

Guidance for Congressionally Directed Spending (CDS)

Requests

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2. Overview:

The Senate Appropriations Committee is expected to accept Congressionally Directed Spending (CDS) requests for next Fiscal Year's (FY) appropriations bills. As such, Senator Mazie K. Hirono and her staff will once again be considering CDS project proposals from eligible recipients. This document should serve as a comprehensive guide for new recipients as well as returning recipients.

Should you have further questions regarding CDS requests, reach out to Laakea Stone at Laakea_Stone@hirono.senate.gov and Hirono_Appropriations@hirono.senate.gov. Please include both emails in any email correspondence.

A few points to keep in mind:

- Submission of an application does not guarantee that funding will be appropriated.
- Prospective recipients are strongly encouraged to reach out to Senator Hirono's staff early and often regarding your request(s).
- Have a detailed line-item budget for the proposed project.

Keys to a strong proposal are (but not limited to):

- The flexibility in budget and timeline. Does the project have other funding sources? Does the project have a phased timeline? Can the project be scaled based on available funding? Provide as much information on the project's flexibility when submitting a CDS application. Please continue to update Senator Hirono's staff if anything changes.
- The ability to clearly communicate how the project will execute the mission of the program account it is being requested under. Appropriations Committee staff follow the federal program requirements to determine eligibility for projects – you can find most program requirements further in this document, or on the specific program's website.
- Recipients are expected to be up-to-date with their SAM.gov account. CDS proposals should be viewed as one-year funding that will either create a new program/activity or expand an existing program/activity – not funding that will sustain a program/activity over multiple years.

Once a request is submitted, it will go through an internal review process to ensure the project is eligible for funding and has a substantial benefit to the community. Senator Hirono's staff will be in touch with the point of contact for recipient organizations to discuss the request, ask additional questions, receive clarity on submitted proposals, etc. For projects that meet all relevant criteria and are under serious consideration, Senator Hirono's staff may recommend the Senator include the project as a priority to the Senate Appropriations Committee.

The deadline for submitting CDS requests to Senator Hirono will be announced once the Senate Appropriations Committee Subcommittee Chairs announce their deadlines for submission. We encourage you to monitor Senator Hirono's website at <https://www.hirono.senate.gov/services/appropriations-requests> and email communications for a deadline announcement and other updates.

If you or someone you know would like to be added to the email list to receive communications regarding the appropriations process, reach out to Laakea Stone at Laakea_Stone@hirono.senate.gov and Hirono_Appropriations@hirono.senate.gov. Please include both emails in any email correspondence. In the meantime, potential applicants are encouraged to submit detailed and complete requests as soon as they are able.

Congressionally Directed Spending (CDS) Requirements:

Congressionally directed spending requests must adhere to the requirements outlined

in Rule XLIV of the Standing Rules of the Senate as well as additional reforms instated in FY 2022, which are expected to remain operative until otherwise stated. These requirements dictate rigorous procedures for accountability and transparency, such as:

- No Member Financial Interest: Senators must certify that they and any members of their immediate family do not have any financial interest in any of the items requested. As part of this requirement, Senators must disclose their CDS requests online, along with a financial certification. You can find Senator Hirono's public disclosures for past Fiscal Years at <https://www.hirono.senate.gov/congressionally-directed-spending>.
- Sample Audit: The Committee will require the Government Accountability Office (GAO) to audit a sample of enacted CDS items and report its findings to Congress.
- No awards for for-profit entities: Only non-profit organizations and state/local government entities are eligible to receive CDS awards.
- Spending Cap: There is a one percent cap on discretionary spending on CDS items.

3. Submitting a CDS Request:

**Note: The following guidance is based on Fiscal Year 2027 and will be updated to reflect any changes the Senate Appropriations Committee may make for the upcoming Fiscal Year.*

To submit a CDS request, applicants should follow these three steps:

1. Determine project eligibility:

CDS funding is made available through a limited number of accounts within certain federal agencies. Each account does not have the same recipient eligibility requirements, matching funds requirements, eligible activities, etc. Included in this guide is a list of eligible accounts and the descriptions and requirements for each to determine if a project is eligible. Once you identify an account for a project, carefully review its eligibility requirements. It will be important to explain in your application how your project meets these requirements and exemplifies the mission of the agency under which the project is being requested.

2. Assemble application materials:

To strengthen a CDS project proposal, it is critical that applicants provide concise information about a project. Make sure you continue to provide updates to Senator Hirono's office if submitted information changes for any reason.

For each request, applicants will be asked to provide the following:

- A point of contact who can quickly respond to inquiries about the project throughout the life of the request.
- The recipient organization's Employer Identification Number (EIN).

- Details about other current and/or previous CDS requests made to Senator Hirono or another Senator by the recipient organization.
- A unique name for the project.
- A full description of the project.
- A project purpose that is 300 words or less.
- A concise description of how the project meets eligibility requirements.
- A concise explanation of why the project is a good use of federal funds and how it will benefit communities in Hawaii.
- An itemized budget of the full project, specifying phases/scalability and/or other funding sources, if any.

3. Submit request(s) via Online Application Manager Plus (OAM Plus):

Senator Hirono formally accepts CDS requests via an electronic submission form on the OAM Plus website at <https://oampluspublic.senate.gov>. Applicants must create an account on OAM Plus in order to apply. OAM Plus allows applicants to create and save an application without having to formally submit, in case more time is needed to modify the application. If you formally submit an application and later need to make edits, reach out to Laakea Stone at Laakea_Stone@hirono.senate.gov and Hirono_Appropriations@hirono.senate.gov. Please include both emails in any email correspondence.

**IMPORTANT NOTE FOR OAM Plus APPLICATIONS*:*

When starting a new application on OAM for CDS requests, please use this naming convention: (Name of recipient organization)_(Unique Project Name).

**Example: Laakea's Non-Profit Org_Community Resiliency in Keaukaha*

4. Congressionally Directed Spending Eligible Accounts:

**Note: The following guidance is based on Fiscal Year 2027 and will be updated to reflect any changes the Senate Appropriations Committee may make for the upcoming Fiscal Year.*

The Senate Appropriations Committee will be accepting CDS requests for the following appropriations bills:

- Agriculture, Rural Development, Food and Drug Administration, and Related Agencies (AG)
- Commerce, Justice, Science, and Related Agencies (CJS)
- Energy and Water Development (EWD)
- Financial Services and General Government (FSGG)
- Homeland Security (DHS)
- Interior, Environment, and Related Agencies (INTERIOR)
- Labor, Health and Human Services, Education, and Related Agencies (LHHS)

- Military Construction, Veterans Affairs, and Related Agencies (MilCon-VA)
- Transportation, Housing and Urban Development, and Related Agencies (THUD)

The Subcommittee that corresponds with the above appropriations bills provides specific guidance for each account that will be made eligible for CDS requests to be made under. All CDS projects must meet the eligibility requirements for the account under which the request is made and submitted applications must clearly state how the project meets those requirements. Following enactment of the funding bills, CDS recipients must formally apply for funding with the federal agency that the account is within. Below are the eligible accounts and guidance for each account by subcommittee.

