%
Task 2 (R&D)	500,000	80%	20%
Task 3 (Demonstration)	400,000	50%	50%
Task 4 (Outreach)	100,000	100%	0%
	<u>\$2,000,000</u>		

Federal share (\$) divided by Federal share (%) = Task Cost

Each task must be calculated individually as follows:

Task 1

\$1,000,000 divided by 80% = \$1,250,000 (Task 1 Cost)

Task 1 Cost minus federal share = Non-federal share

\$1,250,000 - \$1,000,000 = **\$250,000 (Non-federal share)**

Task 2

\$500,000 divided 80% = \$625,000 (Task 2 Cost)

Task 2 Cost minus federal share = Non-federal share

\$625,000 - \$500,000 = **\$125,000 (Non-federal share)**

Task 3

\$400,000 / 50% = \$800,000 (Task 3 Cost)

Task 3 Cost minus federal share = Non-federal share

\$800,000 - \$400,000 = **\$400,000 (Non-federal share)**

Task 4

Federal share = \$100,000

Non-federal cost share is not mandated for outreach = **\$0 (Non-federal share)**

The calculation may then be completed as follows:

<u>Task</u>	<u>Proposed Federal Share</u>	<u>Federal Share %</u>	<u>Required Non-federal Cost Share</u>	<u>Required Non-federal Cost Share %</u>	<u>Total Project Cost</u>
Task 1	\$1,000,000	80%	\$250,000	20%	\$1,250,000
Task 2	500,000	80%	125,000	20%	625,000
Task 3	400,000	50%	400,000	50%	800,000
Task 4	100,000	100%	0	0%	100,000
	<u>\$2,000,000</u>		<u>\$775,000</u>		<u>\$2,775,000</u>

Blended Cost Share %

Non-federal share (\$775,000) divided by Total Project Cost (\$2,775,000) = 27.9% (Non-federal) Federal share

(\$2,000,000) divided by Total Project Cost (\$2,775,000) = 72.1% (Federal)

Financial Services and General Government (FSGG)

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, 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)

CDS projects should not be viewed as continuous funding sources and should be distinct from competitive grant opportunities at the relevant agencies. CDS projects should be viewed to jump start an activity, not sustain it over time.

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 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:** CDS projects include all Construction projects and Major Repairs projects not requested in the FY25 GSA budget request, unless projects were partially funded in a prior enacted FSGG Appropriations bill. 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.*

Department of Homeland Security

The following accounts are eligible for CDS requests.

- Federal Emergency Management Agency, Pre-Disaster Mitigation Projects
- 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, 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). For any projects designated for funding in the final fiscal year 2025 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 2023 [NOFO for the “Emergency Operations Center Grant Program”](#) (the NOFO for FY24 projects is expected to be issued in the coming weeks, but requirements are unlikely to change). For any projects designated for funding in the final fiscal year 2025 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:

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

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

CW: EPA, STAG, Clean Water SRF, Clean Water CDS
DW: EPA, STAG, Drinking Water SRF, Drinking Water CDS

About the Program: The Subcommittee anticipates that the vast majority of CDS 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. CDS projects included in a final bill will go through the federal grant award process and CDS projects will be subject to applicable requirements including those related to federal grants, domestic preference, and the National Environmental Policy Act.

State and Local Projects

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 CDS recipient. 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

1. Land, except for projects described in the subsequent table under eligibility #11
2. Operations and maintenance costs
3. Non-municipal point source control
4. Acid drainage correction
5. Ambient water quality monitoring
6. Flood Control Projects, unless the project is otherwise managing, reducing, treating, or recapturing stormwater
7. Privately owned sewer pipes

Drinking Water

1. Dams or rehabilitation of dams
2. Operations and maintenance costs
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. 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
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. This list is not intended to be exhaustive.

