



Senator Justice’s Congressionally Directed Spending (CDS) and Programmatic Requests Guidance – Fiscal Year 2026

****All CDS and Programmatic/Language requests must be submitted no later than Friday, April 25, 2025 at 7:00 p.m. ET.****

Please submit your CDS request [HERE](#).

Please submit your Programmatic/Language request [HERE](#).

To be considered, all required information must be completed **in the online forms linked above** by the stated deadline. Submissions that do not follow this format will not be reviewed.

Please do not submit standalone documents in lieu of completing the webform. Any uploads must supplement — not replace — the fully completed request form.

Questions? Reach out to our team at: approps@justice.senate.gov

CDS Eligibility and Compliance Requirements:

All requests must comply with Rule XLIV of the [Standing Rules of the Senate](#). According to this rule:

- Senators are prohibited from having any financial or pecuniary interest in the CDS projects they support.
- Senators must publicly disclose each CDS request they make each fiscal year.

Note: Only public and not-for-profit entities are eligible to receive CDS funding. Private businesses and for-profit organizations are **not** eligible to apply for or receive CDS funds.

Guidance from the Senate Appropriations Committee:

The following instructions are based on guidance issued by the Senate Appropriations Committee. They are designed to help applicants understand which accounts are eligible for certain funding requests and what specific information is required to complete a submission.

Each subcommittee and account has its own set of eligibility rules and submission requirements. **Please review these carefully.** Providing accurate and complete responses will help expedite the review process.

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

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 and Telemedicine Grants

Agricultural Research Service, Buildings and Facilities:

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

National Institute of Food and Agriculture, Research and Facilities Act Program:

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. 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 the National Historic Preservation Act (NHPA) and National Environmental Policy Act (NEPA) review, and must comply with Build America Buy America requirements. Learn more about RFAP [here](#).

APHIS Salaries and Expenses:

Requests for APHIS S&E must align with APHIS' mission and must meet environmental review requirements (i.e., NEPA and ESA). Learn more about APHIS' programs [here](#). The period of availability for APHIS CDS will be one-year funding (i.e., until the end of the fiscal year).

WFPO:

CDS recipients for WFPO must have a local sponsor. Eligible local sponsors can be any State, political subdivision, soil or water conservation district, flood prevention or control district, or combinations thereof; any irrigation or reservoir company or water users' association; or any Indian tribe or tribal organization.

Any individual project may not exceed a watershed or sub-watershed size of 250,000 acres. At least 20 percent of the project's benefits must be directly related to agriculture.

Projects are required to complete a four-step process including:

1. Preliminary feasibility study (PIFR)
2. Watershed Plan development
3. Implementation of Watershed Plan
4. Commencement of construction for authorized watershed conservation

If a project is a "new start," it is eligible only for PIFR funding at a level of \$55,000. Funding cannot be requested for stages 2-4 until the PIFR is completed (this includes projects where the PIFR is in progress). The Subcommittee encourages funding requests for projects that are nearing the construction stage.

Requests must include the following information in the "Additional Project Details" section:

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

Community Facilities Grants:

The following project and applicant eligibility criteria for Community Facilities Grants detailed below must be met **prior** to a CDS request being approved.

The Community Facilities (CF) Grant program has a match requirement on a sliding scale based on the community population size of where the project will be located. CF Grants can cover up to 75 percent of the total project costs. Rural Development (RD) verifies an applicant's population size from the most recent census. **In order to determine whether a project is eligible, each applicant is required to reach out to the West Virginia RD office.** Contact information for the state 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 population as follows:

- Maximum of 75 percent when the proposed project is located in a rural community having a population of 5,000 or fewer;
- Maximum of 55 percent when the proposed project is located in a rural community having a population of 12,000 or fewer;
- Maximum of 35 percent when the proposed project is located in a rural community having a population of 20,000 or fewer.

Towns with populations over 20,000 are not eligible for this program.

