SHELLEY MOORE
CAPITO
United States Senator for West Virginia

Congressionally Directed Spending (CDS) Guidelines for Fiscal Year 2024

Deadline for all requests is <u>Friday, March 10th, at 5 p.m.</u>

Please submit your request [here](#).

- **Every piece of information must be submitted in the link above by March 10th, at 5p.m.**
- **Contact appropriations@capito.senate.gov or 202-224-6472 with any questions or concerns.**
- **DO NOT upload documents with all of the requesting information without filling out the web form. Your submission will NOT be considered.**

NOTE: The following guidance is provided by the Senate Appropriations Committee to provide further explanation and background to help entities determine which accounts to request funds through and the parameters and information needed to do so.

Throughout this guidance, there are separate instructions for each subcommittee and account. Please read through the instructions carefully and provide the correct information/answers to questions where necessary. This will expedite the overall process for submissions.

<u>Agriculture, Rural Development, Food and Drug Administration and Related Agencies</u>

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

- Agricultural Research Service, Building and Facilities (ARS B&F)
- Animal and Plant Health Inspection Service (APHIS) (S&E)
- Watershed and Flood Prevention Operations (WFPO)
- Rural Development, Community Facilities grants
- Rural Development, Distance Learning, Telemedicine, and Broadband Program (DLT) grants

For both CF Grants and DLT Grants, **you are required to contact the WV USDA Office of Rural Development to confirm the proposed project meets the program's eligibility requirements.** You can find their contact information at this link: https://www.rd.usda.gov/about-rd/state-offices.
A recipient of a CDS must meet ALL program requirements including **cost share or matching requirements**. Below are specific requirements for accounts that will have CDS requests:

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.

APHIS Salaries and Expenses:

- Must meet environmental review requirements (i.e. NEPA and ESA)
- While the entire S&E account is open for CDS requests, below are the line items within the account that are most compatible with CDS:

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

- A few APHIS programs have matching requirements:
  - Grasshopper/Mormon Cricket (Field Crop & Rangeland Ecosystems Pests) – this program conducts surveys, provides technical assistance, and conducts suppression activities. When conducting suppression activities, the Plant Protection Act dictates the federal percentage of control costs and cost sharing for other parties. The federal government pays the total cost of suppression on Federal land (including most tribal trust lands), 50 percent of the cost on state land, and 33 percent of cost on private land.
  - Brucellosis (Cattle Health) – this program has a 40 percent match by the States
  - Wildlife Services – reimbursable service agreements are generally 50/50 cost share and the States would reimburse for their portion.

WFPO:

- CDS recipients for WFPO must have a local sponsor. Eligible local sponsors include any State, political subdivision, soil or water conservation district, flood prevention or control district, or combinations thereof; any irrigation or reservoir company or water users' association; any Indian tribe or tribal organization.
- Any individual project may not exceed a watershed or sub-watershed size of 250,000 acres. At least 20 percent of the project's benefits must be directly related to agriculture.
- Projects are required to complete a four-step process including:
  - Preliminary feasibility study (PIFR)
  - Watershed Plan development
  - Implementation of Watershed Plan
  - 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. Offices are encouraged to request funding for projects that are nearing the construction implementation phase.
- Requests must include the following information:

- o List the local sponsor
- o Confirm coordination with the Natural Resources Conservation Service State Conservationist
- o Indicate for which phase of the project funding is requested

Community Facilities Grants:

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

- The Community Facilities (CF) Grant program has a match requirement on a sliding scale based on community population size. CF Grants can cover up to 75 percent of the total project costs. Rural Development (RD) will verify an applicant's population size from the 2020 census. CONTACT THE WV OFFICE TO DETERMINE ELIGIBILTY AND COSTSHARE: https://www.rd.usda.gov/about-rd/state-offices

This program will fund up to 75 percent of total project costs, with match requirements based on population as follows:
- o Maximum of 75 percent when the proposed project is located in a rural community having a population of 5,000 or fewer
- o Maximum of 55 percent when the proposed project is located in a rural community having a population of 12,000 or fewer
- o Maximum of 35 percent when the proposed project is located in a rural community having a population of 20,000 or fewer

The match requirements are outlined in the CF regulation: 7 CFR 3570.63(b). **Towns with populations over 20,000 are not eligible for this program.**

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

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

CDS requests will be considered outside of the CF state allocations. Therefore, the sole cap that will determine the maximum grant assistance is the match requirement as described above. **The average CF CDS 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.

