U.S. SENATORS CHRIS VAN HOLLEN and ANGELA ALSOBROOKS'

GUIDE TO CONGRESSIONALLY DIRECTED SPENDING (EARMARKS) FOR FY27

FOR NONPROFITS AND LOCAL GOVERNMENTS

FY2027 EDITION

CONGRESSIONALLY DIRECTED SPENDING

This guide provides an overview of opportunities available to nonprofit organizations to apply for Congressionally Directed Spending (CDS), also known in the House of Representatives as Community Project Funding (CPF), or more informally as earmarks. Congressionally Directed Spending can provide <u>one-time</u> – not multi-year – grant funding for local community projects.

Congress revived the practice of earmarking federal funding to support local community projects in Fiscal Year 2022. The information in this guide is based on previously issued guidance from the Senate Appropriations Committee over the past five fiscal years. Please note that the Committee will likely issue updated guidance for Fiscal Year 2027, and the information provided here is subject to change.

Generally, eligibility requirements for CDS conform to those for corresponding, existing federal grant programs, but individual programs may have slightly expanded eligibilities per Committee rules that are subject to change. Several federal agencies have created websites that outline specific eligibility requirements, such as non-federal match or reporting requirements. Additional information regarding eligibility can be found in the Notice of Funding Opportunity for each competitive grant program that may be earmarked. A limited category of earmarks require the approval or support of Maryland State agencies prior to Senate consideration for federal funding.

CDS funding is limited each year, and not every project that the Senators advances to the Senate Appropriations Committee for consideration will receive funding. Maryland's Congressional Delegation works together to coordinate earmark project requests, so the Senators encourage you to reach out to your House Member's office to inform them of your projects so that all delegation members have an opportunity to advocate for your project. Prior successful applicants have used this guide and coordinated with our staff to develop strong project applications. While there is no guarantee of funding through the CDS application process, the Senators will work to ensure that your projects will be eligible to compete for funding if selected to advance to the Appropriations Committee.

To review previous earmark projects that the Senators have supported and received funding from the Senate Appropriations Committee, please visit the following pages on each website: https://www.vanhollen.senate.gov/investing-in-md and https://www.alsobrooks.senate.gov/services/appropriations

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BASIC PROJECT INFORMATION REQUIRED FOR CONSIDERATION

If you apply for Congressionally Directed Spending (CDS) for a project, you will be asked to prepare and submit some basic information about your proposal, including the following:

- **Official Project Name**

- **Project Purpose**
  - This is a short, 1-3 sentence description of the project that will be made public in congressional disclosures. The description should answer the question, "For what purpose will the requested funding be used?" with as much specificity as possible.

- **Justification of Request**
  - This is a longer, multi-paragraph explanation to provide some detail on your project, including the community need to be met or the populations to be served by the project.
  - This section should also outline what new services or opportunities would be made possible with the requested funding. If requesting additional funds for an ongoing project, please provide the current status or phase of the project.

- **Project Budget (Expenses)**
  - This should outline the total cost of the project and how funds will be spent, such as on salaries, programming, equipment and what the earmark dollars would pay for.
  - If the project includes multiple phases, please include a breakdown of costs by phase.

- **Financing on Hand**
  - Requests should provide a full accounting of the non-earmark funding dedicated to the project, including philanthropic donations; non-federal, public funding such as state, county, or municipal general funds; nonprofit funding; or financing mechanisms, such as loans or tax financing.

- **Timeline to Completion**
  - Please outline how long it will take to spend any CDS funds awarded to your project (or how long it will take to complete the CDS-funded portion of your project), as well as the anticipated timeline for the whole project.
  - The Appropriations Committee looks favorably at projects that can be initiated within the fiscal year for which you are requesting funds.

SENATE EARMARK CONSIDERATION TIMELINE

1. → **2.** → **3.**

January — Senate staff hold webinar sessions on the process for the upcoming Fiscal Year

Early/Mid — Spring The President releases the Budget for the upcoming fiscal year, officially starting the Appropriations process

Early/Mid Spring - Applicants submit requests to the Senators for consideration

4. → **5.** → **6.**

Mid/Late Spring - Senators select projects to advance to the Appropriations Committee

Summer - Senate Appropriations reviews the submitted requests

Late Summer - Senate Appropriations releases funding bills with proposed, qualifying earmarks

7. → **8.** → **9.**

Late Summer - House and Senate vote on appropriations bills and conference them together throughout the fall

Early Winter (often late December) – Consolidated funding bill with Senate and House earmarks is agreed on by Congress and signed into law

2-3 Months after passage – Federal agencies establish formal grant agreements with recipients before distributing earmark funds

AGRICULTURE, RURAL DEVELOPMENT, & FOOD AND DRUG ADMINISTRATION

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

- Agricultural Research Service, Building and Facilities (ARS B&F)
- National Institute of Food and Agriculture, Research and Facilities Act Program (NIFA RFAP)
- Animal and Plant Health Inspection Service, Salaries and Expenses (APHIS S&E)
- Natural Resources Conservation Service, Watershed and Flood Prevention Operations (WFPO)
- Rural Development, Community Facilities Grants
- Rural Development, Distance Learning, Telemedicine, and Broadband Program (DLT) grants

Agricultural Research Service, Buildings and Facilities (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. Facilities must be ARS-owned.

