Congressionally Directed Spending
Eligible Accounts and Requirements

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

- **Agricultural Research Service, Building and Facilities (ARS B&F)**
  - Requests for ARS B&F may only include funding for repairs and maintenance to existing facilities.
  - Funding for construction of a building will not be considered.

- **Animal and Plant Health Inspection Service (APHIS) (S&E)**
  - Must meet environmental review requirements (i.e. NEPA and ESA)
  - While the entire S&E account is open for CDS requests, below are the line items within the account that are most compatible with CDS:
    - Field Crop & Rangeland Ecosystems Pests
    - Pest Detection
    - Plant Protection Methods Development
    - Specialty Crop Pests
    - Tree & Wood Pests
    - Wildlife Damage Management
    - Wildlife Services Methods Development
    - Veterinary Diagnostics
    - Equine, Cervid and Small Ruminant Health
  - A few APHIS programs have matching requirements:
    - Grasshopper/Mormon Cricket (Field Crop & Rangeland Ecosystems Pests) – this program conducts surveys, provides technical assistance, and conducts suppression activities. When conducting suppression activities, the Plant Protection Act dictates the federal percentage of control costs and cost sharing for other parties. The federal government pays the total cost of suppression on Federal land (including most tribal trust lands), 50 percent of the cost on state land, and 33 percent of cost on private land.
    - Brucellosis (Cattle Health) – this program has a 40 percent match by the States
    - Wildlife Services – reimbursable service agreements are generally 50/50 cost share and the States would reimburse for their portion.

- **Watershed and Flood Prevention Operations (WFPO)**
  - Each project must contain benefits directly related to agriculture, including rural communities that account for at least 20 percent of the total benefits of the project.
  - There are several financial and programmatic requirements in WFPO. Request sponsor must contact their NRCS state office and verify the proposal meets all program requirements, including financial requirements.

- **Rural Development, Community Facilities grants**
  - The Community Facilities (CF) Grant program has a match requirement on a sliding scale based on community population size and median income. CF Grants can cover

up to 75 percent of the total project costs.
- o Rural Development (RD) verifies an applicant's population size from the most recent census. Unlike population size, which can be determined from public sources, RD contracts with the US Census Bureau to determine a precise median income based on the potential rural Americans that would benefit from a project. In order to determine whether a project is eligible, the applicant is required reach out to the state RD office. Contact information for the state offices can be found at this link: https://www.rd.usda.gov/about-rd/stateoffices
- o 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.
- o The average CF CDS grant size funded in FY22 was $1,000,000. When considering which CDS requests to submit to the Committee, this is a good baseline to use.
- o 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 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

- **Rural Development, Distance Learning, Telemedicine, and Broadband Program (DLT) grants**
  - o There is a flat 15 percent match (matching funds cannot come from another Federal source)
  - o Full list of eligible entities, uses, and limitations can be found here: 7 CFR Part 1734 Subpart A and B
  - o USDA will establish the maximum and minimum amounts of a grant to be made available to an individual recipient for each fiscal year in the RUS DLT Program Application Guide and in the funding opportunity posted on www.Grants.gov on an annual basis. For FY 2023, the grant award floor is $50,000 and the ceiling is $1,000,000.
  - o Reminder, even though for-profit entities are eligible for this program, they are not eligible for congressionally directed spending requests.
  - o Broadband deployment is not an eligible use of funds for DLT
  - o Applicants must complete an application if awarded a CDS in the final bill.

***For both CF Grants and DLT Grants, state 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: https://www.rd.usda.gov/about-rd/state-offices.

Commerce, Justice, Science, and Related Agencies

- **Department of Commerce; National Institute of Standards and Technology (NIST); Scientific and Technical Research Services (STRS); External Projects**
  - Projects should address standards-related research and technology development.
  - Construction projects will not be accepted

- **Department of Commerce; NIST; Construction of Research Facilities; Extramural Construction**
  - Projects for non-Federal research facilities at research institutions and colleges and universities.
  - Given the significant investments necessary for construction projects, only a very limited number of projects will be able to be supported on an annual basis

- **Department of Commerce; National Oceanic and Atmospheric Administration (NOAA); Operations, Research, and Facilities (ORF); Special Projects**
  - Projects should address fisheries, marine mammals, ocean, climate, weather, and atmospheric research and programs
  - Construction projects will not be accepted

- **Department of Justice; Office on Justice Programs; State and Local Law Enforcement Assistance; Byrne Discretionary**
  - Provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice systems
  - Awarded grants 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

- **Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology and Equipment**
  - Projects for the development of technologies and automated systems to assist law enforcement agencies in investigating, responding to, and preventing crime
  - 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.