In order to best determine the eligibility of the request, the following information must be provided:

- Intended use of funds and how the completed construction/acquisition will be used. Please provide as much detail as possible. For example, "the funding will be used to build three new classrooms to teach English." A full list of eligible entities, uses, and limitations can be found here: 7 CFR Part 3570
- Both the requested CDS dollar amount and the total cost of the project
- Project location

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

Applicants must meet environmental review requirements (i.e., NEPA). Applicants must complete an application with RD if awarded a CDS in the final bill. Note: there are several set-asides within the CF grant program, but congressionally directed spending requests will only be eligible for the general CF Grant program.

Due to the complexity of these grants, all applications should be vetted through the State RD office.

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 if awarded a CDS in the final bill.

Commerce, Justice Science, and Related Agencies:

The CJS Subcommittee will accept CDS requests for 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
- National Aeronautics and Space Administration; Safety, Security and Mission Support

NIST STRS External Projects

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

NIST Construction of Research Facilities, Extramural Construction

- The Subcommittee will accept CDS requests for NIST Extramural Construction projects for non-Federal research facilities, including for projects at research institutions and colleges and universities. 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, 4 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 for criminal justice systems. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide. Allowable costs are those costs consistent with the principles set out in the 2 CFR Part 200, Subpart E, and those permitted by the grant program's authorizing legislation. To be allowable under Federal awards, costs must be reasonable, allocable, and necessary to the project, and they must also comply with the funding statute and agency requirements. **This funding cannot be used for land acquisition or construction.** Requestors should refrain from specifying brand names for equipment to ensure fair and open competition.

COPS Laws Enforcement Technology and Equipment

- The Subcommittee will accept CDS requests for COPS Law Enforcement Technology and Equipment for the development of technologies and automated systems to assist law enforcement agencies in investigating, responding to, and preventing crime. Recipients shall include State, local, Tribal, and territorial governments and their public agencies (for example, police and/or sheriff's departments). Allowable activities are limited to the statutorily allowable purpose areas under the COPS Office statute, including the procurement of equipment, technology, or support systems, and the development of new technologies to assist recipient entities in reorienting the emphasis of their activities from reacting to crime to preventing crime. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide, and the applicable Award Owner's Manual. Requestors should refrain from specifying brand names for equipment to ensure fair and open competition. Requestors are cautioned against requests for vehicles and vessels that carry with them a high maintenance cost at the conclusion of the CDS request. Agencies should consider the full range of potential legal, constitutional, and civil liberties and privacy implications associated with generating, acquiring, or using technology or data. For example, agencies that purchase unmanned aircraft systems must be aware of the Federal requirements and best practices for their effective and safe operation that is respectful of civil liberties and maximize the safety of citizens (see guidance).

- 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.**

Defense:

The Defense Subcommittee **will not accept** requests for congressionally directed spending items.

Energy and Water Development:

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

- Corps of Engineers: Investigations
- Corps of Engineers: Construction
- Corps of Engineers: Operation and 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 projects
  - Electricity and Energy Resiliency projects
  - Cybersecurity and Energy Security projects
  - Nuclear Energy Projects
  - Fossil Energy or Carbon Management Projects

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

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 FY24. 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. The Committee will not fund projects for multiple years, the funding requested should reflect a funding amount that can complete the project.

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

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

- Further, the Subcommittee **<u>will not fund</u>** the following projects:
  - o 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. 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.