National Institute of Food and Agriculture, Research and Facilities Act Program (NIFA RFAP)
- Eligible qualifying institutions (Land Grant Universities, Non-Land-Grant Colleges of Agriculture, and other eligible entities as defined in section 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% non-federal match for any RFAP award.

Animal and Plant Health Inspection Service (APHIS) – Salaries and Expenses (S&E)
- Requests for APHIS S&E must align with APHIS' mission and must meet environmental review requirements (i.e., NEPA and ESA). Learn more about APHIS' programs here. The period of availability for APHIS CDS will be one-year funding (i.e., until the end of the fiscal year).
  - **Examples of previously funded projects:** New York Farm Viability Institute for Dairy Farms Antimicrobial Stewardship, $180,000; Hawaii Department of Land and Natural Resources for Invasive Species Surveillance, $600,000.

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. Applicants are encouraged to request funding for projects that are nearing the construction implementation phase.

Rural Development: Community Facilities Grants

- The following project and applicant eligibility criteria must be met **prior to** a congressionally directed spending request being approved:
    - The Community Facilities (CF) Grant program has a match requirement on a sliding scale based on community population size. CF Grants can cover up to 75 percent of the total project costs. Rural Development (RD) will verify an applicant's population size from the 2020 census. In order to determine whether a project is eligible, your office or the applicant is required to reach out to your State RD office. Contact information for the State RD offices can be found at this link: https://www.rd.usda.gov/about-rd/state-offices
- This program will fund up to 75% of total project costs, with match requirements based on area median income and population as follows (The match requirements are outlined in the CF regulation: 7 CFR 3570.63(b):
    - Maximum of **75 percent** when the proposed project is located in a rural community having a population of **5,000 or fewer.**
    - Maximum of **55 percent** when the proposed project is located in a rural community having a population of **12,000 or fewer.**
    - Maximum of **35 percent** when the proposed project is located in a rural community having a population of **20,000 or fewer.**
    - Towns with populations **over 20,000 are not eligible** for this program.
- **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 (must be a cash match; it cannot be in-kind). However, there are two exceptions: (1) sometimes a Federal source will state that it can be used as a match for Federal Grants and (2) when a Federal source loses its Federal identity --- such as CDBG funds that are distributed through a Governor's office (not the CDBG entitlement funding) --- a CF project having these funds as a part of the capital stack can be a part of the applicant required contribution.
- In order to best determine the eligibility of the request, the following information must be provided in your application:
    - 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
    - Service area/beneficiaries – this includes all towns, cities, counties, etc. that will benefit from the services provided and can be more than just the town where the project is physically located. If a project will benefit multiple towns/communities, USDA Rural Development (RD) takes a weighted average of the populations and median incomes to determine eligibility and the required match. Without this information, RD will not be able to determine eligibility and the project will not be funded.

- 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 a Regional Director (RD) if awarded a CDS in the final bill. All applications should be vetted through your State RD office.
- The average CF CDS project size is $1,000,000. When considering how much to request, this is a good baseline to use.
  - **Examples:** Deep Creek Volunteer Fire Company Capital Improvement Project, $1,000,000; Foundation of HOPE Center in Talbot County for new facility, $630,000.

Rural Development: Distance Learning and Telemedicine Grants
- The following project and applicant eligibility criteria must be met **prior to** a congressionally directed spending request being approved:
  - There is a flat 15 percent match (matching funds cannot come from another Federal source)
  - Full list of eligible entities, uses, and limitations can be found here: 7 CFR Part 1734 Subpart A and B
  - The maximum grant size is $1,000,000.
  - Reminder, even though for-profit entities are eligible for this program, they are not eligible for congressionally directed spending requests.
  - **Broadband deployment is not an eligible use of funds for DLT.**
  - Applicants must complete an application with RD if awarded a CDS in the final bill.

- For both CF Grants and DLT Grants, state directors and local specialists are available to answer specific questions regarding eligibility of a proposed project. You can find their contact information at this link: https://www.rd.usda.gov/about-rd/state-offices. In addition to certifying that the matching requirements will be met, requestors must also certify that they have contacted their local office and confirmed the proposed project meets the program's eligibility requirements.
- **Following enactment of the final funding bill, CDS recipients must apply for funding through the normal agency application process.**
- **The Appropriations Committee will not fund CDS items if a recipient CANNOT meet all program requirements.**

COMMERCE, JUSTICE, & SCIENCE

Committee Note: CDS requests should fund local projects that further the missions of CJS agencies by increasing the understanding of the oceans and the atmosphere, protecting our communities, and promoting space- or standards- related science. There must be a clear, demonstrable nexus to the applicable agency's missions and programs, and the request should articulate that nexus. Funding recipients must be governmental or non-profit entities. The Committee intends to recommend projects that create private sector jobs, advance research and development, or save lives.