- **National Aeronautics and Space Administration; Safety, Security and Mission Support**
  - 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.
- o This account does not fund construction but could be used for equipment, research funding, or education programs.

<div align="center">**Energy and Water Development**</div>

Eligible 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"

**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.

Guidance for Department of Energy Requests
Department of Energy: "Energy Projects"
- This year requests will be submitted into a single Department of Energy Congressionally Directed Spending account, and requests must fit under at least one of the five topic areas listed below.

Account will include the following topic areas
- Renewable and Clean Energy projects
- Electricity and Energy Resiliency projects
- Cybersecurity and Energy Security projects
- Nuclear Energy Projects o Fossil Energy or Carbon Management Projects

Further Guidance
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

- 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
- Office of National Drug Control Policy – Prevention Grants

Homeland Security

Federal Emergency Management Agency (FEMA) - Pre-Disaster Mitigation (PDM) Projects

- Requested projects must meet the eligibility requirements of the Building Resilient Infrastructure and Communities (BRIC) grant program, including the cost share requirement, benefit cost ratio, and environmental and historic preservation requirements. Requirements can be found in the most recent Notice of Funding Opportunity.
- All project proposals must be accompanied by a letter of support from the appropriate state agency affirming that it believes the project is eligible
- The Committee will principally seek to satisfy requests for eligible projects that are important to states and local communities but which may not receive adequate attention under the larger BRIC program.

Federal Emergency Management Agency (FEMA)- Emergency Operations Center (EOC) Grant Program

- Requested projects must meet the eligibility requirements of the Emergency Operations Center grant program, including the cost-share requirement and environmental and historic preservation requirements. Requirements can be found in the most recent Notice of Funding Opportunity.
- All project proposals must be accompanied by a letter of support from the appropriate state administrative agency (SAA) affirming that it believes the project is eligible.

General Guidance
Naming Projects: First state the recipient, then the word "for", and finally a short descriptor of the project. Please try to use no more than 10 words. [Recipient] for [Short Project Description].

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

Eligible Accounts
1. **Environmental Protection Agency (EPA), State and Tribal Assistance Grants, Clean Water State Revolving Fund, Clean Water**

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.

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.

Application must answer the following questions in a numbered format:
1. What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?
2. How will the project help the recipient meet applicable water standards—e.g. improve drinking water quality or improve surface/groundwater quality?
3. Is this project primarily to support existing water needs or to support future growth? Note that projects primarily to support future growth are typically ineligible for State Revolving Funds. Is this request seeking funding for planning and design, construction, or both?

4. Describe the project recipient—are they a municipality? Public water system? Other public entity?
5. What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
6. What is the amount requested for the project?
7. Is the amount requested scalable to a lower amount and if so, what is the minimum amount?
8. Please list any funding received from federal appropriations, including the fiscal year and source of funding (Clean Water SRF, Drinking Water SRF, STAG grants, USDA Rural Development Program, FEMA, or others)?
9. Does the community have a financing plan certified by an authorized local official demonstrating how it will cover the matching funds of 20% or more?
10. What are the anticipated non-federal sources of funding for this project?

2. **Environmental Protection Agency (EPA), State and Tribal Assistance Grants, Drinking Water State Revolving Fund, Drinking Water**

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.

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.

Application must answer the following questions in a numbered format:
1. What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?
2. How will the project help the recipient meet applicable water standards—e.g. improve drinking water quality or improve surface/groundwater quality?
3. Is this project primarily to support existing water needs or to support future growth? Note that projects primarily to support future growth are typically ineligible for State Revolving Funds. Is this request seeking funding for planning and design, construction, or both?
4. Describe the project recipient—are they a municipality? Public water system? Other public entity?
5. What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
6. What is the amount requested for the project?
7. Is the amount requested scalable to a lower amount and if so, what is the minimum

amount?