5. Agriculture, Rural Development, Food & Drug Administration, and Related Agencies (AG):

1. AGRICULTURAL RESEARCH SERVICE, BUILDING AND FACILITIES (ARS B&F):

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

2. NATIONAL INSTITUTE OF FOOD AND AGRICULTURE, RESEARCH FACILITIES ACT PROGRAM (NIFA RFAP):

- Eligible qualifying institutions (Land Grant Universities, Non-Land-Grant Colleges of Agriculture, and other eligible entities as defined in 7 U.S.C. 6971(f)(1)(C)) may request funds for constructing, purchasing, updating, renovating, or modifying agricultural research buildings to conduct research in the areas of agriculture and food sciences. Funds may be used to fund site design, purchase and installation of permanently affixed equipment for research, as well as for construction or renovation of buildings or sites for agricultural research facilities or other facilities that store agricultural research experimental samples.
- CDS recipients must provide a 100 percent non-federal match for any RFAP award. Recipients cannot move forward without a commitment to match funding before obligation. Not more than 3 percent of the CDS funding shall be available to pay for administrative costs. Construction projects are subject to National Historic Preservation Act (NHPA) and National Environmental Policy Act (NEPA) review, and must comply with Build America Buy America requirements.
- The Research Facilities Act (7 U.S.C 390d) limits active RFAP awards to one per institution, however the FY26 bill waived that limitation in regard to CDS awards, allowing CDS recipients to also seek competitive RFAP

funding. The subcommittee plans to continue this allowance for FY27 RFAP CDS recipients. Eligible qualifying institutions (Land Grant Universities, Non-Land-Grant Colleges of Agriculture, and other eligible entities as defined in 7 U.S.C. 6971(f)(1)(C)) may request funds for constructing, purchasing, updating, renovating, or modifying agricultural research buildings to conduct research in the areas of agriculture and food sciences. Funds may be used to fund site design, purchase and installation of permanently affixed equipment for research.

3. ANIMAL AND PLANT HEALTH INSPECTION SERVICE, SALARIES AND EXPENSES (APHIS S&E):

- All APHIS submissions must align with APHIS' mission and 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.

4. NATURAL RESOURCES CONSERVATION SERVICE, WATERSHED AND FLOOD PREVENTION OPERATIONS (WFPO):

- CDS recipients for WFPO must have a local sponsor. Eligible local sponsors include any State, political subdivision, soil or water

conservation district, flood prevention or control district, or combinations thereof; any irrigation or reservoir company or water users' association; any Indian tribe or tribal organization.

- Any individual project may not exceed a watershed or sub-watershed size of 250,000 acres. At least 20 percent of the project's benefits must be directly related to agriculture.
- 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. WFPO applicants will be asked to provide:
 - The name of the local sponsor
 - Confirmation of coordination with the Natural Resources Conservation Service State Conservationist
 - Indication of which phase of the project funding is requested

**Important note for the following USDA Rural Development accounts: USDA Rural Development staff are available to answer specific questions regarding project eligibility for Community Facilities (CF) and Distance Learning & Telemedicine grants. Contact information for the Hawaii USDA RD office is available here: <https://www.rd.usda.gov/hi>. Rural development applicants must reach out to the Hawaii USDA Rural Development Office to verify population size from the 2020 census and to determine project eligibility. The following project and applicant eligibility criteria must be met prior to a congressionally directed spending request being approved. Applicants must complete an application with RD if awarded a CDS in the final bill.*

5. RURAL DEVELOPMENT, COMMUNITY FACILITIES (CF) GRANTS:

- This program will fund up to 75 percent of total project costs, with match requirements based on population as follows:
 - Maximum of 75 percent when the proposed project is located in a rural community having a population of 5,000 or fewer
 - Maximum of 55 percent when the proposed project is located in a rural community having a population of 12,000 or fewer
 - Maximum of 35 percent when the proposed project is located in a rural community having a population of 20,000 or fewer
 - The match requirements are outlined in the CF regulation: 7 CFR 3570.63(b). Towns with populations over 20,000 are not eligible for

this program.

- This program is subject to the Build America Buy America Act requirements which will apply to the total project cost, not just the federal cost-share portion.
- In general, CF matching funds must come from a non-Federal source. However, there are two exceptions: (1) sometimes a Federal source will state that it can be used as a match for Federal grants and (2) when a Federal source loses its Federal identity --- such as CDBG funds that are distributed through a Governor's office (not the CDBG entitlement funding) --- a CF project having these funds as part of the capital stack can be a part of the applicant required match. While an applicant does not need to have its match in hand at the time of submission to Legi-Mate, they must have their match at the time of obligation. If applicants fail to have their match within three years of enactment of the final bill, funds may be swept back into the general CF account.
- CDS requests will be considered outside of the CF state allocations. Therefore, the sole cap that will determine the maximum grant assistance is the match requirement as described above.
- The average CF CDS project size in past years was \$1,000,000. When considering which CDS requests to submit, this is a good baseline to use.
- Funds may not be used for the following activities:
 - To reimburse funds for projects already constructed/acquired or projects that will be completed by the passage of the final bill.
 - To pay initial operating expenses or annual recurring costs, including purchases or rentals that are generally considered to be operating and maintenance expenses (unless a CF loan is part of the funding package).
 - To fund facilities to be used primarily for recreation purposes.
 - To fund facilities to be used primarily for business entrepreneur purposes.
- Applicants must meet environmental review requirements (i.e., NEPA).

**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.*

6. RURAL DEVELOPMENT, DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM (DLT) GRANTS:

- There is a flat 15 percent match (matching funds cannot come from

another Federal source). Full list of eligible entities, uses, and limitations can be found here: 7 CFR Part 1734 Subpart A and B. The maximum grant size is \$1,000,000. Reminder, even though for-profit entities are eligible for this program, they are not eligible for congressionally directed spending requests. Broadband deployment is not an eligible use of funds for DLT. Applicants must complete an application with RD if awarded a CDS in the final bill.

6. Commerce, Justice, Science, and Related Agencies (CJS):

CDS requests should fund local projects that further the missions of CJS agencies by increasing the understanding of the oceans and the atmosphere, protecting our communities, or promoting space- or standards- related science.

1. DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (NIST); SCIENTIFIC AND TECHNICAL RESEARCH SERVICES (STRS); EXTERNAL PROJECTS:

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

2. DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY (NIST); CONSTRUCTION OF RESEARCH FACILITIES, EXTRAMURAL CONSTRUCTION:

- Funds construction projects for non-Federal research facilities, including for projects at research institutions and colleges and universities.
- Given the significant investments necessary for construction projects, only

a very limited number of projects will be supported on an annual basis.