In order to best determine the eligibility of the request, please ensure you provide the following information in the Additional Project Details" section:

- Recipient
- 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 (in thousands of dollars)
- Project location

Funds may **not** be used for the following activities:

- To reimburse funds for projects already constructed/acquired or projects that will be completed by the passage of the final bill;
- To pay initial operating expenses or annual recurring costs, including purchases or rentals that are generally considered to be operating and maintenance expenses (unless a CF loan is part of the funding package);

- To fund facilities to be used primarily for recreation purposes; and
- To fund facilities to be used primarily for business entrepreneur purposes.

This program is subject to the Build America Buy America Act (BABAA) requirements which will apply to the total project cost, not just the Federal cost-share portion. Applicants must also meet environmental review requirements (i.e., NEPA). Applicants must complete an application if awarded a CDS in the final bill.

Note: there are several set-asides within the CF grant program, but CDS requests will only be eligible for the general CF Grant program.

**** Due to the complexity of these grants, all applications MUST be vetted through the West Virginia RD office – the Subcommittee will NOT consider projects that are ineligible.**

Rural Development, Distance Learning and Telemedicine Grants:

The following project and applicant eligibility criteria must be met prior to a CDS 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 generally eligible for this program, they are not eligible for CDS 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.

Commerce, Justice, Science, and Related Agencies

Programmatic Requests

Programmatic requests must include **ALL** of the following information:

- Specific department or agency
- Appropriations account
- Program, project, or activity
- Amount, if any, requested
- Amount, if any, requested in the President's FY2026 Budget Request

- Amount, if any, included in the FY2024 enacted bill, (which continues under the FY2025 Full-Year Continuing Resolution (CR)), or, if applicable, the anomaly amount in the FY2025 Full-Year CR
- Brief explanation justifying the request
- A draft of the proposed bill language, report language, or both

The Subcommittee welcomes suggestions to reduce funding for specific activities to offset any proposed increases, and applicants should provide details on these reductions and offsets if applicable.

CDS Requests

The Subcommittee will accept requests for CDS. CDS requests should fund local projects that further the missions of CJS agencies by increasing the understanding of the oceans and the atmosphere, protecting our communities, and promoting space- or standards- related science. There must be a clear, demonstrable nexus to the applicable agency's missions and programs, and the request should articulate that nexus.

The CJS Subcommittee will accept CDS requests in the following accounts:

- Department of Commerce; National Institute of Standards and Technology (NIST); Scientific and Technical Research Services (STRS); External Projects
- Department of Commerce; NIST; Construction of Research Facilities; Extramural Construction
- Department of Commerce; National Oceanic and Atmospheric Administration (NOAA); Operations, Research, and Facilities (ORF); Special Projects
- Department of Justice; Office of Justice Programs; State and Local Law Enforcement Assistance; Byrne Discretionary
- Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology and Equipment; and
- National Aeronautics and Space Administration; Safety, Security and Mission Support

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.

Department of Commerce; NIST; Construction of Research Facilities; Extramural Construction:

The Subcommittee will accept CDS requests for NIST Extramural Construction projects for non-Federal research facilities, including for projects at research institutions and colleges and universities. However, given the significant investments necessary for construction projects, only a very limited number of projects will be supported on an annual basis.

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.

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, and funding cannot be used for land acquisition or construction. For additional guidance on allowable expenses, please refer to the most recent Byrne Discretionary solicitation. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the [DOJ Grants Financial Guide](#).

Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology and Equipment:

The Subcommittee will accept CDS requests for COPS Law Enforcement Technology and Equipment for the development of technologies and automated systems to assist law enforcement agencies in investigating, responding to, and preventing crime. Recipients shall include State, local, Tribal, and territorial governments and their public agencies (for example, police and/or sheriff's departments). Allowable activities are limited to the statutorily allowable purpose areas under the [COPS Office statute](#), including the procurement of equipment, technology, or support systems, and the development of new technologies to assist recipient entities in reorienting the emphasis of their activities from reacting to crime to preventing crime. For additional guidance on allowable expenses, please refer to a recent COPS Technology and Equipment Program solicitation. CDS requests funded in a final bill will be subject to the requirements of 2 CFR Part 200 and the [DOJ Grants Financial Guide](#), and the applicable Award Owner's Manual.