8. Please list any funding received from federal appropriations, including the fiscal year and source of funding (Clean Water SRF, Drinking Water SRF, STAG grants, USDA Rural Development Program, FEMA, or others)?
9. Does the community have a financing plan certified by an authorized local official demonstrating how it will cover the matching funds of 20% or more?
10. What are the anticipated non-federal sources of funding for this project?

3. Indian Health Service, Sanitation Facilities Construction, Sanitation Facilities Construction

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).

Application must answer the following questions in a numbered format:
1. What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?
2. Is the amount requested scalable to a lower amount and if so, what is the minimum amount?
3. Is this request seeking funding for planning and design, construction, or both?
4. Is the preliminary planning and engineering design completed for this project?
5. When will this project be ready to proceed to construction?
6. What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
7. Please list any funding received from federal appropriations, including the fiscal year and source of funding (Clean Water SRF, Drinking Water SRF, STAG grants, USDA Rural Development Program, FEMA, or others), if applicable?
8. If applicable, does the community have a financing plan?

4. National Park Service, Historic Preservation Fund Projects

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.

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.

Application must answer the following questions in a numbered format:
1. Has the project received a previous federal grant in the past? For SAT, previous projects can be viewed here: NPS SatMap. Please answer one of the following: YES and note the year, the amount, and the federal program; or NO.
2. If the request is for SAT, does the recipient have in place, or a plan to provide, the one-to-one match with non-federal cash and/or in-kind contribution? Please answer YES, NO, or N/A.
3. Would the requested project fund an eligible activity under the HPF? For example, for SAT, please visit here. Please answer YES or NO.

5. U.S. Forest Service, State and Private Forestry, Forest Resource Information and Analysis

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.

Application must answer the following questions in a numbered format:
1. Does the project meet the eligibility and matching requirements as specified on the USFS webpage for the relevant grant program?
2. Does the USFS have the authority to provide funds to this project and/or recipient?
3. Is the project part of a state Forest Action Plan or otherwise ranked in a prioritized list (provide list name and rank)?
4. How does this project contribute to the state Forest Action Plan?
5. What is the federal nexus for this project and why should there be a federal funding component?
6. Has this project received previous federal funds (provide year, amount, and program)?
7. What is the total cost of the project? Are there matching funds or partner contributions?
8. Is the amount requested scalable to a lower amount and if so, what is the minimum amount?
9. What is the timeline for this project?
10. Describe how the project will conserve and steward working forests or open space, protect forest health from insects and disease, meet urban and community forestry goals, create opportunities for innovative wood use, improve fire mitigation efforts, or otherwise benefit communities and forested lands.

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

The subcommittee will only consider CDS requests for projects that are not included in the President's Budget or for funding levels that are above the amounts provided in the President's Budget. The subcommittee will have a strong preference for projects included on agency submitted priority lists.

7. **Land Management Agencies, Local Projects and Research**
   - BLM, Management of Land and Resources, Habitat Management Priorities
   - NPS, National Recreation and Preservation, Statutory and Contractual Aid
   - FWS, Resource Management, Stewardship Priorities
   - USGS, Surveys Investigations and Research, Special Initiatives

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.

8. **Bureau of Indian Affairs, 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.

Application must answer the following questions in a numbered format:
If the question does not apply to the requested project, please explain why
   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?

9. Environmental Protection Agency (EPA), Science and Technology, Research: National Priorities

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

Application must answer the following questions in a numbered format:
If the question does not apply to the requested project, please explain why
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?

10. Environmental Protection Agency (EPA), State and Tribal Assistance Grants, STAG Infrastructure Grants

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.

Application must answer the following questions in a numbered format:
If the question does not apply to the requested project, please explain why
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?

<u>**Labor, Health and Human Services, and Education, and Related Agencies**</u>

General Guidance

The Subcommittee recommends that CDS projects create jobs, create opportunities, and/or save or improve lives. 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 projects will match the project to the authorization or mission of an agency or account and have the support of local officials or communities.

Except where specifically authorized and noted, CDS cannot be used for construction (or the acquisition of property) or renovation of buildings. In addition, recipients of CDS may not sub-grant to other organizations or agencies.