3. DEPARTMENT OF COMMERCE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA); OPERATIONS, RESEARCH AND FACILITIES (ORF); SPECIAL PROJECTS:

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

**Important note for the following Department of Justice accounts: CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the [DOJ Grants Financial Guide](#). Refrain from specifying brand names for equipment to ensure fair and open competition.*

4. DEPARTMENT OF JUSTICE, OFFICE ON JUSTICE PROGRAMS; STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE; BYRNE DISCRETIONARY:

- Projects should provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems.
- All projects must have a nexus to the criminal justice system.
- Funding cannot be used for land acquisition or construction.
- Additional guidance on allowable expenses can be found here: <https://bja.ojp.gov/funding/byrne-discretionary-faq.pdf>.
- 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 allowed 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.

5. DEPARTMENT OF JUSTICE, COMMUNITY ORIENTED POLICING SERVICES (COPS); COPS LAW ENFORCEMENT TECHNOLOGY:

- Projects should support 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.
- Requestors are cautioned against making requests for vehicles and vessels that carry with them a high maintenance cost at the conclusion of the CDS funding.
- 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).

6. NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA), SAFETY, SECURITY AND MISSION SUPPORT (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.

7. Energy and Water Development (EWD):

1. ARMY CORPS OF ENGINEERS: INVESTIGATIONS
2. ARMY CORPS OF ENGINEERS: CONSTRUCTION
3. ARMY CORPS OF ENGINEERS: OPERATION AND MAINTENANCE
4. ARMY CORPS OF ENGINEERS: MISSISSIPPI RIVERS & TRIBUTARIES: INVESTIGATIONS
5. ARMY CORPS OF ENGINEERS: MISSISSIPPI RIVERS & TRIBUTARIES: CONSTRUCTION
6. ARMY CORPS OF ENGINEERS: MISSISSIPPI RIVERS & TRIBUTARIES: OPERATIONS & MAINTENANCE

7. BUREAU OF RECLAMATION: WATER AND RELATED RESOURCES (EXCEPT FOR RECLAMATION GRANT PROGRAMS, I.E. WATERSMART)

8. ***Financial Services and General Government (FSGG):***

1. SMALL BUSINESS ADMINISTRATION (SBA), ADMINISTRATIVE PROVISION:

- Projects in support of small businesses, including but not limited to entrepreneur training, counseling, research, and construction or acquisition of facilities.
- 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.

2. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA), NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION (NHPRC):

- Projects that help ensure online public discovery and use of historical records collections, encourage public engagement with historical records, strengthen the nation's archival network, or publish documentary editions of historical records. This includes initiatives like record digitization, programming, and online availability of records.
- More project funding eligibility information can be found on the NHPRC page on NARA's website:
<https://www.archives.gov/nhprc/apply/eligibility.html>

3. NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA), REPAIR AND RESTORATION:

- Projects that direct spending for presidential libraries or new archival facilities.

4. GENERAL SERVICES ADMINISTRATION (GSA), FEDERAL BUILDINGS FUND, CONSTRUCTION AND ACQUISITION OR REPAIRS AND ALTERNATIONS ACCOUNTS:

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

5. OFFICE OF NATIONAL DRUG CONTROL POLICY, ADMINISTRATIVE PROVISION (ONDCP), PREVENTION GRANTS:

- Preferred prevention programs would include community-based coalitions which, as part of their application, propose data-driven, evidence-based prevention interventions; have established measurable objectives; and proposed implementing a comprehensive mix of strategies. Also, DFC-funded coalitions recently trained by CDC to implement Adverse Childhood Experiences (ACEs) as part of their substance use prevention efforts are recommended.
- Programs should not be substance specific. Treatment programs are not eligible for CDS under this account.

6. OFFICE NATIONAL DRUG CONTROL POLICY, ADMINISTRATIVE PROVISION (HIDTA GRANTS):

- Projects that provide public safety equipment to support local law enforcement efforts to combat illicit drug trafficking in HIDTA-designated areas.
- Eligible uses include technology and investigative equipment used in drug trafficking enforcement operations.
- Examples include drug analysis tools, drug detection devices, cellular telephone encryption devices and specialized firearm analysis tools.
- Recipients must partner with a regional High Intensity Drug Trafficking Area (HIDTA) program (identified here), codified via a memorandum of understanding.
- Projects should focus on strengthening operational capacity to disrupt drug trafficking organizations. Ineligible uses include salaries, new construction, facility renovations, vehicles, and aircraft (excluding unmanned aerial vehicles).

9. Homeland Security (DHS):

**Important note for the following Department of Homeland Security (DHS) accounts: For any projects designated for funding in the final Homeland Security Appropriations Act, the state agency responsible for administering mitigation grants in the requestor's state must submit an application to the Federal Emergency Management Agency, and that entity will serve as the administrative agent for the grant. Therefore, all project proposals must be accompanied by a letter of support from the appropriate state agency affirming that it believes the project is eligible.*

1. FEDERAL EMERGENCY MANAGEMENT AGENCY, PRE-DISASTER MITIGATION (PDM) PROJECTS:

- Requested projects must meet the eligibility requirements of the PDM grant program, including the non-federal cost-share requirement, benefit-cost ratio, and environmental and historic preservation requirements. Projects must also have a FEMA-approved hazard mitigation plan (HMP) at the time of the FEMA application (i.e., shortly after the final FY27 HLS bill is enacted) and the time of the award (i.e., likely in Q4 of FY27).
- In addition to the PDM grant program requirements listed above, the Subcommittee will principally seek to fund 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) program.
- The federal cost share generally cannot exceed 75 percent of the eligible work included in the Full Project Cost field. In rare instances for PDM projects only, the federal cost share can go up to 90 percent of eligible work if the recipient is a Small Impoverished Community (i.e., having 3,000 or fewer individuals, with residents having an average per capita annual income not exceeding 80 percent of the national per capita income). Please note cost shares are subject to Administration policy and could change.
- For any PDM project with a federal cost share above 75 percent (up to 90 percent), you must identify in writing in the "Project Detail" field that the Member Office has verified that the recipient is an eligible Small Impoverished Community.

2. FEDERAL EMERGENCY MANAGEMENT AGENCY, EMERGENCY OPERATIONS CENTER (EOC) GRANT PROGRAM:

- EOC CDS requests will be limited to requests included in the posted fiscal year 2025 or fiscal year 2026 Senate Reports, and to repairs of existing EOCs. Requests for new EOC construction not included in the posted fiscal year 2025 or fiscal year 2026 Senate Reports will not be accepted.

- For any projects designated for funding in the final fiscal year 2027 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.
- Projects must meet the eligibility requirements of the EOC grant program, including the non-federal cost-share requirement and environmental and historic preservation requirements.