National Aeronautics and Space Administration; Safety, Security and Mission Support:

Projects should focus on science education, research, and technology development related to NASA's mission. Medical research projects and projects at NASA-owned Visitor Centers or a State's designated Space Grant Consortium will not be funded. This account cannot fund construction but may be used for equipment, research funding, or education programs.

Defense

CDS Requests

The Subcommittee on Defense will not accept requests for congressionally directed spending items, as defined in Senate Rule XLIV.

Programmatic/Language Requests

Justification

- Provide a thorough, well drafted justification of the request to include a description of the requirement; the specific issue being addressed; impacts should the requested funding and/or language not be included; and any other information deemed relevant and supportive of the specific request.
- Be as specific as possible to avoid confusion.

Proposed Bill Language

- Include the proposed draft bill language in general provision format and drafted precisely as it is intended to be included in the bill as a general provision.

Proposed Report Language

- Include the proposed draft report language precisely as it is intended to be included in the Committee report.
- Be mindful of directive or restrictive wording if the intent is not necessarily a restriction upon a given Service or agency.
- Report language should be applied to the specific sub-account where funding is traditionally located for the project or initiative that the report language is referencing.

Energy and Water Development

Programmatic/Language Requests

These types of requests include bill or report language that direct, encourage, or urge the Agency or Department to carry out an action. Programmatic funding requests are not tied to a specific location. These requests may support a project, program, or account as included in the President's budget request.

CDS Requests

This is a funding request for a specific project in a specific location that either was not included in the President's FY26 budget request or exceeds the level recommended in the President's FY26 budget request.

EWD will **only** consider CDS requests for items in the following accounts:

- Corps of Engineers: Investigations
- Corps of Engineers: Construction
- Corps of Engineers: Operation & Maintenance
- Corps of Engineers: Mississippi Rivers & Tributaries: Investigations
- Corps of Engineers: Mississippi Rivers & Tributaries: Construction
- Corps of Engineers: Mississippi Rivers & Tributaries: Operation & Maintenance
- Bureau of Reclamation: Water and Related Resources
- Department of Energy: "Energy Projects" Account will include the following topic areas:
 - Energy Efficiency and Renewable Energy
 - Electricity
 - Cybersecurity, Energy Security, and Emergency Response
 - Nuclear Energy
 - Fossil Energy and Carbon Management

Specific Guidance for Corps of Engineers & 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. With few exceptions, a new start requires an identified non-Federal sponsor to be eligible for funding.

Specific Guidance for Department of Energy CDS Requests:

- Requests must fit under at least one of the five topic areas listed above. Successful projects will be in line with current Department of Energy missions that focus on transformative science and technology research, development, and demonstration under the five topic areas listed above. This includes requests that are not eligible for funding through tax credits or other federal incentives.
- 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: 20 percent cost share.
 - Demonstration or commercial application: minimum 50 percent cost share.
- Further, the Subcommittee will **not** fund the following projects:
 - Projects that require multiple years of funding.
 - Construction of new facilities and buildings.
 - 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.”

Financial Services and General Government

Distinguishing congressionally directed spending (CDS), programmatic, and language requests:

1. **CDS Requests**, generally speaking, are funding requests for a specific project in a specific location for the accounts that FSGG is accepting CDS requests.
 - a. *Example: Provide \$500,000 for a basic repair project at the XYZ Federal Building in City, State.*

2. **Programmatic Requests** are requests to fund a specific program in the bill at a specified level.
 - a. *Example: Provide \$150,000,000 for Small Business Development Centers*
3. **Language Requests** are requests to include specific bill or report language that does not direct funding to a particular entity but encourages, urges, or directs some type of action by an agency.
 - a. *Example: The Committee encourages OPM to continue efforts to decrease processing delays and improve customer service levels.*

CDS Spending Requests

The FSGG Subcommittee will accept requests for CDS items only in the accounts listed below:

- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repairs and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition
- General Services Administration, Federal Buildings Fund, Repairs and Alterations, Major Repairs
- General Services Administration, Federal Buildings Fund, Repairs and Alterations, Basic Repairs
- Office of National Drug Control Policy, Administrative Provision (Prevention Grants)

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

CDS Eligibility Requirements

CDS requests must meet all applicable eligibility requirements for the program in which the request is made. Please see below for eligibility criteria for the accounts accepting CDS requests:

Small Business Administration, Administrative Provision:

Projects supporting small businesses, encompassing entrepreneur training, counseling, and research. Please be advised: SBA CDS funding is not intended for the provision of seed capital for small businesses, nor for sub-grants or loans, or the construction or acquisition of facilities.

National Archives and Records Administration, National Historical Publications and Records Commission:

Projects to help ensure online public discovery and use of historical records collections, encourage public engagement with historical records, strengthen the nation’s archival network, or publish documentary editions of historical records. This includes initiatives like record digitization, programming, and online availability of records. In considering how to develop your project, please review the NHPRC “Eligibility” page on NARA’s website.

National Archives and Records Administration, Repairs and Restoration:

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

General Services Administration, Federal Buildings Fund, Construction and Acquisition:

CDS projects include all Construction projects and Major Repairs projects not requested in the FY25 GSA budget request, unless projects were partially funded in a prior enacted FSGG Appropriations bill. Construction projects typically include federal courthouses, federal buildings, or land ports-of-entry. Repair 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.

General Services Administration, Federal Buildings Fund, Repairs and Alterations:

CDS projects include all Construction projects and Major Repairs projects not requested in the FY25 GSA budget request, unless projects were partially funded in a prior enacted FSGG Appropriations bill. Construction projects typically include federal courthouses, federal buildings, or land ports-of-entry. Repair projects must be federally-owned properties in need of major repairs or alterations and are typically federal buildings or federal courthouses. Please note: Eligible projects do not include state or county facilities, DOD facilities, VA facilities, or transportation infrastructure facilities.

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

CDS projects should focus on evidence-based drug-related projects, such as primary prevention of substance use disorder. Preferred prevention programs would include community-based coalitions which, as part of their application, propose data driven, evidence-based prevention interventions; have established measurable objectives; and proposed implementing a

comprehensive mix of strategies. Also, Drug-Free Communities (DFC)-funded coalitions recently trained by CDC to implement Adverse Childhood Experiences (ACEs) as part of their substance use prevention efforts are recommended. Allowable expenses include staff salaries and benefits for time spent on the project, building rent, and equipment. Unallowable expenses include (but are not limited to) real property purchases, and construction or renovation accosts. *Please note: Programs should not be substance specific. Treatment programs are not eligible.*

Homeland Security

For fiscal year 2026, the following accounts are eligible for CDS requests:

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

Federal Emergency Management Agency, Pre-Disaster Mitigation Projects:

Requested projects must meet the eligibility requirements of the PDM grant program, including the non-federal cost-share requirement, benefit-cost ratio, hazard mitigation plan, and environmental and historic preservation requirements. Full requirements can be found in the fiscal year 2024 [NOFO for the “Pre-Disaster Mitigation Grant Program”](#). The status of hazard mitigation plans can be found [here](#). For any projects designated for funding in the final fiscal year 2026 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. **Please email that letter of support to approps@justice.senate.gov.**

Federal Emergency Management Agency, Emergency Operations Centers (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”. For any projects designated for funding in the final fiscal year 2026 Homeland Security Appropriations Act, the state administrative agency (SAA) must submit an application to the Federal Emergency Management Agency, and that agency will serve as the administrative agent for the grant. Therefore, all project proposals must be accompanied by a letter of support from the appropriate SAA affirming that it believes the project is eligible.

Please email that letter of support to approps@justice.senate.gov. Eligibility is limited to projects included in the FY25 Senate Report, or repairs to existing Emergency Operations Centers.