<u>**Department of Labor:**</u>
- Employment and Training Administration (ETA)—Training and Employment Services
    - CDS projects funded by ETA (through the Workforce Innovation and Opportunity Act (WIOA) demonstration authority) must 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. Further projects will be required to report on performance outcomes for participants and should include a meaningful connection to the local workforce development system.
    - CDS funding may be used for the purchase of equipment, but generally only if it is an incidental part of the larger project.
    - A similar standard applies to curriculum development, which should be incidental to the project's emphasis on direct services to individuals.
    - If a larger portion of the CDS funding is expected to be used for equipment or curriculum development, please provide a detailed justification for how such costs relate to meeting the employment and training needs of workers.
    - CDS cannot be used for construction or renovation of facilities.

<u>**Department of Health and Human Services:**</u>
- **Health Resources and Services Administration (HRSA) — Program Management**
    - CDS 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 for the cost of 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, funding can be used to acquire capital equipment, such as lab equipment, x-ray machines, or telehealth and information technology. Equipment-only

grants—that is, grants 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. 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 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 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. Grant funds can be used for services only in areas that meet HRSA's definition of rural. For lists of eligible areas and further information regarding that definition, see: https://www.hrsa.gov/rural-health/about-us/definition/index.html.

- **Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support**
  - CDS 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.
  - CDS within SAMSHA cannot be used for construction (other than a limited amount of renovation necessary to carry out a funded project).
  - 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.

- **Administration for Children and Families— Children and Families Services Programs**
  - CDS 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**—CDS for projects to improve the prevention, assessment, identification, and treatment of child abuse and neglect through research, model service improvement, information dissemination, and technical assistance. Projects must serve or target abused and/or neglected children and their families.
    - **Social Services Research and Demonstration**—CDS for projects to promote the ability of families to thrive through financial self-sufficiency in order to

reduce poverty and to promote the healthy development and greater well-being of children and families. Projects can serve a diverse population including: low-income individuals, children, youth, families, individuals with developmental disabilities, and Native Americans.
- o CDS cannot be used for construction or renovation of facilities.

- **Administration for Community Living—Aging and Disability Services Programs**
  - o CDS for projects to improve the ability of older adults and individuals of all ages with disabilities to live independently and participate fully in their communities. Generally, CDS 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.
  - o CDS cannot be used for construction or renovation of facilities.

Department of Education
- **Innovation and Improvement—Fund for the Improvement of Education**
  - o Elementary and secondary education CDS 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 should be providing early childhood or K-12 educational services.
  - o CDS to provide and improve special education services at the elementary and secondary levels are also eligible under this heading. These CDS may include early intervention services for infants and toddlers, transition services, and postsecondary education services.
  - o CDS intended for individual schools is provided to the applicable school district and not directly to the individual school.
  - o CDS cannot be used for construction or renovation of school buildings, except in the case of minor remodeling required as part of technology upgrades. Daycare and childcare projects that do not include educational services are also not eligible under this account.
- **Rehabilitation Services—Demonstration and Training**
  - o CDS can be designated under this heading for a wide variety of projects that further the purposes of the Rehabilitation Act, including by providing individuals with disabilities with education, training, support services, and independent living services.
  - o Generally, CDS should focus on improving access to, or the quality of, such services for individuals with disabilities. Eligible grantees include State vocational rehabilitation agencies, community rehabilitation programs, Indian tribes or tribal organizations, or other public or nonprofit agencies and organizations.
  - o CDS cannot be used for construction or renovation of facilities
- **Higher Education—Fund for the Improvement of Postsecondary Education**
  - o CDS projects funded 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. Grantees are usually colleges and universities, but may include other public and private nonprofit organizations.

o   Examples of the types of projects 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.

o   If a significant portion of grant 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.

o   CDS funding cannot be used for construction or renovation of facilities, except in the case of minor remodeling required as part of technology upgrades.

Military Construction and Veterans Affairs, and Related Agencies

General Guidance

This is a funding request for a specific Military Construction project in a specific location that was not included in the President's Budget or the FY22 enacted bill, or if it exceeds the level included in either document (whichever is higher).