10. Interior, Environment and Related Agencies (INTERIOR):

**Important note: Interior CDS requests must meet the eligibility requirements for the programs in one of the following accounts and will be required to complete the supplemental questions under that account.*

1. ENVIRONMENTAL PROTECTION AGENCY (EPA), STATE AND TRIBAL ASSISTANCE GRANTS (STAG), CLEAN WATER AND DRINKING WATER STATE REVOLVING FUNDS (SRF):

- The Subcommittee anticipates that the vast majority of requests made to the Interior Subcommittee will be for water infrastructure grants to fund local wastewater and drinking water infrastructure projects within the Clean Water SRF and the Drinking Water SRF. This includes construction of, and modifications to, municipal sewage treatment plants and drinking water treatment plants.
- The Subcommittee will be limiting water infrastructure grants only to projects that are publicly- owned or owned by a non-profit entity.
- Privately-owned projects are NOT eligible for water infrastructure grants.
- The Subcommittee has previously considered projects benefiting both a clean water and drinking water system. Any such project must meet the qualifications below and must be requested under the Clean Water CDS account.
- The Subcommittee will accept CDS requests for local and/or municipal projects included on a state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan (IUP).
- The Subcommittee may consider projects that are eligible for funding under State Revolving Loan Fund (SRF) guidelines (detailed below) but are not on the state IUP list.
- There is a minimum 20 percent cost share requirement for any state or local water infrastructure grant funded through CDS. For example, a \$1

million project could receive a maximum of \$800,000 from the federal government, with the remaining \$200,000 the responsibility of the CDS recipient. In almost all cases, other federal funds cannot be used to meet this 20 percent cost share. Please note that only the non-federal portion of assistance provided by a State Revolving Loan Fund can be applied towards a project's matching requirement.

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

1. *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***
2. *If the answer to the question above is NO, is the project eligible under SRF guidelines? **Required YES, NO, or N/A***
3. *Please provide verification that the project is either on the IUP list or would otherwise be eligible. This may include a letter from the state water office, a screenshot of the project's listing on an IUP, or other such documentation.*
4. *What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?*
5. *How will the project help the recipient meet applicable water standards – e.g. improve drinking water quality or improve surface/groundwater quality?*
6. *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?*
7. *Describe the project recipient – are they a municipality? Public water system? Other public entity?*
8. *What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?*
9. *What is the amount requested for the project?*
10. *Is the amount requested scalable to a lower amount and if so, what is the minimum amount?*
11. *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).*
12. *Does the community have a financing plan certified by an authorized local official demonstrating how it will cover the matching funds of 20 percent or more?*
13. *What are the anticipated non-federal sources of funding for this project?*
14. *What is the project's status (for example, preliminary engineering, initial planning and design, final design completed, construction initiated)?*
15. *Has the community ever received state or federal funding for water infrastructure projects (not limited to the specific project)?*

Clean Water / Waste Water projects that are generally eligible for SRF funding:

- Wastewater treatment plants, including sludge handling facilities.
- Collector Sewers – Small sewers that convey wastewater from residences, commercial establishments, and industrial sites.
- Interceptor Sewers – Large sewers that convey wastewater from collector sewers directly to a wastewater treatment facility.
- Sewer Pipes – Rehabilitation is only eligible if the pipes are publicly owned.
- Outfall Sewer – A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters.
- Storm Water Management – Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e. storm sewers, green infrastructure, etc.).
- Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control.
- Infiltration/Inflow Correction – Construction activities that prevent surface water or groundwater from entering the sewer system.
- Water Security – Installation or upgrade of physical security infrastructure such as lighting, fencing, monitoring and access control. Also, cybersecurity measures, installation of safer treatment technologies, and more secure storage of on-site treatment.
- Septic Tanks – Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks.
- Land – The leasing and fee-simple purchase of land, including surface and subsurface easements, needed to locate eligible municipal or Tribal projects, and land integral to the treatment process. Municipal purchase of land and/or conservation easements for source water protection are also eligible.
- Water Reuse – Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water.
- Capital Nonpoint Source Pollution Control Projects – e.g., river or

streambank restoration, agricultural best management practices (i.e., buffer strips, manure containment structures), wetlands restoration, etc.

Drinking Water projects that are generally eligible for SRF funding:

- Facilitating compliance with national primary drinking water regulations or addressing serious risks to public health including non-regulated contaminants (i.e. PFAS).
- Rehabilitation or development of water sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources.
- Installing or upgrading treatment facilities.
- Installing or upgrading storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system.
- Installing or replacing transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or improve water pressure to safe levels.
- Projects to consolidate water supplies – for example, when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons.
- Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection.
- Project planning, design and other related costs.
- Please be aware of the following process that must be followed before CDS funding for SRFs can be provided for an individual project.



Pre-Award Project Requirements

Note: Procurement regulations will remain active post award. Other post award grant management activities include inspections, recipient reporting (semiannual progress reports), and invoice review for reimbursement.

1. Workplan

Recipients prepare a guide that includes:

- Project description
- Project objectives/needs
- Budget breakdown
- Timeline of major milestones
- Environmental outcomes and benefits the project will provide.

2. Project Specific Requests

Technical Corrections

Recipient needs to modify the type, purpose, or named recipient of the Community Grant. Requires consultation with Congressional Sponsor.

Cost Share Waivers

Recipient must provide cost share amount of 20% of the total grant project cost, unless recipient qualifies as a disadvantaged community per program guidance and is approved for cost share waiver by the EPA.

3. Environmental Regulations

NEPA Environmental Review

The National Environmental Policy Act requires evaluation of how federal grant actions may affect the quality of the environment. Under NEPA, environmental impacts must be considered before EPA can award the grant.

Section 106 Historic Preservation Review

Section 106 of the National Historic Preservation Act of 1966 (NHPA) requires federal agencies to consider the effects of projects they carry out, assist, fund, permit, license, or approve throughout the country.

Note: EPA will conduct a 30-day comment period with other Federal agencies and Tribal partners.

4. Procurement Regulations Pre-Award Costs

Davis Bacon Act

DBA requires contractors and subcontractors performing construction, alteration, and repair work under federal contracts more than \$2,000, pay their laborers and mechanics not less than the prevailing wage and fringe benefits for the geographic location.

Build America Buy America

BABA requires that all the iron, steel, manufactured products, and construction materials used in the project are to be produced in the United States.

American Iron and Steel

AIS requires that all the iron and steel used in the project are to be produced in the United States. Compliance with AIS satisfies a subset of BABA requirements.

Disadvantaged Business Enterprise Program

DBE Programs requires recipients who procure goods and/or services to employ the six good faith efforts, document their efforts and maintain DBE forms/documentation from the prime contractor, and report their procurement and DBE activities.