  - o Projects that require multiple years of funding.
  - o Construction of buildings or new facilities (no brick and mortar), even if it will have clean energy associated with it.
  - o 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.
  - o Electrical substation replacement or routine grid upgrades that could otherwise be funded under ratepayer contracts or through existing federal incentives.
  - o Planning studies for a forthcoming project.

Financial Services and General Government:

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

- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repair and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition
- General Services Administration, Federal Buildings Fund, Repairs and Alterations
- Office of National Drug Control Policy, 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 as a way to jump start an activity not sustain it over time.

- <u>Small Business Administration, Administrative Provision:</u> Projects in support of small businesses, including but not limited to entrepreneur training, counseling, research, and construction or acquisition of facilities. *Please note: SBA CDS funding cannot be used to provide seed capital for small businesses nor can it be used by the CDS recipient to make grants/loans.*

- <u>National Archives and Records Administration, National Historical Publications and Records Commission (NHPRC):</u> Projects that help ensure online public discovery and use of historical

records collections, encourage public engagement with historical records, strengthen the nation's archival network, or publish documentary editions of historical records. This includes initiatives like record digitization, programming, and online availability of records.

- <u>National Archives and Records Administration, Repairs and Restoration:</u> Projects that direct spending for presidential libraries or new archival facilities.

- <u>General Services Administration, Federal Buildings Fund, Construction and Acquisition or Repairs and Alterations Accounts:</u> Construction projects typically include federal courthouses, federal buildings, or land ports-of-entry. Repairs projects must be federally-owned properties in need of repair or alteration and are typically federal buildings or federal courthouses. Programmatic requests are limited to projects with line items in the GSA Federal Buildings Fund requested by the Administration in the FY24 GSA budget request. *Please note: Eligible projects do not include state or county facilities, DOD facilities, VA facilities, or transportation infrastructure facilities. The recently-enacted Infrastructure legislation [IIJA] provided funding to complete all land ports-of-entry projects on GSA planning lists.*

- <u>Office of National Drug Control Policy, Administrative Provision (Prevention Grants):</u> Preferred prevention programs would include community-based coalitions which, as part of their application, propose data-driven, evidence-based prevention interventions; have established measurable objectives; and proposed implementing a comprehensive mix of strategies. Also, DFC-funded coalitions recently trained by CDC to implement Adverse Childhood Experiences (ACEs) as part of their substance use prevention efforts are recommended. *Please note: Programs should not be substance specific. Treatment programs are not eligible for CDS under this account.*

Homeland Security:

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

- Federal Emergency Management Agency Pre-Disaster Mitigation Projects
- Federal Emergency Management Agency Emergency Operations Center Grant Program

<u>Pre-Disaster Mitigation Projects:</u>

- Requested projects must meet the eligibility requirements of the PDM grant program, including the non-federal cost-share requirement, benefit-cost ratio, and environmental and historic preservation requirements. Full requirements can be found in the fiscal year 2022 [NOFO for the "Pre-Disaster Mitigation Grant Program"](#) (the NOFO for FY23 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 2024 Homeland Security Appropriations Act, the state agency responsible for administering mitigation grants in the requestor's state must submit an application to the Federal Emergency Management Agency, and that entity will serve as the administrative agent for the grant. **Therefore, all project proposals must be accompanied by a letter of support from the appropriate state agency affirming that it believes the project is eligible**. In addition to the PDM grant program requirements listed above, the Subcommittee 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 Building Resilient Infrastructure and Communities (BRIC) 3 program.