Interior, Environment, and Related Agencies

The Subcommittee will accept CDS requests within the following programs:

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

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

- 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
 - NPS, 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

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

The Subcommittee will limit water infrastructure grants only to projects that are publicly-owned or owned by a non-profit entity. Privately-owned projects are NOT eligible for water infrastructure grants. The Subcommittee has previously considered projects benefiting both a clean water and drinking water system. Any such project must meet the qualifications below and must be requested under the Clean Water CDS account. CDS projects included in a final bill will go through the federal grant award process and CDS projects will be subject to applicable requirements including those related to federal grants, domestic preference, and the National Environmental Policy Act.

State and Local Projects:

The Subcommittee will accept CDS requests for local and/or municipal projects included on a state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan (IUP). The Subcommittee may consider projects that are eligible for funding under State Revolving Loan Fund (SRF) guidelines (detailed below), but are not on the state IUP list.

There is a minimum 20% cost share requirement for any state or local water infrastructure grant funded through congressionally directed spending. For example, a \$1 million project could receive a maximum of \$800,000 from the federal government, with the remaining \$200,000 the responsibility of the CDS recipient. In almost all cases, other federal funds cannot be used to meet this 20% cost share. Please note that only the non-federal portion of assistance provided by a State Revolving Loan Fund can be applied towards a project's matching requirement.

In the "Additional Project Details" section, please provide the following information:

- What is the project purpose, e.g., drinking water, wastewater, storm water, 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)?
- Is the project on the state's most recently finalized Clean Water or Drinking Water State Revolving Fund Intended Use Plan?
- If the answer to the question above is NO, is the project eligible under SRF guidelines?

Please also 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.**

SRF projects have very specific eligibility requirements and the Subcommittee will not consider projects that do not meet those above 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

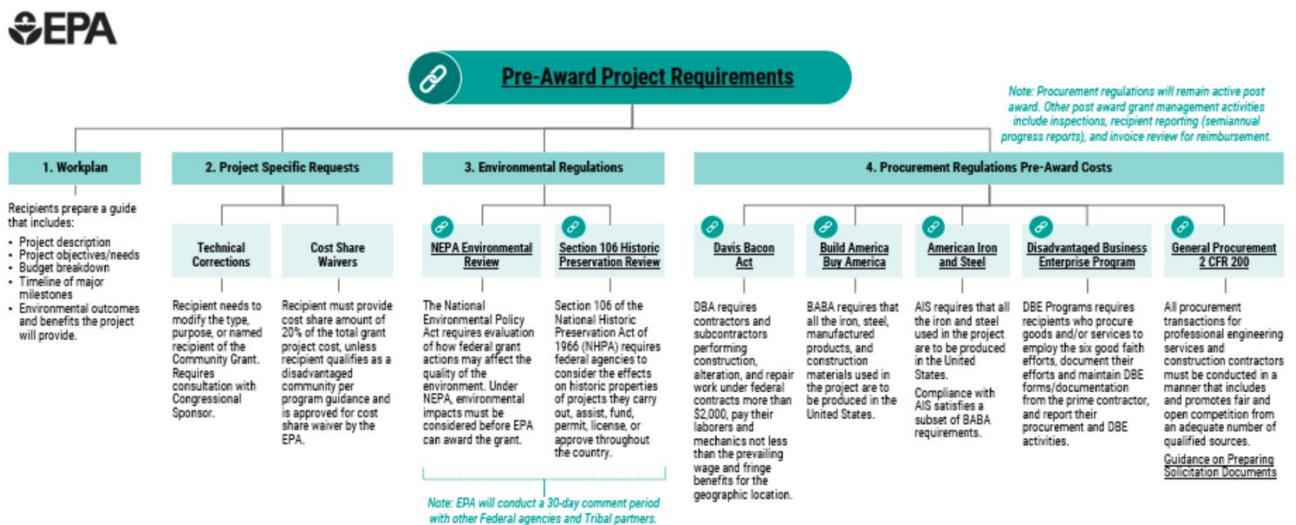
6.	Flood Control Projects, unless the project is otherwise managing, reducing, treating, or recapturing stormwater	6.	Projects needed mainly for fire protection
7.	Privately owned sewer pipes	7.	Projects for systems that lack adequate technical, managerial, and financial capability, unless assistance will ensure compliance
		8.	Projects for systems in significant noncompliance, unless funding will ensure compliance
		9.	Projects primarily intended to serve future growth

The following list provides some examples of the types of projects that are **typically eligible** for SRF funding and are most frequently funded. This list is not intended to be exhaustive.