General Procurement 2 CFR 200

All procurement transactions for professional engineering services and construction contractors must be conducted in a manner that includes and promotes fair and open competition from an adequate number of qualified sources. [Guidance on Preparing Solicitation Documents](#)

2. INDIAN HEALTH SERVICE, SANITATION FACILITIES CONSTRUCTION:

For Tribal water CDS projects within the Sanitation Facilities Construction account, the subcommittee will accept CDS requests for projects included on the Indian Health Services' (IHS) Sanitation Deficiency System (SDS) list. In exceptional circumstances, the Subcommittee may consider projects that are eligible for funding under the [Criteria for the Sanitation Facilities Construction Program](#) but are not on the SDS list (see pg. 5-1 through 5-12 of the criteria).

Applicants under this account will be required to answer to the following questions:

1. *Is the project on the IHS Sanitation Deficiency System list? Required YES or NO*
2. *If the answer to the question above is NO, explain how the project is eligible under the Criteria for the Sanitation Facilities Construction Program?*
3. *What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?*
4. *Is the amount requested scalable to a lower amount and if so, what is the minimum amount?*
5. *Is this request seeking funding for planning and design, construction, or both?*
6. *Is the preliminary planning and engineering design completed for this project?*
7. *When will this project be ready to proceed to construction?*
8. *What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?*

9. *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?*
10. *If applicable, does the community have a financing plan?*

3. NATIONAL PARK SERVICE, HISTORIC PRESERVATION FUND (HPF):

- The Historic Preservation Fund (HPF), established to help fund the programs engendered by the National Historic Preservation Act (Public Law 89-665; 54 USC 300301 et seq.), was designed to preserve historical and archaeological sites in the United States of America.
- The Subcommittee will accept CDS requests for projects within HPF that meet the eligibility requirements of existing HPF competitive programs, found here:
<https://www.nps.gov/subjects/historicpreservationfund/project-grants.htm>.
- The Subcommittee anticipates that most requests will be made within the HPF for the Save America's Treasures (SAT) program.
- 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. (Confirm listings and locate the National Register listing number(s) by inquiring with [State Historic Preservation Office](#).)
- SAT projects require a one-to-one match with non-federal cash and/or in-kind contributions.
- SAT grants are limited to preservation – new construction, reconstruction, and acquisitions of historic properties or historic collections are not eligible. The SAT website has more information about eligibility, found here: <https://www.nps.gov/subjects/historicpreservationfund/sat-grant-info.htm>.
- Other HPF competitive programs have varied eligibility requirements which will be the basis of the Subcommittee's consideration. Competitive grant programs are limited to preservation – new construction, reconstruction, and acquisitions of historic properties or historic collections are not eligible. The [HPF Competitive Grants website](#) has more information about eligibility for each program.
- For Tribal Heritage Grants, there is no required match.

- The maximum CDS funding amount is \$500,000 for any project requested under HPF.
- Each successful CDS recipient funded in a final bill must complete and submit an application containing a detailed scope of work and budget proposal to the National Park Service for review and approval.
- All HPF grantees, including successful CDS recipients, must meet standards set by the Secretary of the Interior and comply with the audit requirements, found here:
<https://www.nps.gov/subjects/historicpreservationfund/audit-information.htm>.

CDS requests made under the HPF account will be required to clearly answer the following questions:

1. *For HPF, if the request is for a property, provide the National Register listing number(s) for the property (either as an individual property or as a contributing resource). **Please provide the listing number.***
2. *What type of entity is the recipient (e.g., non-profit organization, state or local government, educational institution, federally-recognized Indian Tribe, Alaska Native, or Native Hawaiian organization)? **Please specify.***
3. *Does the recipient have in place, or plan to provide, the one-to-one match with non-federal cash and/or in-kind contribution? **Please answer YES or NO.***
4. *Would the requested project fund an eligible activity under the HPF? For SAT, please visit <https://www.nps.gov/subjects/historicpreservationfund/sat-grant-info.htm> and note that new construction, reconstruction, and acquisitions of historic properties or collections are not eligible. **Please answer YES or NO.***
5. *What are the specific activities that the project would fund (e.g., restoring flooring, installing ADA improvements)? **Please provide a list.***
6. *Has your state's SHPO or other specialist with experience with the Secretary's standards reviewed the project for consistency with HPF eligibility? **Please answer YES or NO.***
7. ***Acknowledgement** that the recipient organization must submit an application to the National Park Service.*

4. UNITED STATES FOREST SERVICE (FS), STATE, PRIVATE, AND TRIBAL FORESTRY, FOREST RESOURCE INFORMATION AND ANALYSIS:

The State, Private, and Tribal Forestry account provides technical and financial assistance grants to non-federal forest landowners, including state, Tribal, and local governments. Activities within this account include forest health management, cooperative fire protection, wood innovation, and urban and community forestry. There is no matching requirement.

The following limitations apply to these CDS requests:

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

**Important note: Recipient organizations should clearly describe how the project will contribute to meeting the goals of the State's Forest Action Plan, conserve and steward working forests or open spaces, 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:

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.

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.

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

Prioritized project lists will accompany the President's budget request in five LWCF accounts. This is delivered in two separate lists: 1) a list of projects proposed for funding in the President's budget request; and 2) a supplemental list of projects that are ready but unfunded. Any funding request for activities not included in the President's budget request must be submitted as a CDS request.

- 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.

- Great American Outdoors Act, Legacy Restoration Fund:

The authorization for the Legacy Restoration Fund (LRF) within the Great American Outdoors Act of 2020 (P.L. 116-152) expired at the end of fiscal year 2025. As of now, no funding is yet available for the LRF for fiscal year 2027 and therefore the Committee will not be accepting CDS requests for this account.

The Subcommittee may also consider CDS requests under the four accounts detailed below.

The recipient organization must provide answers to the following additional questions for all requests made under the four accounts below:

1. *Type of entity requesting the project (ex. federal agency, state agency, Tribal entity, local city/county agency, university or college, or non-profit organization, etc.).*
2. *Whether the entity has the project on a ranked or otherwise prioritized federal or state list (provide list name and rank) or is otherwise eligible for a specific grant program.*
3. *The land/facility ownership status relevant to the project (ex. Federal, state, tribal or municipal land/facility or other).*
4. *The federal nexus for this project and reason federal funding is necessary.*
5. *The total cost of the project, including any previously awarded federal funds (provide year, amount, and program), matching funds, or partner contributions.*
6. *Timeline for the project, including estimated obligation timeline and start and completion dates for the project.*
7. *Please also note if this project is being submitted to another Subcommittee. If so, include the name of the Subcommittee, program, amount and other relevant information.*

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, Land Management Priorities: Projects for activities related to land, wildlife, and aquatic habitat management. These projects must occur on or have a nexus to BLM land.
- NPS, National Recreation and Preservation, Statutory and Contractual Aid: Projects for activities relating to operating, managing, and preserving resources, including as authorized by law.
- FWS, Resource Management, Stewardship Priorities: Projects for fish and aquatic conservation, habitat conservation, recovery, and restoration activities. Projects cannot be for units in the National Wildlife Refuge

System.