Emergency Operations Center Grant Program:

- Requested projects must meet the eligibility requirements of the EOC grant program, including the non-federal cost-share requirement and environmental and historic preservation requirements. Full requirements can be found in the fiscal year 2022 NOFO for the "Emergency Operations Center Grant Program" (the NOFO for FY23 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 2024 Homeland Security Appropriations Act, the state administrative agency (SAA) must submit an application to the Federal Emergency Management Agency, and that agency will serve as the administrative agent for the grant. **Therefore, all project proposals must be accompanied by a letter of support from the appropriate SAA affirming that it believes the project is eligible.**

Interior, Environment, and Related Agencies:

This guidance will use the following 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

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

- CW: EPA, STAG, Clean Water SRF, Clean Water CDS
- DW: EPA, STAG, Drinking Water SRF, Drinking Water CDS
- SFC: IHS, Sanitation Facilities Construction, Sanitation Facilities Construction CDS
- HPF: NPS, Historic Preservation Fund Projects
- SPF: USFS, State and Private Forestry, Forest Resource Information and Analysis

The Committee may also consider CDS requests within the following accounts, but only on a case-by-case basis. The Committee 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.

NOTE: There will not be an account option on the website for the list below. Please contact appropriations@capito.senate.gov directly if you wish to request LWCF, LRF, LMCON or Land Management Agencies.

- 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, Land Acquisition

  - 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, Constriction
    - FWS, Construction Projects, Line Item Construction
    - NPS, Construction, Line Item Construction and Maintenance
    - USFS, Capital Improvement and Maintenance, Facilities, Road and Trails

- Land Management Agencies, Local Projects and Research
  - 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, Status and Trends

- BIA, Operation of Indian Programs, Special Initiatives
- EPA, Science and Technology, Research: National Priorities
- EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

Additional CDS Request Guidance:

"Project Name" Field: Please enter only the exact text that would appear in the CDS table in the committee report. 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]

Recipient: Please list the recipient that is the actual entity that would receive project funding (e.g., the State of Oregon not the Governor of Oregon). For CDS projects that will be carried out by a federal entity, the recipient should be the federal agency not the requesting entity (e.g. the Fish and Wildlife Service not ABC Non-Profit).

Specific Information relating to making CDS requests:

1. CW: EPA, STAG, Clean Water SRF, Clean Water CDS
2. 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.

<u>State and Local Projects</u>

- 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). In exceptional circumstances, the committee may consider projects that are eligible for funding under State Revolving Loan Fund (SRF) guidelines (detailed below), but are not on the state IUP list.
- **There is a minimum 20% cost share requirement** for any state or local water infrastructure grant funded through congressionally directed spending. For example, a $1 million project could receive a maximum of $800,000 from the Federal government, with the remaining $200,000 the responsibility of the grantee. In almost all cases, other federal funds cannot be used to meet this 20% cost share. **Please note that only the non-federal portion of assistance provided by a State Revolving Loan Fund can be applied towards a project's matching requirement.

"*Additional Subcommittee Fields*": For State and Local Grants for Drinking or Clean Water Projects, Requestors **must** confirm this status with the state before finalizing your submission:

- Is the project on the state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan? **Required YES or NO**
- If the answer to the question above is NO, is the project eligible under SRF guidelines? **Required YES, NO, or N/A**

"*Justification*": Requestors **must** answer each of the following questions in 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?

THE ANSWERS TO THE QUESTIONS ABOVE ARE REQUIRED FOR SUBMISSION, ESPECIALLY #10.

3. HPF: National Park Service, Historic Preservation Fund

About the Program

- About the Program: The Historic Preservation Fund (HPF), established to help fund the programs engendered by the National Historic Preservation Act (Public Law 89-665; 54 USC 300301 et seq.), was designed to preserve historical and archaeological sites in the United States of America. The subcommittee anticipates that most requests will be made within the HPF for the Save America's Treasures (SAT) program. All HPF grantees must meet standards set by the Secretary of the Interior and comply with the audit requirements, and each successful CDS recipient must complete an application through grants.gov. The subcommittee will accept CDS requests for non-formula funded activities within HPF that meet the qualifications of HPF programs. Please note that acquisitions of collections or historic properties are not eligible under the HPF. For more information, please visit here. The maximum project amount is $500,000.

"*Additional Subcommittee Fields*": The Committee will review requests for projects in the context of existing HPF grants. For example, for SAT, the Committee will require that the property be listed as an historic place on the National Register of Historic Places or as a National Historic Landmark. (Requestors are encouraged to inquire with their State Historic Preservation Office to confirm listings (https://ncshpo.org)). Other HPF programs have varied eligibility requirements which will be the basis of the Committee's consideration.