Projects that generally ARE eligible for SRF funding			
Clean Water / Waste Water		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
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.		

The following graph depicts the process that must be followed before CDS funding for SRFs can be provided for an individual project:



SFC: IHS, Sanitation Facilities Construction, Sanitation Facilities Construction CDS:

For Tribal water CDS projects within the Sanitation Facilities Construction account, the Subcommittee will accept CDS requests for projects included on the Indian Health Services' (IHS) Sanitation Deficiency System (SDS) list.

In the "Additional Project Details" section, please provide the following information:

- Is the project on the IHS Sanitation Deficiency System list?
- If the answer to the question above is NO, is the project eligible under the Criteria for the Sanitation Facilities Construction Program?
- What is the project purpose, e.g., drinking water, wastewater, storm water, and/or water quality protection?
- Is the amount requested scalable to a lower amount and if so, what is the minimum amount?
- Is this request seeking funding for planning and design, construction, or both?
- Is the preliminary planning and engineering design completed for this project?
- When will this project be ready to proceed to construction?
- What is the total estimated cost of the project, based on the facilities plan or preliminary engineering report?
- 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?
- If applicable, does the community have a financing plan?

HPF: NPS, Historic Preservation Fund Projects:

The vast majority of successful HPF projects in prior years have been funded within the Save America's Treasures (SAT) program.

- For SAT, the Subcommittee will require that the property be listed as a historic place on the National Register of Historic Places or as a National Historic Landmark. Please inquire with the State Historic Preservation Office to confirm listings and locate the National Register listing number(s).
- For the purposes of SAT CDS, the listing may be at the national, state, or local level. In addition, a project is eligible if it has received a prior HPF award.

- SAT projects require a one-to-one match with non-federal cash and/or in-kind contributions.
- SAT grants are limited to preservation – new construction, reconstruction, and acquisitions of historic properties or historic collections are not eligible. The SAT website has more information about eligibility.
- The maximum CDS funding amount is \$500,000 for any HPF project.
- Each successful CDS recipient funded in a final bill must complete and submit an application containing a detailed scope of work and budget proposal to the National Park Service for review and approval.
- All HPF grantees, including successful CDS recipients, must meet standards set by the Secretary of the Interior and comply with the audit requirements.

In the “Additional Project Details” section, please provide the following information:

- 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)?
- 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 West Virginia’s SHPO or other specialist with experience with the Secretary’s standards reviewed the project for consistency with HPF eligibility?
- 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?

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

In the “Additional Project Details” section, please provide the following:

- Describe how the project will contribute to meeting the goals of the State’s Forest Action Plan, conserve and steward working forests or open space, protect forest health from insects and disease, meet urban and community forestry goals, create opportunities for innovative wood use, improve fire mitigation efforts, or otherwise benefit communities and forested lands.

Land Management Agencies, Local Projects and Research:

In order for requests to be considered within this category, they must be relevant to the specified mission area within the bureaus listed below and contribute to responsible stewardship of land, wildlife, and recreation resources or contribute to priority research areas that inform stewardship of those resources. Proposed projects should contribute to local, state, and federal efforts to benefit species, habitat, and/or enhanced stewardship of land and water resources. Project funding is not intended to primarily fund annual operations and maintenance of existing programs at the state, federal, or local level.

- BLM, Management of Land and Resources, Land Management Priorities – project requests may be considered for activities related to wildlife and aquatic habitat management. These projects must occur on or have a nexus to BLM lands.
- NPS, National Recreation and Preservation, Statutory and Contractual Aid – project requests may be considered for activities relating to operating, managing, and preserving resources, including as authorized by law.
- FWS, Resource Management, Stewardship Priorities – project requests may be considered for fish and aquatic conservation, habitat conservation, recovery, and restoration activities.
- USGS, Surveys Investigations and Research, Special Initiatives – project requests may be considered for high priority and core science research, and ecosystem and water resources related activities.