- USGS, Surveys Investigations and Research, Special Initiatives: Projects for high priority and core science research, and ecosystem and water resources related activities.

7. BUREAU OF INDIAN AFFAIRS, OPERATION OF INDIAN PROGRAMS, AND 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. Construction projects are not eligible.

8. ENVIRONMENTAL PROTECTION AGENCY, SCIENCE AND TECHNOLOGY, RESEARCH, NATIONAL PRIORITIES:

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

9. ENVIRONMENTAL PROTECTION AGENCY, 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.

11. Labor, Health and Human Services, Education, and Related Agencies Subcommittee Guidance (LHHS):

1. DEPARTMENT OF LABOR (DOL) – EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) – TRAINING AND EMPLOYMENT SERVICES:

- CDS requests under ETA (through the Workforce Innovation and Opportunity Act (WIOA) demonstration authority) should clearly articulate a project purpose and be focused on meeting the employment and training needs of workers.
- Generally, these projects should include direct services which could include career services, training services (including work-based training), supportive services, and other permissible services, as they are defined in WIOA.
- Typical activities include training unemployed individuals to increase their skills and obtain employment and enhancing the skills of incumbent

workers to get higher-paying jobs.

- CDS requests should include a basic budget that clearly describes how the funds will be used for specific activities to achieve the project's goals.
- CDS funding may be used for the purchase of equipment, but generally only if it is an incidental part of the larger project to provide direct services (a similar standard applies to curriculum development). If a larger portion of the CDS funding is expected to be used for equipment or curriculum development, please note that and provide a detailed justification for why such investments are necessary to meet the employment and training needs of individuals.
- CDS funding within ETA cannot be used for construction or renovation of facilities or the purchase of land or buildings, and ETA CDS recipients may not sub-grant to other organizations or agencies.
- Finally, CDS projects will be expected to have measurable outcomes and demonstrate a linkage with the state or local workforce investment system.

2. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) – HEALTH RESOURCES AND SERVICES ADMINISTRATION (HRSA) – PROGRAM MANAGEMENT:

HEALTH FACILITIES CONSTRUCTION AND EQUIPMENT:

- CDS requests should be for the cost of limited-scope construction, renovation, or capital equipment purchase for facilities for health, mental health, or substance abuse services, training of health professionals, or medical research.
- Examples of eligible facilities include hospitals, health centers, and clinics; skilled nursing facilities; mental health centers; facilities for schools of medicine, nursing, or other health professions; and medical research laboratories.
- In addition to construction and renovation, CDS funding can be used to acquire capital equipment, such as lab equipment, x-ray machines, or telehealth and information technology.
- The Committee will not consider a CDS request for federal funding within this account that exceeds \$15 million.
- Equipment-only CDS requests – that is, requests not involving construction – are permissible. Generally, any equipment having a useful

life of more than one year and a unit cost of at least \$5,000 will be eligible as capital equipment. In addition, equipment with lower costs may also be eligible, provided that it is treated as an item of capital expense under the recipient institution's pre-existing, written accounting policies. Equipment expenses for health information systems and electronic medical records systems are permitted expenditures.

- Projects involving the acquisition of mobile health clinics or electronic medical records are categorized as equipment-only projects and must be submitted separately from any construction component of the request.
- The costs of expendable supplies such as pharmaceuticals, lab chemicals, or office paper are not eligible.
- HRSA Health Facilities funding cannot be used to acquire land or purchase existing buildings, or to pay salaries or other operating costs.
- Funding cannot be used to pay for work previously completed.
- CDS requests can be used for architectural and engineering costs associated with an eligible construction project, but cannot be used for general feasibility studies or planning and design. For more information on construction and equipment requests, see:
<https://www.hrsa.gov/grants/manage-your-grant/training/community-projectfunding-congressionally-directed>.
- If the CDS requester's construction project is expected to begin imminently, please note that CDS construction projects must adhere to National Environmental Policy Act (NEPA) / National Historic Preservation Act (NHPA) requirements prior to initiating any physical preparation, demolition, alteration and renovation, or construction related to the project.
- Applicants should be sure they are accounting for time for the FY27 appropriations process to be completed, application submission and review, award issuance, and resolution of conditions on the award, including NEPA/NHPA requirements, prior to starting the project. Recipients of a Health Facilities construction award cannot be reimbursed for expenses incurred prior to award.
- Recipients have three years from the date of a completed application to spend a construction award. While equipment-only awards must be spent in one year.

RURAL HEALTH:

- CDS requests for projects to improve health care in HRSA-designated 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. Please note that CDS requests for Rural Health initiatives cannot include construction as a component of the project. 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 if different than the legal entity recipient address, for purposes of determining project eligibility.
 - CDS requests must include a basic budget that clearly describes how the funds will be used for specific purposes to achieve the project's goals. Recipients have three years from the date of a completed application to spend a construction award, while equipment-only and rural health awards are for one year.
 - HRSA CDS recipients may not sub-grant to other organizations or agencies. If more than one entity plans to be involved in an effort for which you would like to request funding, you must break out each entity as its own CDS request and submit funding details specific to its role in the overall project.
 - A General Provision prohibits the award of funding for projects to expend funds for any abortion.
3. **DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) – SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION (SAMHSA) – HEALTH SURVEILLANCE AND PROGRAM SUPPORT:**
- CDS requests within SAMHSA should be submitted through the Health Surveillance and Program Support account and must fall under one of the following categories:
 - Substance Abuse Treatment – funding to support programs that improve access, reduce barriers, and promote high quality, effective treatment and recovery services.
 - Substance Abuse Prevention – funding to support programs to prevent the onset of illegal drug use, prescription drug misuse, alcohol misuse, and underage alcohol and tobacco use.

- Please note that only substance abuse treatment and prevention projects are eligible under this account for FY27. Additionally, the Committee will only consider eight total CDS requests for federal funding within the SAMHSA account.
 - CDS requests must include a basic budget that clearly describes how the funds will be used for specific purposes to achieve the project's goals.
 - General Provisions prohibit the award of funding for projects which distribute sterile needles or syringes for I.V. drug injection; projects which promote the legalization of illegal drugs or substances; and projects to expend funds for any abortion.
 - CDS funding within SAMSHA cannot be used for construction (other than a limited amount of renovation necessary to carry out a funded project), and SAMHSA CDS recipients may not sub-grant to other organizations or agencies.
4. **DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) – ADMINISTRATION FOR CHILDREN AND FAMILIES (ACF) – CHILDREN AND FAMILIES SERVICES PROGRAMS:**
- CDS requests within ACF should be submitted through the Children and Families Services Programs account and must fall under one of the following categories:
 - Child Abuse Prevention – projects to improve the prevention, assessment, identification, and treatment of child abuse and neglect through research, model service improvement, information dissemination, and technical assistance. Projects must serve or target abused and/or neglected children and their families.
 - Social Services Research and Demonstration (SSRD) – 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. SSRD is for research or demonstration projects, so there should be some learning built in to show whether this use of funds achieved its intended outcomes and can be duplicated elsewhere. SSRD funds may pay for part of research and demonstration projects that are consistent with the legislation. Therefore, cost sharing is required, but there is no statutory minimum for cost sharing. The match need

not be a monetary contribution – it can be in-kind such as administrative oversight or reduced indirect recovery.