- For HPF, if the request is for property, does the property meet the HPF program requirements of being listed on the National Register of Historic Places or as a National Historic Landmark individually or as contributing to an historic district? **Required YES, NO, or N/A**

"*Justification*": Member offices must answer each of the following questions in numbered format:

1. What type of entity is the recipient (e.g., non-profit organization, state or local government, educational institution, Federally-recognized Indian tribe, Alaska Natives, or Native Hawaiian Organizations)? **Please specify**.
2. 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.**

3. Please note that each program includes separate matching requirements; for example, HBCU grants do not require a match. 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.**
4. Would the requested project fund an eligible activity under the HPF? For example, for SAT, please visit here. **Please answer YES or NO**

4. SPF: USFS, State & Private Forestry, Forest Resource Information and Analysis

About the Program

The State and Private Forestry account provides technical and financial assistance grants to non-federal forest landowners, including state, Tribal, and local governments. Activities within this account include forest health management, cooperative fire protection, wood innovation, and urban and community forestry. Project requests should be part of the state's Forest Action Plan, or contribute to meeting the goals of the Forest Action Plan.

"*Additional Subcommittee Fields*": Project requests should be part of the state's Forest Action Plan, or contribute to meeting the goals of the Forest Action Plan

- For U.S. Forest Service, State and Private Forestry (SPF), is this project part of or contribute to the state's Forest Action Plan? **Required YES or NO**

"*Justification*": Member offices must answer each of the following questions in 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.

5. Projects on Agency Lists

About the Programs

- 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, 2022 (P.L. 117-103), 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; and 2) a supplemental list of projects that are ready but

unfunded. Any funding request for activities not included in the President's Budget must be submitted as CDS. 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 Grantee 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, 2022 (P.L. 117-103), 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 Grantee 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 Grantee is the federal agency.

"*Additional Subcommittee Fields*": Review the prioritized project lists accompanying the current fiscal year budget request to confirm whether the project is included.

- For Land and Water Conservation Fund (LWCF), Legacy Restoration Fund (LRF), or Land Management Agency Construction (LMCON), is the project on the relevant list provided by the administration? **Required YES or NO**

"*Justification*": Provide relevant details about the project. If the project is ranked low, not on the current year list, or if you are requesting a different funding amount, explain why and why it should be advanced

6-9. Other

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

6. 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, Habitat Management Priorities – project requests may be considered for activities related to wildlife and aquatic habitat management.

- o 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.
- o FWS, Resource Management, Stewardship Priorities – project requests may be considered for fish and aquatic conservation, habitat conservation, recovery, and restoration activities.
- o USGS, Surveys Investigations and Research, Status and Trends – project requests may be considered for high priority and core science research, and ecosystem and water resources related activities.

7. 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. Within this account, requests may be considered 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.

8. 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.

9. 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.

"*Justification*": In order to consider a request that falls into one of the "Other" categories outlined above, the subcommittee requires detailed information about the project. The Member office should use this space to make the case for the project. Member offices must answer each of the following questions in 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 or in the FY21 enacted Interior bill (provide amount and describe any difference between the enacted or budget level and your request)? Please note that CDS only applies to the extent the proposed project funding level is above the President's request, or the FY21 enacted level (whichever is higher).
8. What is the federal nexus for this project and why should there be a federal funding component?
9. What is the total cost of the project?
10. Has this project received previous federal funds (provide year, amount, and program)?
11. Are there matching funds or partner contributions?