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

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

- | | |
|---|--|
| <p>treatment facility to the receiving waters.</p> <p>6. Storm Water Management – Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e. storm sewers, green infrastructure, etc.).</p> <p>7. Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control.</p> <p>8. Infiltration/Inflow Correction – Construction activities that prevent surface water or groundwater from entering the sewer system.</p> <p>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.</p> <p>10. Septic Tanks – Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks.</p> <p>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.</p> <p>12. Water Reuse – Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water.</p> <p>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.</p> | <p>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</p> <p>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</p> <p>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</p> <p>8. Project planning, design and other related costs</p> |
|---|--|

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 (see pg. 5-1 through 5-12 of the Criteria).

HPF: National Park Service, Historic Preservation Fund Projects

About the Program: The Historic Preservation Fund (HPF), established to help fund the programs created 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](#).

- The Subcommittee notes that the vast majority of successful HPF projects in prior years have been funded within the Save America’s Treasures (SAT) program.
 - 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. Member offices must inquire with their [State Historic Preservation Office](#) to confirm listings and locate the National Register listing number(s).
 - For the purposes of SAT CDS, the listing may be at the national, state, or local level. In addition, a project is eligible if it has received a prior HPF award.
 - SAT projects require a **one-to-one match** with non-federal cash and/or in-kind contributions.
 - 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.
- Other HPF competitive programs have varied eligibility requirements which will be the basis of the Subcommittee’s consideration. Competitive grant programs are limited to preservation – new construction, reconstruction, and acquisitions of historic properties or historic collections are not eligible. The HPF [Competitive Grants website](#) has more information about eligibility for each program.
- The maximum CDS funding amount is \$500,000 for any HPF project.
- 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](#).

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

About the Program: 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.

Projects on Agency Lists

About the Programs: Funding for projects included in the fiscal year 2025 President’s budget request should be submitted with the Member office’s programmatic requests if the request is for funding at or below the President’s budget request level. The Subcommittee will only consider CDS requests for projects that are not included in the President’s budget request or for funding levels that are above the amounts provided in the President’s budget request. The Subcommittee will have a strong preference for projects included on agency-submitted priority lists.

- LWCF: Great American Outdoors Act, Land and Water Conservation Fund: Pursuant to the Great American Outdoors Act of 2020 (P.L. 116-152) and the Consolidated Appropriations Act, 2024 (P.L. 118-42), 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. These requests must be filed under “Bill-Wide – Multi – Land and Water Conservation Fund (LWCF) – Supplemental Projects, or Supplemental Projects – Not Listed”. There will be a high bar for considering any projects not present on the current year’s lists. Note that while third party organizations may advocate for specific projects, the CDS recipient for federal acquisition is the federal agency that will eventually manage the land (BLM, FWS, NPS, or USFS), or in the case of the Forest Legacy Program, it is the state.
- LRF: Great American Outdoors Act, Legacy Restoration Fund: Pursuant to the Great American Outdoors Act of 2020 (P.L. 116-152) and the Consolidated Appropriations Act, 2024 (P.L. 118- 42), 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. 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.
- 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.

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.

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

The Subcommittee accepts requests for CDS in the accounts noted below. LHHS CDS projects should not be viewed as continuous funding sources and should be distinct from competitive grant opportunities at the relevant agencies. CDS projects should be viewed as a way to jump start an activity, not sustain it over time. Successful CDS requests will match the project to the authorization or mission of an agency or account and have the support of local officials or communities.

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

- **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 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 in the Project Detail 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.
- 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

- **Health Resources and Services Administration (HRSA)**

- **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 use disorder 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. For more information on construction and equipment requests, see: <https://www.hrsa.gov/grants/manage-your-grant/training/community-project-funding-congressionally-directed>.

- **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

HRSA CDS recipients may not sub-grant to other organizations or agencies.

- **Substance Abuse and Mental Health Services Administration (SAMHSA)**
 - **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, alcohol misuse, 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.

- **Administration for Children and Families (ACF)**
 - **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.