- CDS requests must include a basic budget that clearly describes how the funds will be used for specific purposes to achieve the project’s goals.
- 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.

5. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) – ADMINISTRATION FOR COMMUNITY LIVING (ACL):

- CDS requests within ACL should be submitted through the Aging and Disability Services Programs account and must fall under the following category:
 - Aging and Disability Services Programs – projects to improve the ability of older adults and individuals of all ages with disabilities to live independently and participate fully in their communities. Generally, CDS requests should focus on improving access to, or the quality of, education, training, support services, and independent living services for older adults and individuals with disabilities.
- CDS requests must include a basic budget that clearly describes how the funds will be used for specific purposes to achieve the project’s goals.
- CDS funding within ACL cannot be used for construction or renovation of facilities, cannot be used for the provision of medical care, and ACL CDS recipients may not sub-grant to other organizations or agencies.

6. DEPARTMENT OF EDUCATION – INNOVATION AND IMPROVEMENT – FUND FOR THE IMPROVEMENT OF EDUCATION (FIE):

- Elementary and secondary education CDS requests can be designated under this account for a wide variety of elementary and secondary education projects, including instructional services, afterschool centers, curricula development, teacher training, acquisition of books and computers, arts education, social and emotional learning activities, full-service community schools, 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 account. These CDS requests may include early intervention services for infants and toddlers, transition services, and postsecondary education services.

- Eligible CDS recipients are state education agencies, school districts, colleges and universities, and other public and private nonprofit entities. Generally, CDS requests intended for individual schools are provided to the applicable school district and not directly to the individual school.
- CDS requests must include a basic budget that clearly describes how the funds will be used for specific purposes to achieve the project's goals. 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 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.

7. DEPARTMENT OF EDUCATION – HIGHER EDUCATION – FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION (FIPSE):

- CDS requests made under this account should primarily be focused on improving access to, or the quality of, postsecondary education. This can include a range of activities as authorized and specified in section 741(a) of the Higher Education Act (20 U.S.C. 1138(a)). CDS recipients are usually colleges and universities but may include other public and private nonprofit organizations.
- Examples of the types of CDS requests that can be funded under this account include projects to:
 - hire and train faculty,
 - establish and improve degree programs,
 - improve teacher preparation programs,
 - develop and improve curricula,
 - upgrade technology, equipment, and telecommunications,
 - provide student support, and
 - implement university partnerships with school districts.
- If a significant portion of CDS funds is expected to be used for the purchase of equipment, a justification needs to be clearly noted.

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

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

- The following accounts are eligible for CDS requests:
 - Military Construction, Army
 - Military Construction, Navy and Marine Corp
 - Military Construction, Air Force
 - Military Construction, Defense-Wide
 - Military Construction, Army National Guard
 - Military Construction, Air National Guard
 - Military Construction, Army Reserve
 - Military Construction, Navy Reserve
 - Military Construction, Air Force Reserve
- Requests may include major construction, family housing, unspecified minor military construction, and planning and design, however, only certain major military construction projects within these accounts are eligible for CDS.
- Eligible projects can be found on three types of lists, outlined below, which are provided to Congress by the Department of Defense, and contain requirements that have been validated and vetted by the appropriate Service or Agency.
 - 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. Additional inquiries on the FYDP or whether a specific project is included should be directed to the Senate Liaison Offices of each military department.
 - Unfunded Requirements/Priorities Lists (UFR/UPL) – In addition to the annual budget request and as required by law, each military department submits to the congressional defense committees a document identifying unfunded priorities that could be funded if additional appropriations were provided. Questions about the UFR list or whether a specific project is included should be directed to the Senate Liaison Offices of each military department.

- Cost-to-Complete (CTC) – Variables such as construction market conditions can affect cost estimating throughout the military construction programming process, and as such, DOD can experience cost increases that cannot be sufficiently covered by available appropriated funding. In these cases, the military departments may submit a list of projects separate from the budget request that have received an authorization and appropriation but require additional funding to be completed. Once the full budget request is released, questions about these lists and whether specific projects are included should be directed to the Senate Liaison Offices of each military department.
- Funding will only be provided for CDS requests which can be executed in the year of appropriation, and therefore CDS eligibility is further limited by the executability of funding.
- Eligible major military construction projects must therefore be:
 - authorized in the next fiscal or prior year’s National Defense Authorization Act;
 - at 35 percent design or higher with a DD 1391*; and
 - prepared to award a contract in the next fiscal year.

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

13. Transportation, Housing and Urban Development (THUD)

- Projects excluded from CDS. THUD will not fund CDS requests for operational expenses or administrative salaries and benefits.
- Cost-Share requirements for DOT CDS. All DOT CDS projects will have a non-Federal cost-share requirement, consistent with the authorized program under which the projects are funded. The cost-share may vary by State and by type of project. The Subcommittee recommends you consult with U.S. DOT for the cost-share requirements of any specific project.
- Disbursement of funds. All THUD CDS funds are provided to grantees on a reimbursement basis – no recipients will receive an upfront disbursement from DOT or HUD. CDS recipients will be required to request drawdowns from their grant as eligible expenses are incurred. The

Subcommittee strongly recommends making local government and non-profit applicants aware of this requirement. CDS projects must have a reasonable expectation of being obligated by the end of FY2029.

1. TRANSPORTATION PLANNING, RESEARCH AND DEVELOPMENT (TPR&D):

- CDS requests may be made under the TPR&D account for transportation research projects eligible under title 23 or title 49 of the United States Code.
- Planning for specific local highway, transit, or rail projects that are eligible under HIP, TIG, CRISI, or PIDP should NOT be included in this account.
- Requests are encouraged for national or regional research and development projects.
- The project website for TPR&D projects should provide additional background behind the project.