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

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

The LHHS Subcommittee will accept CDS requests for 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

All LHHS CDS requests must include:

- **Agency or Account** – Projects will only be funded from the accounts listed above.
- **Recipient Name** – Name of the legal entity that would receive the CDS funding. This will be listed on public disclosure tables. If funded, this must match the name of the organization that eventually submits an application for funding from the relevant agency.
- **Project Purpose** – This is a short description that will appear in CDS disclosure tables. It should not be the name of an existing program, project, or activity, but rather a description unique to your CDS request.
- **Project Name** – Unique name of the project to easily identify and distinguish the project. Project City or County / Project State – An accurate name for the specific location of the proposed activity. This information will be included in CDS public disclosure tables.
- **Project Purpose** – Brief description of the project (no more than 1-2 sentences). More detailed information should be provided in the Project Detail field.
- **Project Detail** – A detailed summary of the project, which must include the total and major categories of spending for the CDS project accompanied by a short narrative for how each major category of spending supports the Project Purpose. While this must explain how specifically the funding will be spent (i.e. $X for salaries; $X for equipment; etc.), simply noting how much is for "salaries" is not sufficient – it must include a description of how the funding supports the project's purpose and goals (e.g. what the people will be doing, what the equipment will be used for, etc.). The most common obstacle to determining if a project is eligible for funding is a lack of

specific information on how the funding will be used. Finally, all necessary information must be included in this field and not rely on references to separately-provided supporting materials. More words are not always better, the focus should be concisely providing the necessary information.

- **Recipient Address, City, and State –** Address for the legal entity that will receive the CDS funding.
- **Recipient Point of Contact Name, Phone Number, and E-mail Address** – Information for at least one and preferably two contacts at the recipient organization. If a project is ultimately funded, these will be the individuals the agency reaches out to regarding the project. <u>Under no circumstances should a registered federal or State lobbyist be listed as the point of contact.</u> The points of contact must be individuals employed by or affiliated with the organization that would administer the federal funds.
- **Tax Identification #** – Tax Identification Number for the recipient.

<u>Department of Labor</u>
Employment and Training Administration

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

<u>Department of Health and Human Services</u>
Health Resources and Services Administration (HRSA)

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 requests for the cost of limited-scope construction, renovation, or capital equipment purchase for facilities for health, mental health, or substance abuse services, training of health professionals, or medical research. Examples of eligible facilities include hospitals, health centers, and clinics; skilled nursing facilities; mental

health centers; facilities for schools of medicine, nursing, or other health professions; and medical research laboratories. In addition to construction and renovation, CDS funding can be used to acquire capital equipment, such as lab equipment, x-ray machines, or telehealth and information technology. The Committee will not consider a CDS request for federal funding within this account that exceeds $15 million. Equipment-only CDS requests—that is, requests not involving construction—are permissible. Generally, any equipment having a useful life of more than one year and a unit cost of at least $5,000 will be eligible as capital equipment. In addition, equipment with lower costs may also be eligible, provided that it is treated as an item of capital expense under the recipient institution's pre-existing, written accounting policies. Equipment expenses for health information systems and electronic medical records systems are permitted expenditures. The costs of expendable supplies such as pharmaceuticals, lab chemicals, or office paper are not eligible.

HRSA Health Facilities funding cannot be used to acquire land or purchase existing buildings, or to pay salaries or other operating costs. Funding cannot be used to pay for work previously completed. CDS requests can be used for architectural and engineering costs associated with an eligible construction project, but cannot be used for general feasibility studies or planning and design.

- **Rural Health** – CDS requests for projects to improve health care in rural areas. Examples of eligible activities include medical, dental, or mental health care services; health promotion and education; chronic disease management; telehealth services; and improvements to emergency medical services. CDS funds can be used for services only in areas that meet HRSA's definition of rural. For lists of eligible rural areas and further information regarding that definition, see: https://www.hrsa.gov/rural-health/about-us/what-is-rural. 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)

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

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** – 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

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

CDS funding within ACL cannot be used for construction or renovation of facilities, and ACL CDS recipients may not sub-grant to other organizations or agencies.

Department of Education

Innovation and Improvement

- **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.

Higher Education

- **Fund for the Improvement of Postsecondary Education (FIPSE**) – CDS requests through FIPSE should primarily be focused on improving access to, or the quality of, postsecondary education. This can include a range of activities as authorized and specified in section 741(a) of the Higher Education Act (20 U.S.C. 1138(a)). CDS recipients are usually colleges and universities but may include other public and private nonprofit organizations.