If you are asking for a project that is not on this list, was not funded in the FY22 enacted bill, or is being requested at a level that is above the President's request or the FY22 enacted bill (whichever is higher), then it is most likely a CDS request

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

<u>**Transportation, Housing and Urban Development, and Related Agencies**</u>

General Guidance

The subcommittee will not fund CDS requests for operational expenses or administrative salaries and benefits.

The following accounts are eligible for CDS requests

- **Transportation Planning, Research, and Development (TPR&D)**
  - Projects must be eligible under title 23 or title 49 of United States Code. Planning for specific local highway, transit, or rail projects that are eligible under HIP, TIG, or CRISI should NOT be included in this account.
  - It is encouraged to use this account for national or regional research and development projects.
  - The Project Website for TPR&D projects should provide additional background behind the project.

- **Grants-in-Aid for Airports (Airport Improvement Program or AIP)**
  - **Requests within the AIP account for airport projects must be eligible under** chapter 471 of title 49, United States Code
  - Requests are required to provide a link to the airport master plan that includes the requested project
  - Provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project. Also provide a description of all other sources of funding contributing to the total cost of the project**.**

- **Facilities and Equipment (F&E)**
  - Only for terminal air traffic control tower facility replacement projects eligible under part A of subtitle VII of title 49, United States Code.
  - Required to provide a link to the airport master plan
  - Provide a statement of why the tower needs to be replaced. Required to provide the age of the tower, number of enplanements, operational line of sight issues, other related infrastructure work not covered by the cost of replacing the air traffic control tower (roads, utilities, etc.), and any other information to justify the project.
  - Required to provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project
  - Including the total cost of the project, the CDS funding amount, and any other identified sources of funding.

- **Highway Infrastructure Program (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
  - Required to provide a link to the STIP or TIP that includes the requested project.
  - **NOTE:** This year, request can receive 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:
- ▪ (1) the project is eligible for Federal-aid highway funding under title 23, United States Code;
- ▪ (2) the State DOT is willing to carry out the project if funding is enacted; and
- ▪ (3) the State DOT will include the project on the STIP or TIP once funding for the project is enacted.

- **Transit Infrastructure Grants (TIG)**
  - o For transit projects eligible under chapter 53 of title 49, United States Code
  - o Required to provide a link to the STIP or TIP that includes the requested project.
  - o **NOTE:** This year, request can receive 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:
    - ▪ (1) the project is eligible for transit funding under chapter 53 of title 49, United States Code;
    - ▪ (2) the transit agency is willing to carry out the project if funding is enacted; and
    - ▪ (3) the transit agency will include the project on the STIP or TIP once funding for the project is enacted.

- **Consolidated Rail Infrastructure and Safety Improvement (CRISI) Grants**
  - o For rail projects eligible under section 22907 of title 49, United States Code
  - o Required to provide a link to the State Rail Plan that includes the requested project.
  - o **NOTE:** This year, Member can receive funding for rail projects that are not currently on State rail plan, but for which a State rail agency or State DOT has provided a letter confirming that:
    - ▪ (1) the project is eligible for rail funding under section 22907 of title 49, United States Code;
    - ▪ (2) the State rail agency, State DOT, or other relevant State agency is willing to carry out the project if funding is enacted; and
    - ▪ (3) the State rail agency or State DOT will include the project on the State Rail Plan once funding for the project is enacted.

- **Community Development Fund for Economic Development Initiatives (EDI)**
  - o For activities eligible under chapter 69 of title 42, United States Code, as well as for affordable housing construction
  - o Projects that address affordable housing, community services, and economic development.
  - o Examples of eligible EDI projects include, but are not limited to:
    - ▪ Acquisition of real property (land, water rights, buildings);
    - ▪ Construction of new affordable housing;
    - ▪ Blight removal or remediation; and,
    - ▪ Construction, rehabilitation, and improvements of public facilities (except buildings for general conduct of government), such as neighborhood centers, parks, and shelter for persons having special needs such as survivors of domestic violence and the homeless.

- For more information on types of eligible activities, Member offices should review HUD's resources on the CDBG program [here](#).
- Encouraged to include relevant data on how activities or projects address at least one of the three National Objectives of the broader CDBG program in order to be considered for funding by the Subcommittee:
  - (1) benefit low- and moderate-income persons or communities;
  - (2) prevent or eliminate slums or blight; or
  - (3) address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.