2. GRANTS-IN-AID FOR AIRPORTS (AIRPORT IMPROVEMENT PROGRAM (AIP)):

- CDS requests may be made under the AIP account for airport projects eligible under chapter 471 of title 49, United States Code (<https://www.faa.gov/airports/aip/overview>), or section 767 of the FAA Reauthorization Act of 2024 (49 U.S.C. 44706 note).
- As AIP CDS follow the existing AIP statute, the Federal cost-share requirements still apply to CDS. For large and medium primary hub airports, CDS can cover 75 percent of eligible costs (or 80 percent for noise program implementation). For small primary, reliever, and general aviation airports, CDS can cover a range of 90-95 percent of eligible costs, based on statutory requirements.
- AIP applicants will be asked to provide:
 - a link to the airport master plan that includes the requested project,
 - the status of the planning and environmental work to assess the readiness of the project,
 - a description of all other sources of funding contributing to the total cost of the project; and
 - the airport name (see [NPIAS](#) for airport names).

3. HIGHWAY INFRASTRUCTURE PROGRAMS (HIP):

- CDS requests may be made under the HIP account for highway projects eligible under the title 23, United State Code.

- Projects may include:
 - Highway and bridge construction projects,
 - Planning,
 - Environmental review,
 - Design,
 - Right-of-way acquisition
 - Operational expenses are not eligible.
- CDS requests under HIP are required to provide a link to the STIP or TIP that includes the requested project and the specific STIP or TIP ID number for the project (if the project is already on a STIP or TIP).
- If the project is not included on either STIP or TIP, the State DOT may provide a letter confirming that:
 - the project is eligible for Federal-aid highway funding under title 23, United States Code;
 - the State DOT is willing to carry out the project if funding is enacted; and
 - the State DOT will include the project on the STIP or TIP once funding for the project is enacted.
- HIP applicants will be asked to provide:
 - the status of the planning and environmental work to assess the readiness of the project; and
 - a description of all other sources of funding contributing to the total cost of the project

4. TRANSIT INFRASTRUCTURE GRANTS (TIG):

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

- TIG applicants will be asked to provide the status of the planning and environmental work to assess the readiness of the project and a description of all other sources of funding contributing to the total cost of the project.

5. CONSOLIDATED RAIL INFRASTRUCTURE AND SAFETY IMPROVEMENTS (CRISI) GRANTS:

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

6. PORT INFRASTRUCTURE DEVELOPMENT PROGRAM (PIDP) GRANTS:

- CDS requests may be made under PIDP for port projects eligible under section 54301 of title 46, United States Code. PIDP applicants will be asked to provide:
 - a website link to the relevant planning document for the project, if applicable;
 - the status of the planning and environmental work to assess the readiness of the project; and
 - a description of all other sources of funding contributing to the total cost of the project.
- PIDP applicants must denote whether:
 - the project is eligible under 46 USC 54301, specifically which eligible use;
 - the recipient is eligible under 46 USC 54301, specifically (A) through (F);
 - the project is at a small port as described under 46 USC 54301(b);

- and
 - the project is in a rural area as described under 46 USC 54301(a)(12).
- Additionally, projects that include the purchase or installation of cargo handling equipment, or the installation of terminal infrastructure that is designed for cargo handling equipment, MUST indicate whether the equipment is fully automated or whether the terminal infrastructure is designed for fully automated equipment. “Fully automated equipment” is defined as “remotely operated or monitored, with or without the exercise of human intervention or control.”
- If “fully automated equipment” is proposed to be to be acquired or terminal infrastructure for such equipment is proposed to be created, the applicant MUST provide:
 - additional information describing any job changes that will result from the project; and
 - supporting evidence demonstrating and certifying that the project will NOT directly result in a net loss of jobs or a degradation of job quality.

7. COMMUNITY DEVELOPMENT FUND FOR ECONOMIC DEVELOPMENT INITIATIVES (EDI):

- CDS requests may be made under EDI for activities eligible under section 5305 of chapter 69 of title 42, United States Code, as well as for affordable housing construction.
- It is encouraged to pursue projects that address affordable housing, community services, economic development, and are comparable to HUD’s Community Development Block Grant (CDBG) Program.
- Examples of eligible EDI projects include, but are not limited to:
 - Acquisition of real property (land, water rights, buildings);
 - Construction, rehabilitation, and improvements to affordable housing;
 - Blight removal or remediation;
 - Public housing modernization; and
 - Construction, rehabilitation, and improvements of public facilities such as neighborhood centers, parks, and shelter for persons having special needs such as survivors of domestic violence and the homeless, except buildings for general conduct of government such as city halls.

- Reimbursement of expenses incurred prior to the enactment of a final appropriations bill is not permitted.
- Applicants are required to 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.
- CDS requests made under the EDI account are subject to all general Federal requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards under 2 CFR Part 200, the National Environmental Policy Act (NEPA), HUD's NEPA-implementing regulations under 24 CFR Part 50 or 24 CFR Part 58, and all appropriate Federal environmental and historic preservation laws, regulations, and Executive Orders. The environmental review must be completed by a "Responsible Entity" (RE), which is a state, unit of general local government, Indian tribe or Alaska Native Village. Nonprofits will need the RE for where the project is located to conduct the environmental review on their behalf.
- Consistent with HUD's "Build America, Buy America" phased implementation, all EDI projects are required to comply with the Build America Preference for iron, steel, construction materials, and manufactured products. To review HUD's current implementation of the EDI program and the applicable Federal requirements, please see HUD's EDI landing page:
https://www.hud.gov/program_offices/comm_planning/edigrants.
- CDS requests cannot be used for operational expenses or administrative salaries and benefits for EDI. Examples of these ineligible expenses are costs that cover an organization's day-to-day operations, such as utilities, rent, office supplies and equipment, insurance, and an organization's staff salaries and benefits.
- Applicants are required to provide at a minimum:
 - Brief description of the project;
 - Breakdown of how EDI funds will be used;
 - Status of the project (planning, design, construction, etc.) and expected timeline;
 - List of all other sources of funding contributing to the total cost of the project; and
 - The status of the environmental review work and if the grantee is a non-profit, if a "Responsible Entity" has been identified to conduct the Federal environmental review.

- A CDS request should clearly identify which of the three **National Objectives** of the broader CDBG program the EDI project and its activities meet and include relevant data or a description indicating **how** it meets such National Objective(s).
- The three CDBG program National Objectives are:
 - benefit low- and moderate-income persons or communities;
 - prevent or eliminate slums or blight;
 - address community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available.
- The most common CDBG National Objective that EDI projects will meet is the benefit to low- and moderate-income (LMI) persons, which, depending on the type of project, can be demonstrated through a benefit to a specific service area, serving a limited clientele, housing for certain income households, and the creation or retention of jobs for certain income individuals.
- If using the LMI National Objective, please review this HUD resource: <https://www.hudexchange.info/programs/cdbg/cdbg-low-moderate-income-data/>.
- If the project is meeting the LMI National Objective through the service area, use the “Map Application” tool to provide the necessary data points on the LMI population in that service area: <https://hud.maps.arcgis.com/home/item.html?id=279eca0222754f8a954bbf8cf995a1a3>.