  Examples of the types of CDS requests that can be funded under FIPSE include projects to hire and train faculty, establish and improve degree programs, improve teacher preparation programs, develop and improve curricula, upgrade technology, equipment, and telecommunications, provide student support, and implement university partnerships with school districts. If a significant portion of CDS funds are expected to be used for the purchase of equipment make sure to note that and include a justification for that use of funds.

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

Legislative Branch:

The Legislative Branch Subcommittee will not accept requests for congressionally directed spending items.

Military Construction, Veterans Affairs, and Related Agencies:

The MilCon VA Subcommittee will accept CDS requests for the following accounts:

- 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 military construction projects within these accounts are eligible for CDS. **Eligible projects can be found on three types of lists, outlined below, where are provided to**

Congress by the Department of Defense, and contain requirements which have been validated and vetted by the appropriate Service or Agency.

Eligible Lists:

- **Future Years Defense Program (FYDP**) – Each military department, to include the Guard and Reserve, as well as Defense-Wide agencies, plans its major military construction program five years into the future. FYDPs identify these future planned projects, which are candidates for CDS requests. Inquiries related to the FYDP or whether a specific project is included should be directed to the Senate Liaison Offices of each military department.

- **Unfunded Requirements/Priorities Lists (UFR/UPL**) – In addition to the annual budget request, and as required by law, each military department submits to the congressional defense committees a document identifying unfunded priorities that could be funded if additional appropriations were provided. Questions about the UFR list or whether a specific project is included should be directed to the Senate Liaison Offices of each military department.

- **Cost-to-Complete (CTC)** – Variables such as construction market conditions can affect cost estimating throughout the military construction programming process, and as such, DOD can experience cost increases that cannot be sufficiently covered by available appropriated funding. 3 In these cases, the military departments may submit a list of projects -- separate from the budget request -- that have received an authorization and appropriation but require additional funding to be completed. Once the full budget request is released, questions about these lists and whether specific projects are included should be directed to the Senate Liaison Offices of each military department.

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

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

State, Foreign Operations, and Related programs:

The SFOPS Subcommittee will not accept requests for congressionally directed spending items.

Transportation, Housing and Urban Development, and Related Agencies:

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

- Transportation Planning, Research, and Development (TPR&D) for transportation research projects eligible under title 23 or title 49, United States Code (not for project-specific
- planning that is eligible for funding under HIP, TIG, or CRISI)
- Grants-in-Aid for Airports (Airport Improvement Program or AIP) for airport projects eligible under chapter 471 of title 49, United States Code
- Facilities and Equipment (F&E) for terminal air traffic control facility replacement projects eligible under part A of subtitle VII of title 49, United States Code
- Highway Infrastructure Program (HIP) for highway capital projects eligible under title 23, United States Code
- Transit Infrastructure Grants (TIG) for transit capital projects eligible under chapter 53 of title 49, United States Code
- Consolidated Rail Infrastructure and Safety Improvement (CRISI) Grants for rail capital projects eligible under section 22907 of title 49, United States Code
- Community Development Fund" within the line item "Economic Development Initiatives (EDI)" for economic development projects eligible under chapter 69 of title 42, United States Code, as well as for affordable housing construction.

CDS projects must have a reasonable expectation of being obligated by the end of FY 2026.

TPR&D

- CDS requests can be made within the TPR&D account for transportation research projects eligible under title 23 or title 49 of United States Code.
- Required information: Project Name, Project Purpose, Justification, Member's Request, Location of the Activity, and Project Recipient information.
- The Project Website for TPR&D projects should provide additional background behind the project.