The Commerce, Justice, & Science (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 and Equipment
- National Aeronautics and Space Administration; Safety, Security and Mission Support

NIST STRS, External Projects:
- Projects should address scientific, technological, and standards-related research and technology development, limited to equipment, initial salaries, and limited contracting. There must be a clear, demonstrable nexus to the research component of the project and to a NIST research program. **Construction projects will not be accepted.** NIST allows minor alterations in terms of "retrofits," based on how the agency utilizes STRS internally, including electrical and/or HVAC upgrades, and other minor modifications (e.g., expanding a door or putting up a partition wall). Anything that could be considered new construction (e.g., pouring a foundation or erecting walls or a roof) is not allowable.
  - **Examples**: Morgan State University Equipment for the Center for Education and Research in Microelectronics, $963,000; University of Maryland for Cryo-EM microscope, $963,000.

NIST Construction of Research Facilities, Extramural Construction:
- Requests can be submitted for projects at non-Federal research facilities 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 able to be supported on an annual basis.
    - **Examples**: Mount St. Mary's University expansion of facilities for STEM Access, Innovation and Workforce Development in Rural Maryland, $4,000,000; Burlington Technical Center in Vermont for the Burlington Aviation Technology Center, $10,000,000.

NOAA 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.
    - **Examples**: St. Mary's River Watershed Association for oyster restoration, $185,000; Town of Oxford for research on sea level rise, $1,060,000.

DOJ Byrne Discretionary:
- The Subcommittee will accept CDS requests for Byrne Discretionary projects. Projects should provide additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems. All projects must have a nexus to the criminal justice system, **and funding cannot be used for land acquisition or construction.**
- 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.
    - **Examples:** City of Baltimore for 9-1-1 Diversion Pilot Program, $1,000,000; Marylanders to Prevent Gun Violence for prevention coalition expansion, $367,000.

DOJ COPS Law Enforcement Technology and Equipment:
- The Subcommittee will accept CDS requests for COPS Law Enforcement Technology and Equipment for the development of technologies and automated systems to assist law enforcement agencies in investigating, responding to, and preventing crime. Recipients shall include State, local, Tribal, and territorial governments and their public agencies (for example, police and/or sheriff's departments).
- Allowable activities are limited to the statutorily allowable purpose areas under the [COPS Office statute](), including the procurement of equipment, technology, or support systems, and the development of new technologies to assist recipient entities in reorienting the emphasis of their activities from reacting to crime to preventing crime. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the [DOJ Grants Financial Guide](), and the applicable Award Owner's Manual.
- 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.
    - **Examples:** Charles County, Maryland Body-Worn Camera Project, $610,000; City of Rochester in Minnesota for records management system upgrade, $500,000.

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 not fund construction** but could be used for equipment, research funding, or education programs.==
    - **Examples**: Bowie State University for their hydroponics research laboratory, $1,000,000; Frostburg State University Regional Science Education Center $750,000.

The Homeland Security (DHS) Subcommittee will accept CDS requests for the following accounts:

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

Special Note: For any projects designated for funding in the final fiscal year 2027 Homeland Security Appropriations Act, MDEM will serve as the administrative agent for the grant. All project proposals must be accompanied by a letter of support from the Maryland Department of Emergency Management (MDEM) affirming that it believes the project is eligible. Please contact Anna Sierra and Emily Wesselhoff to obtain this letter: anna.sierra1@maryland.gov; emily.wesselhoff@maryland.gov

Pre-Disaster Mitigation (PDM) Projects:

- 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 2024 NOFO for the "Pre-Disaster Mitigation Grant Program."
- All recipients MUST have a FEMA-approved hazard mitigation plan (HMP) at the time the grant is awarded. If a recipient does not have an HMP or the HMP expires before 9/30/2027 you must verify that you are working with FEMA to have a valid HMP in place at the time of the award.
  - **Examples:** Point of Rocks Significant/High Hazard Dam Decommissioning and Stream Restoration, $908,000; Village of Pulaski in New York for stormwater flooding improvements, $1,000,000.

Emergency Operations Center (EOC) Grant Program:

- Requested projects must meet the eligibility requirements of the EOC grant program, including the non-federal cost-share requirement and environmental and historic preservation requirements. Full requirements can be found in the fiscal year 2024 NOFO for the "Emergency operations Center Grant Program."
- **Note**: Eligibility in FY26 was limited to projects included for funding in the FY25 Senate Report. Similar limitations may be in place for FY27. Additional guidance will be provided when it is available.
  - **Examples**: Perkins Township in New Jersey for their Emergency Operations Center and Fire Station, $600,000; Hampstead Fire Department in New Hampshire for their Emergency Operations Center Renovation, $200,000.

ENERGY & WATER

The Energy and Water (E&W) Subcommittee will accept CDS requests for the following accounts:

- Corps of Engineers: Investigations

- Corps of Engineers: Construction

- Corps of Engineers: Operation & Maintenance

- Department of Energy: Energy Projects
  - Renewable and Clean Energy projects
    - **Examples**: Montgomery County for Low Income Housing Electrification and Indoor Air Quality Improvements, $1,000,000; Coppin State University Center for Nanotechnology, $2,175,000.
  - Electricity and Energy Resiliency projects
  - Cybersecurity and Energy Security projects
  - Nuclear Energy Projects
  - Fossil Energy or Carbon Management Projects
    - **Example**: Development Authority of Mercer County, WV, Gas Line Extension, $2,959,000

Special Guidance for Corps of Engineers and Bureau of Reclamation Requests: 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. New starts require an identified non-Federal sponsor.