- **Administration for Community Living (ACL)**
 - **Ageing 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, cannot be used for the provision of medical care, 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. If a significant portion of CDS funds are expected to be used for the purchase of equipment, make sure to note that in the Project Detail and include a justification for that use of funds.

- **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 in the Project Detail 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

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 for CDS. Eligible projects can be found on three types of 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/UPL lists 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 Subcommittee to only provide funding that can be executed in the year of appropriation. Therefore CDS eligibility is further limited by the executability of funding, and the amount may be modified based on information provided by the appropriate Service or Agency.

Eligible major military construction projects must be:

- Authorized in the Fiscal Year 2025 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 2025

* 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, and this DD 1391 must be uploaded to Legi-Mate as part of your request.

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

Projects excluded from CDS. The Subcommittee will not fund CDS requests for operational expenses or administrative salaries and benefits.

Cost-Share requirements for CDS. All DOT CDS projects will have a non-Federal cost-share requirement, consistent with the authorized program under which the projects are funded. The cost-share may vary by State and by type of project.

Disbursement of funds. All THUD CDS funds are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred. CDS projects must have a reasonable expectation of being obligated by the end of FY 2027.

THUD will accept requests for CDS from 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)
 - The Project Website for TPR&D projects should provide additional background behind the project.
- Grants-in-Aid for Airports (Airport Improvement Program or AIP)
 - For airport projects eligible under chapter 471 of title 49, United States Code (<https://www.faa.gov/airports/aip/overview>).
 - 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.
 - In the Project Website field, applicants are required to provide a link to the airport master plan that includes the requested project.
- Highway Infrastructure Programs (HIP)
 - 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.
 - 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 non-Federal 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.
 - Applicants required to provide a link to the STIP or TIP that includes the requested project.
 - For FY 2025, applicants can request funding for highway projects that are not currently on the STIP or TIP but for which a State DOT has provided a letter confirming that:
 - the project is eligible for Federal-aid highway funding under title 23, United States Code

- the State DOT is willing to carry out the project if funding is enacted
 - the State DOT will include the project on the STIP or TIP once funding for the project is enacted.
 - The letter should be submitted at the time of applying
- Transit Infrastructure Grants (TIG)
 - For transit projects eligible under chapter 53 of title 49, United States Code
 - Applicants required to provide a link to the STIP or TIP that includes the requested project.
 - For FY 2025, Members can request funding for transit projects that are not currently on the STIP or TIP but for which a transit agency has provided a letter confirming that
 - the project is eligible for transit funding under chapter 53 of title 49, United States Code
 - the transit agency is willing to carry out the project if funding is enacted
 - the transit agency will include the project on the STIP or TIP once funding for the project is enacted.
 - The letter should be submitted at the time of applying
- Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grants
 - For rail projects eligible under section 22907 of title 49, United States Code
 - Applicants required to provide a link to the STIP or TIP that includes the requested project.
 - For FY 2025, Members can request funding for rail projects that are not currently on the State Rail Plan but for which a State rail agency or State DOT has provided a letter confirming that
 - the project is eligible for rail funding under section 22907 of title 49, United States Code
 - the State rail agency, State DOT, or other relevant State agency is willing to carry out the project if funding is enacted
 - the State rail agency or State DOT will include the project on the State Rail Plan once funding for the project is enacted.
 - The letter should be submitted at the time of applying
- 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.
 - 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.
 - 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 FY 2025 EDIs are required to comply with the Build America Preference for iron, steel, construction materials, and manufactured products.
 - To review HUD's current implementation of the EDI program and the applicable Federal requirements, please see HUD's EDI landing page: https://www.hud.gov/program_offices/comm_planning/edi-grants
- Any expenses incurred prior to the enactment of a final FY 2025 appropriations bill cannot be reimbursed with EDI funds. HUD 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.
- Applicants must 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:
 - 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