Airports (AIP)

- CDS requests can be made within the AIP account for airport capital projects eligible under chapter 471 of title 49, United States Code. https://www.faa.gov/airports/aip/overview
- Required information: Project Name, Project Purpose, Justification, Member's Request, Location of the Activity, and Project Recipient information
- Requestors are required to provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project. Please also provide a description of all other sources of funding contributing to the total cost of the project.
- **A link to the airport master plan and the airport code must also be provided.**

FAA Facilities and Equipment (F&E)

- CDS requests can be made within the FAA F&E account, but **only** for terminal air traffic control tower facility replacement projects eligible under part A of subtitle VII of title 49, United States Code.

- Required information: Project Name, Project Purpose, Project Website, 5 Justification, Member's Request Amount, Total Project Cost, Location of the Activity, and Project Recipient Information.
- **A link to the airport master plan must also be provided.**
- Requestors are required to provide a statement of why the tower needs to be replaced. Requestors are 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. In addition, the justification is required to provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project. Requests should provide information on how the CDS funding will ensure completion of a project or segments of a project, including the total cost of the project, the CDS funding amount, and any other identified sources of funding.

Highways (HIP)

- CDS requests can be made within the HIP account for highway capital projects eligible under title 23, United States Code, but not limited to, highway and bridge construction projects, planning, environmental review, design, and right-of-way acquisition. Operational expenses are not eligible.
- Required information: Project Name, Project Purpose, Justification, Member's Request, Location of the Activity, and Project Recipient information.
- Requestors are required to provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project. Please provide a description of all other sources of funding contributing to the total cost of the project.
- **Requestors are required to provide a link to the STIP or TIP** that includes the requested project.
    - o Consistent with FY 2023, requests can be made for 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.
- For Project Recipient Information, please only enter information for the State DOT. All HIP CDS funding is provided directly to the State DOT. Local and county level governments interested in a HIP CDS are required to coordinate with the State DOT for implementation.

Transit (TIG)

- CDS requests can be made within the TIG account for transit capital projects eligible under chapter 53 of title 49, United States Code.
- Required information: Project Name, Project Purpose, Justification, Member's Request, Location of the Activity, and Project Recipient information.
- **Requestors are required to provide a link to the STIP or TIP** that includes the requested project.
    - o Consistent with FY 2023, requests can be made for 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.

- Please provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project. In addition, provide the STIP or TIP ID number for this project as it appears in the STIP or TIP included in the Project Website field. For projects not on the STIP or TIP, please include a most recent version of the STIP on which the project will be added by the transit agency if funding for the project is enacted. Members should also provide a description of all other sources of funding contributing to the total cost of the project.

Rail (CRISI)

- CDS requests can be made within the CRISI account for rail capital projects eligible under section 22907 of title 49, United States Code
- Required information: Project Name, Project Purpose, Justification, Member's Request, Location of the Activity, and Project Recipient information.
- **Requestors are required to provide a link to the State Rail Plan that includes the requested project.**
  - Consistent with FY 2023, requests can be made for 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: (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.
- Please 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.

Economic Development Initiatives (EDI's)

- CDS requests can be made for EDIs within the "Community Development Fund" account for activities eligible under section 5305 of chapter 69 of title 42, United States Code, as well as for affordable housing construction.
- Requests for projects should address affordable housing, community services, and economic development. 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.
- EDIs are subject to other Federal requirements including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200, the National Environmental Policy Act (NEPA), HUD's NEPA-implementing regulations at 24 CFR Part 50 or 24 CFR Part 58, and all appropriate Federal environmental and historic preservation laws, regulations, and Executive Orders. 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

- Required information: the Project Name, Project Purpose, Project Website, Justification, Member's Request, Total Cost, Location of the Activity, and Project Recipient Information.
- Please provide a link to the project website, if available, or if the project is included in an existing CDBG grantee's Consolidated Plan or Annual Action Plan, a link to such plan.
- Requestors are required to provide at a minimum:
  - o description of the project
  - o status of the project (planning, design, under construction, etc.) and timeline of its expected completion
  - o breakdown of how EDI funds would be used
  - o description of all other sources of funding contributing to the total cost of the project
  - o the status of the environmental review work
- Requestors are 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.