Special Guidance for Department of Energy CDS Requests: 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 below. This includes requests that are not eligible for funding through tax credits or other federal incentives. Statutory cost sharing requirements may apply to these projects, as required by section 988 of the Energy Policy Act of 2005, and will be dependent on the scope and technological maturity of the project. The following are the general cost share assumptions:
  - 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.

The following Department of Energy projects <u>will not be</u> funded:

- Projects that do not follow statutory cost sharing requirements.
- Projects that require multiple years of funding.
- Construction of buildings or new facilities (no brick and mortar), even if it will have clean energy associated with it.
- Vehicle charging projects, unless the project is connected to larger clean energy sources (like a battery) or has clean energy applications beyond the charging station.
- Electrical substation replacement or routine grid upgrades that could otherwise be funded under ratepayer contracts or through existing federal incentives.
- Planning studies for a forthcoming project.
- Clean energy projects that do not show transformative or emerging technological solutions. For example, solar panels, battery storage, or light bulb upgrades without any transformative technology or integrated energy system associated with it.
- Planning studies for NetZero goals, for example "City of X seeks $500K for a NetZero planning document/report."

The Financial Services and General Government (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, Repairs and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition
- General Services Administration, Federal Buildings Fund, Repairs and Alterations
- Office of National Drug Control Policy, Administrative Provision (Prevention Grants)

Small Business Administration, Administrative Provision:

- Projects supporting small businesses, encompassing entrepreneur training, counseling, and research. Please be advised: SBA CDS funding is not intended for the provision of seed capital for small businesses, nor for sub-grants or loans, or the construction or acquisition of facilities.
  - **Examples:** Anne Arundel County Inclusive Ventures Program to assist minority, women, and veteran entrepreneurs, $1,650,000; Baltimore Community Lending Small Business Development and Resource Center, $1,000,000.

National Archives and Records Administration, National Historical Publications and Records Commission (NHPRC):

- Projects to help ensure online public discovery and use of historical records collections, encourage public engagement with historical records, strengthen the nation's archival network, or publish documentary editions of historical records. This includes initiatives like record digitization, programming, and online availability of records. In considering how to develop your project, please review the NHPRC "Eligibility" page on NARA's website.
  - **Examples**: University of Maryland Eastern Shore Historical Digitalization Project, $500,000; Crownsville Hospital Historic Documentation and Storytelling, $500,000.

National Archives and Records Administration, Repair and Restoration

- Projects that dedicate funding for one or more of the 15 presidential libraries established under the Presidential Libraries Act.

General Services Administration, Federal Buildings Fund, Construction and Acquisition or Repairs and Alterations Accounts:

- CDS projects include all Construction projects and Major Repairs projects not requested in the FY27 GSA budget request, unless projects were partially funded in a prior enacted FSGG Appropriations bill. Construction projects typically include federal courthouses, federal buildings, or land ports-of-entry. Repairs projects must be federally-owned properties in need of major repairs or alterations and are typically federal buildings or federal courthouses.
- **Please note:** Eligible projects **do not** include state or county facilities, DOD facilities, VA facilities, or transportation infrastructure facilities.
    - **Example:** Edward A. Garmatz Federal Courthouse in Baltimore City study for possible new facility, $1,500,000.

Office of National Drug Control Policy, Administrative Provision (Prevention Grants):

- CDS projects should focus on evidence-based drug-related projects, such as primary prevention of substance use disorder. Preferred prevention programs would include community-based coalitions which, as part of their application, propose data-driven, evidence-based prevention interventions; have established measurable objectives; and proposed implementing a comprehensive mix of strategies. Also, Drug-Free Communities (DFC)-funded coalitions recently trained by CDC to implement Adverse Childhood Experiences (ACEs) as part of their substance use prevention efforts are recommended.
- Allowable expenses include staff salaries and benefits for time spent on the project, building rent, and equipment. Unallowable expenses include (but are not limited to) real property purchases, and construction or renovation costs.
- **Please note:** Programs should **not be** substance specific. Treatment programs are not eligible for CDS under this account.

INTERIOR & ENVIRONMENT

The Interior and Environment (INT & ENV) Subcommittee will accept CDS requests for the following accounts:

- EPA, STAG, Clean Water SRF, Clean Water CDS

- EPA, STAG, Drinking Water SRF, Drinking Water CDS

- IHS, Sanitation Facilities Construction, Sanitation Facilities Construction CDS

- NPS, Historic Preservation Fund Projects

- USFS, State, Private, and Tribal Forestry, Forest Resource Information and Analysis

Committee Note: The Subcommittee may also consider CDS requests within the following accounts, but only on a case-by-case basis. The Subcommittee will consider the appropriateness of CDS spending for the project, history of the program and other federal spending, and availability of funding within the program, among other factors. The Subcommittee will only consider CDS requests for projects that are not included in the President's budget request or for projects that would be funded above the President's budget request:

- Projects on Agency Lists:
    - LWCF: Great American Outdoors Act, Land and Water Conservation Fund
        - BLM, Land Acquisition
        - FWS, Land Acquisition
        - NPS, Land Acquisition
        - USFS, Land Acquisition
        - USFS, Forest Legacy
    - LMCON: Land Management Agencies, Construction
        - BLM, Construction
        - FWS, Construction Projects, Line Item Construction
        - NPS, Construction, Line Item Construction and Maintenance
        - USFS, Capital Improvement and Maintenance, Facilities, Road and Trails
- Land Management Agencies, Local Projects and Research:
    - BLM, Management of Land and Resources, Land Management Priorities
    - NPS, National Recreation and Preservation, Statutory and Contractual Aid
    - FWS, Resource Management, Stewardship Priorities
    - USGS, Surveys Investigations and Research, Special Initiatives

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

EPA, State and Tribal Assistance Grants (STAG), Clean Water SRF and Drinking Water CDS

- Water infrastructure grants are limited to projects that are publicly-owned or owned by a non-profit entity. **Privately-owned projects are NOT eligible** for water infrastructure grants.
- Projects that benefit both a clean water and drinking water system will be considered. Any such project must meet the qualifications below and must be requested under the Clean Water CDS account. CDS projects included in a final bill will go through the federal grant award process and CDS projects will be subject to applicable requirements including those related to federal grants, domestic preference, and the National Environmental Policy Act.
  - **Examples:** Town of Boonsboro Drinking water Reservoir Replacement, $1,000,000; Anacostia Watershed Society's Anacostia Stormwater Management Projects through the Treating and Teaching Program, $200,000.
- **State and Local Projects:**
  - Projects requested under the STAG Clean Water or Drinking Water SRF accounts must be on the state of Maryland's Intended Use Plan (IUP). You can find these documents here. Scroll toward the bottom and you will see the Report section and "Federal FY2025/State FY2027 Funding Documents.
  - **If your project is not on the IUP, MDE must review your proposal to determine eligibility before your application is considered complete.** After your application has been submitted, our offices will work with you to coordinate MDE's review of your application.
  - There is a minimum 20% cost share requirement for any state or local water infrastructure grant funded through congressionally directed spending.
  - **NOTE: The following questions are part of the online application and must be answered:**
    - 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**
    - What is the project purpose, e.g., drinking water, wastewater, stormwater, and/or water quality protection?
    - How will the project help the recipient meet applicable water standards—e.g. improve drinking water quality or improve surface/groundwater quality?
    - 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?
    - Describe the project recipient—are they a municipality? Public water system? Other public entity?

- What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
- What is the amount requested for the project?
- Is the amount requested scalable to a lower amount and if so, what is the minimum amount?
- 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)?
- 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?
- What are the anticipated non-federal sources of funding for this project?
- What is the project's status (for example, preliminary engineering, initial planning and design, final design completed, construction initiated)?
- Has the community ever received state or federal funding for water infrastructure projects (not limited to the specific project)?

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

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

7.	Privately owned sewer pipes	7.	Projects for systems that lack adequate technical, managerial, and financial capability, unless assistance will ensure compliance
		8.	Projects for systems in significant noncompliance, unless funding will ensure compliance
		9.	Projects primarily intended to serve future growth

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

Projects that generally ARE eligible for SRF funding

Clean Water / Waste Water		Drinking Water	
1.	Wastewater treatment plants, including sludge handling facilities.	1.	Facilitate compliance with national primary drinking water regulations or address serious risks to public health including non-regulated contaminants (i.e. PFAS)
2.	Collector Sewers - Small sewers that convey wastewater from residences, commercial establishments, and industrial sites.	2.	Rehabilitate or develop water sources (excluding reservoirs, dams, dam rehabilitation and water rights) to replace contaminated sources
3.	Interceptor Sewers - Large sewers that convey wastewater from collector sewers directly to a wastewater treatment facility.	3.	Install or upgrade treatment facilities
4.	Sewer Pipes – Rehabilitation is only eligible if the pipes are publicly owned.	4.	Install or upgrade storage facilities, including finished water reservoirs, to prevent microbiological contaminants from entering the water system
5.	Outfall Sewer - A sewer that conveys treated wastewater from a wastewater treatment facility to the receiving waters.	5.	Install or replace transmission and distribution pipes to prevent contamination caused by leaks or breaks in the pipe, or improve water pressure to safe levels
6.	Storm Water Management – Measures to manage, reduce, treat, or recapture stormwater or subsurface drainage water (i.e. storm sewers, green infrastructure, etc.).	6.	Projects to consolidate water supplies – for example, when individual homes or other public water supplies have a water supply that is contaminated, or the system is unable to maintain compliance for financial or managerial reasons – are eligible for DWSRF assistance.
7.	Combined sewer overflow (CSO) control and sanitary sewer overflow (SSO) control.	7.	Land is eligible only if it is integral to a project that is needed to meet or maintain compliance and further public health protection.
8.	Infiltration/Inflow Correction - Construction activities that prevent surface water or groundwater from entering the sewer system.	8.	Project planning, design and other related costs

9.	Water Security - Installation or upgrade of physical security infrastructure such as lighting, fencing, monitoring and access control. Also, cybersecurity measures, installation of safer treatment technologies, and more secure storage of on-site treatment.		
10.	Septic Tanks - Remediation, rehabilitation, removal and replacement of failing tanks are eligible, as well as installation of new tanks.		
11.	Land - The leasing and fee-simple purchase of land, including surface and subsurface easements, needed to locate eligible municipal or tribal projects, and land integral to the treatment process. Municipal purchase of land and/or conservation easements for source water protection are also eligible.		
12.	Water Reuse - Projects involving the municipal reuse or recycling of wastewater, stormwater, or subsurface drainage water.		
13.	Capital Nonpoint Source Pollution Control Projects – e.g., river or streambank restoration, agricultural best management practices (i.e., buffer strips, manure containment structures), wetlands restoration, etc.		

HPF: National Park Service, Historic Preservation Fund Projects

- *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 will accept CDS requests within HPF that meet the eligibility requirements of existing HPF competitive programs. The vast majority of successful HPF projects have been funded within the Save America's Treasures (SAT) program.
  - The maximum CDS funding amount is $500,000 for any Historic Preservation Fund project.
  - 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.
  - 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.
    - **Examples**: West Virginia State Historic Preservation Office's work on the Cottrill Building, $500,000; Townshend Historical Society, West Townshend Stone Arch Bridge, $221,000.

- **NOTE: The following questions are part of the online application and must be answered:**

  - 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.**
  - 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**.
  - 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?
  - Would the requested project fund an eligible activity under the HPF? For SAT, please visit here and note that new construction, reconstruction, and acquisitions of historic properties or collections are not eligible.
  - What are the specific activities that the project would fund? (e.g., restoring flooring, installing ADA improvements)? **Please provide a list.**
  - Has your state's SHPO or other specialist with experience with the Secretary's standards reviewed the project for consistency with HPF eligibility? (The MD SHPO can be contacted here.)
  - Has the recipient been notified that each successful CDS recipient funded in a final bill must submit an application containing a detailed scope of work and budget proposal to the National Park Service for review and approval?

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

- *About the Program*: The State, Private, and Tribal Forestry account provides technical and financial assistance grants to non-federal forest landowners, including state, Tribal, and local governments. Activities within this account include forest health management, cooperative fire protection, wood innovation, and urban and community forestry. There is no matching requirement.
- The following limitations apply to these CDS requests:
  - The purchase of equipment must comply with 2 CFR 200.313 and .316, including that the primary recipient is required to manage and track the equipment (they may hold title to the equipment but the Federal government retains an interest).
  - Funds cannot be used for general research, capital improvements, or projects on federal land.
  - Recipients cannot receive funding for the same project that has received funding through other Forest Service grants and agreements.
  - The project must contribute to meeting the goals of the State's Forest Action Plan.
    - **Examples:** The Nature Conservancy's Equitable and Just Canopy Cover Greater Portland Area Project, $500,000; State of Alaska Enhanced Wildfire Mitigation, $3,250,000.

Projects on Agency Lists

- **LWCF**: Great American Outdoors Act, Land and Water Conservation Fund: Prioritized project lists will accompany the President's budget request in five LWCF accounts. This requirement is delivered in two separate lists: 1) a list of projects proposed for funding in the President's budget request; and 2) a supplemental list of projects that are ready but unfunded. Any funding request for activities not included in the President's budget request must be submitted as a CDS request. Note that while third party organizations may advocate for specific projects, the CDS recipient for federal acquisition is the federal agency that will eventually manage the land (BLM, FWS, NPS, or USFS), or in the case of the Forest Legacy Program, it is the state.

- **LMCON**: Land Management Agencies, 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. Note that the CDS recipient is the federal agency.

Other Accounts

- **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. These projects must occur on or have a nexus to BLM lands.
  - NPS, National Recreation and Preservation, Statutory and Contractual Aid – project requests may be considered for activities relating to operating, managing, and preserving resources, including as authorized by law.
  - FWS, Resource Management, Stewardship Priorities – project requests may be considered for fish and aquatic conservation, habitat conservation, recovery, and restoration activities.
  - USGS, Surveys Investigations and Research, Status and Trends – project requests may be considered for high priority and core science research, and ecosystem and water resources related activities.
- **BIA, Operation of Indian Programs, Special Initiatives:** BIA provides direct services and funding for compacts and contracts for Tribes to provide programs for a wide range of activities. While the Subcommittee **will not consider CDS projects for individual Tribes**, the Subcommittee may consider requests from other eligible entities that honor the commitment to invest in Tribal communities, create economic opportunities, foster cultural heritage, promote efficient and effective Tribal governance, and conserve natural resources.

- **EPA, Science and Technology, Research: National Priorities:** Project requests may be considered for high priority lines of research related to environmental quality and/or human health.
- **EPA, State and Tribal Assistance Grants, STAG Infrastructure 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.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

The Labor, Health and Human Services, Education (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

Important Note: CDS should fund local projects that further the missions of LHHS agencies. CDS projects should create jobs, create opportunities, and/or save or improve lives. CDS projects should not be viewed as continuous funding sources and should be distinct from competitive grant opportunities at the relevant agencies. CDS projects should be viewed as a way to jump start an activity not sustain it over time. Successful projects will match the project to the authorization or mission of an agency or account and have the support of local officials or communities. Except where specifically authorized and noted, CDS cannot be used for construction (or the acquisition of property) or renovation of buildings. In addition, recipients of CDS may not sub-grant to other organizations or agencies.

Department of Labor—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 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. If a larger portion of the CDS funding is expected to be used for equipment please provide a detailed justification for how such costs relate to meeting 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.**
    - **Examples**: Greater Baltimore Urban League for a returning citizens workforce development program, $800,000; Living Classrooms Foundation for essential skills training, job training, and job placement activities, $750,000.

Department of Health and Human Services—Health Resources and Services Administration (HRSA)—Program Management

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

work previously completed. CDS can be used for architectural and engineering costs associated with an eligible construction project, but cannot be used for general feasibility studies or planning and design.

- **Rural Health:**
  - CDS for projects to improve health care in rural areas. Examples of eligible activities include medical, dental, or mental health care services; health promotion and education; chronic disease management; telehealth services; and improvements to emergency medical services. Grant funds can be used for services only in areas that meet HRSA's definition of rural. For lists of eligible areas and further information regarding that definition, see: https://www.hrsa.gov/rural-health/about-us/definition/index.html. Please include the address of the project's activities in the project justification, if different than the legal entity recipient address, for purposes determining project eligibility.
    - **Examples:** Choptank Community Health System for facilities and equipment, $2,889,000; University of Maryland, Baltimore School of Nursing for facilities and equipment, $1,250,000.

Department of Health and Human Services—Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support

- CDS within SAMHSA should be submitted through the Health Surveillance and Program Support account and must fall under one of the following categories:
  - Mental Health—funding to support programs that promote the prevention or treatment of mental health disorders, including rehabilitation, outreach, and other support services.
  - Substance Abuse Treatment—funding to support programs that improve access, reduce barriers, and promote high quality, effective treatment and recovery services.
  - Substance Abuse Prevention—funding to support programs to prevent the onset of illegal drug use, prescription drug misuse, alcohol misuse, 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.
  - **Examples:** Baltimore City, for a mobile substance abuse treatment van, $459,000; Lourie Center for Infants and Young Children, Inc., to provide services to children experiencing trauma, $970,000.

Department of Health and Human Services—Administration for Children and Families (ACF)— Children and Families Services Programs

- CDS within ACF should be submitted through the Children and Families Services Programs account and must fall under one of the following categories:
  - Child Abuse Prevention—CDS for projects to improve the prevention, assessment, identification, and treatment of child abuse and neglect through research, model service improvement,

information dissemination, and technical assistance. Projects must serve or target abused and/or neglected children and their families.

   o Social Services Research and Demonstration—CDS for projects to promote the ability of families to thrive through financial self-sufficiency, and to promote the healthy development and greater well-being of children and families. Projects can serve a diverse population including: low-income individuals, children, youth, families, individuals with developmental disabilities, and Native Americans.

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

Department of Health and Human Services—Administration for Community Living (ACL)—Aging and Disability Services Programs

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

- 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.

   o **Examples:** Partners in Care outreach, training and programs that serve older adults age safely in place, $1,000,000; Baltimore City Community Based Services for Older Adults, $1,400,000

Department of Education— Innovation and Improvement—Fund for the Improvement of Education (IFE)

- Eligibility for this account includes a wide variety of elementary and secondary education projects, including instructional services, afterschool centers, curricula development, teacher training, acquisition of books and computers, arts education, social and emotional learning activities, full-service community schools, and early childhood education. In general, the focus of elementary and secondary education CDS requests should be providing early childhood or K-12 educational services.

- CDS requests to provide and improve special education services at the elementary and secondary levels are also eligible under this heading. These CDS requests may include early intervention services for infants and toddlers, transition services, and postsecondary education services.

- Eligible CDS recipients are state education agencies, school districts, colleges and universities, and other public and private nonprofit entities. Generally, CDS requests intended for individual schools are provided to the applicable school district and not directly to the individual school.

- CDS funding within FIE cannot be used for construction or renovation of school buildings, except in the case of minor remodeling or minor alterations in a previously completed building, for example as part of technology upgrades. Daycare and childcare projects that do not include educational services are also not eligible under this account. If a significant portion of CDS funds are expected to be used for the purchase of equipment, make sure to include a justification for that use of funds.

- o **Examples**: Best Buddies International, Inc., for the Best Buddies in Maryland Inclusion Project for students with intellectual and developmental disabilities, $250,000; Kennedy Krieger Institute, for evidence-based early childhood education for young children with developmental disabilities and their families, $1,250,000.

Department of Education—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 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.
  - o **Examples**: University of Maryland, Eastern Shore's Veterinary Medicine Program, $1.071,000; Maryland Association of Community Colleges cybersecurity labs statewide, $2,000,000.

MILITARY CONSTRUCTION & VETERANS AFFAIRS

The Military Construction & Veterans Affairs (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

Committee Note: This is a funding request for a specific Military Construction project in a specific location that was not included in the President's budget.

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:

- **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. Some of the lists can be found on the website of the Under Secretary of Defense (Comptroller). Additional inquiries on the FYDP or whether a specific project is included in the FYDP 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 would be funded if additional appropriations were provided. Questions about the UPL 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 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, and the amount may be modified based on information provided by the appropriate Service or Agency. Eligible major military construction projects must therefore be:

- **Authorized in the Fiscal Year 2027 or prior year National Defense Authorization Act**
- **At 35% design or higher with a DD 1391*; and**
- **Prepared to award a construction contract in Fiscal Year 2027**

*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.

- **NOTE: The following questions are part of the online application and must be answered:**

  - Identify which list (FYDP, UFR/UPL, or CTC) includes the project requested;
  - Confirm that the project is at 35% design, has a DD 1391 planning document, attach the DD 1391; and
  - Confirm that the requested project has either been previously authorized or a request to authorize has been or will be submitted to the Senate Armed Services Committee.

TRANSPORTATION, HOUSING, & URBAN DEVELOPMENT

The Transportation Housing & Urban Development (THUD) Subcommittee will accept CDS requests for the following accounts

- Transportation Planning, Research, and Development (TPR&D)
- Grants-in-Aid for Airports (Airport Improvement Program or AIP
- Highway Infrastructure Program (HIP)
- Transit Infrastructure Grants (TIG)
- Consolidated Rail Infrastructure and Safety Improvement (CRISI) Grants
- Port Infrastructure Development Program (PDIP) Grants
- Community Development Fund for Economic Development Initiatives (EDI)

Committee Note: The Subcommittee **will not fund** CDS requests for operational expenses or administrative salaries and benefits.

Transportation Planning, Research, and Development (TPR&D)

- This account is for national or regional research and development projects.
  - **Examples**: Study to reestablish passenger rail between Reading and Philadelphia, $100,000; EV ferry pilot program in Alaska, $2,000,000.

Grants-in-Aid for Airports (Airport Improvement Program or AIP)

- As AIP CDS follows the existing AIP statute, the Federal cost-share requirements still apply to CDS. For large and medium primary hub airports, CDS can cover 75 percent of eligible costs (or 80 percent for noise program implementation). For small primary, reliever, and general aviation airports, CDS can cover a range of 90-95 percent of eligible costs, based on statutory requirements.
  - **Examples:** Salisbury-Ocean City Wicomico Regional Airport (SBY) Runway Extension, $500,000; Appleton Airport (ATW) Concourse Addition in Wisconsin, $500,000.

Highway Infrastructure Program (HIP)

- Applicants can request CDS within the HIP account for highway projects eligible under title 23, United States Code, including, but not limited to, highway and bridge construction projects, planning, environmental review, design, and right-of-way acquisition.
- All highway CDS funds will be provided directly to your State Department of Transportation. If the

local or county level government is requesting the CDS, they will be required to coordinate with the State DOT to receive the funding and ensure a non-Federal match is available.

- Please include the following information in your application:
  - Provide the status of the planning and environmental work
  - Provide a description of all other sources of funding contributing to the total cost of the project.
  - Provide a link to the Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) that includes the requested project.
  - Provide total cost of the project, which should be consistent with the total cost of the project in the STIP or TIP.
    - **Examples:** Baltimore Greenway Trail Network Corridor Advancements, $2,500,000; St. Mary's County Sidewalk Retrofit, $300 ,000.

Transit Infrastructure Grants (TIG

- Please include the following information in your application:
  - Provide the status of the planning and environmental work
  - Provide a description of all other sources of funding contributing to the total cost of the project.
  - Provide a link to the Statewide Transportation Improvement Plan (STIP) or Transportation Improvement Plan (TIP) that includes the requested project.
  - Provide total cost of the project, which should be consistent with the total cost of the project in the STIP or TIP.
    - **Examples**: Charles-Prince George's County Southern Maryland Rapid Transit Corridor, $5,000,000; Secure Bike Parking Facilities, $428,000.

Consolidated Rail Infrastructure and Safety Improvement (CRISI)

- Please include the following information in your application:
  - Provide the status of the planning and environmental work
  - Provide a description of all other sources of funding contributing to the total cost of the project.
  - Provide a link to the State Rail Plan that includes the requested project.
  - Provide total cost of the project, which should be consistent with the total cost of the project in the State Rail Plan.
    - **Example**: Baltimore Penn Station Facility Improvements, $5,000,000

NOTE: For all DOT applications, your project must be in MDOT's Consolidated Transportation Plan (CTP) or the State Rail Plan OR you must provide a letter from MDOT confirming that they will include the project on the STIP or TIP once funding for the project is enacted. You can obtain this letter by emailing Jeff Stockdale at jstockdale@mdot.maryland.gov. Please be mindful of the submission deadline and do not request your letter at the last minute.

Port Infrastructure Development Program (PDIP)

- Please include the following information in your application:
  - Provide the status of the planning and environmental work
  - Provide a description of all other sources of funding contributing to the total cost of the project.
  - Denote whether:
    - 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).

Community Development Fund for Economic Development Initiatives (EDI)

Important Note: EDIs are subject to all general Federal requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Build America Buy America (BABA) Preferences, the National Environmental Policy Act (NEPA), HUD's NEPA-implementing regulations and all appropriate Federal environmental and historic preservation laws, regulations, and Executive Orders.

- Successful projects are those that 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;
  - Public housing modernization 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.
- Please include the following information in your application:
  - Provide the current status of the project, a description of all other sources of funding contributing to the total cost of the project, and the status of the planning and environmental review work.
  - Include relevant data on how activities or projects benefit primarily low- and moderate-income persons or communities to meet program requirements.
  - Provide a link to the project website if available.
  - Provide the total cost of the project.
  - 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.
    - **Examples:** Historic Druid Hill Y Family Center Renovation, $1,238,000; Community Forklift warehouse for building materials salvage, workshops and trainings, $1,000,000.