EPA, Science and Technology, Research: National Priorities:

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

EPA, State and Tribal Assistance Grants, STAG Infrastructure – Other:

Requests will only be considered for projects related to existing funding categories and activities within the STAG account that will result in improvements in environmental quality and/or human health.

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

Programmatic Requests

The Subcommittee accepts requests for funding, report language, and bill language for LHHS programs. Funding requests can include a specific amount of funding or a description of the level of funding requested (e.g. increase funding, decrease funding, etc.) for specific programs or activities. The Subcommittee welcomes suggestions to reduce funding for specific programs or activities to offset any proposed increases. Report language requests generally provide additional direction to agencies on how to administer programs, such as encouraging or directing an agency to provide funding for a specific purpose or to prioritize specific activities. Bill language requests are the least common and are generally only necessary when a new statutory authority is needed. A programmatic request may include one of those components (e.g. just funding) or multiple (e.g. funding and report language). To facilitate the review of programmatic requests, please provide any necessary background in the “Additional Project Details” section.

CDS Requests

The Subcommittee accepts requests for CDS in the accounts noted below.

- Department of Labor—Employment and Training Administration—Training and Employment Services
- Department of Health and Human Services—Health Resources and Services Administration—Program Management
- Department of Health and Human Services—Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support

- Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs
- Department of Health and Human Services—Administration for Community Living—Aging and Disability Services Programs
- Department of Education—Innovation and Improvement—Fund for the Improvement of Education
- Department of Education—Higher Education—Fund for the Improvement of Postsecondary Education

Department of Labor—Employment and Training Administration—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 must include a basic budget that clearly describes how the funds will be used for specific activities to achieve the project's goals. Please include this information in the "Additional Project Details" section.

CDS funding may be used for the purchase of equipment, but generally only if it is an incidental part of the larger project to provide direct services (a similar standard applies to curriculum development). If a larger portion of the CDS funding is expected to be used for equipment or curriculum development, please note that in the "Additional Project Details" section and provide a detailed justification for why such investments are necessary to meet the employment and training needs of individuals.

CDS funding within ETA cannot be used for construction or renovation of facilities or the purchase of land or buildings.

Finally, CDS projects will be expected to have measurable outcomes and demonstrate a linkage with the state or local workforce investment system.

Department of Health and Human Services—Health Resources and Services Administration—
Program Management:

CDS requests within HRSA should be submitted through the Program Management account and must fall under one of the following categories:

- **Health Facilities Construction and Equipment**—CDS requests for the cost of limited-scope construction, renovation, or capital equipment purchase for facilities for health, mental health, or substance use disorder services, training of health professionals, or medical research. Examples of eligible facilities include hospitals, health centers, and clinics; skilled nursing facilities; mental health centers; facilities for schools of medicine, nursing, or other health professions; and medical research laboratories. In addition to construction and renovation, CDS funding can be used to acquire capital equipment, such as lab equipment, x-ray machines, or telehealth and information technology. **The Committee will not consider a CDS request for federal funding within this account that exceeds \$15 million.** Equipment-only CDS requests—that is, requests not involving construction—are permissible. Generally, any equipment having a useful life of more than one year and a unit cost of at least \$5,000 will be eligible as capital equipment. In addition, equipment with lower costs may also be eligible, provided that it is treated as an item of capital expense under the recipient institution’s pre-existing, written accounting policies. Equipment expenses for health information systems and electronic medical records systems are permitted expenditures. The costs of expendable supplies such as pharmaceuticals, lab chemicals, or office paper are not eligible. HRSA Health Facilities funding cannot be used to acquire land or purchase existing buildings, or to pay salaries or other operating costs. Funding cannot be used to pay for work previously completed. CDS requests can be used for architectural and engineering costs associated with an eligible construction project, but cannot be used for general feasibility studies or planning and design. For more information on construction and equipment requests, see: <https://www.hrsa.gov/grants/manage-your-grant/training/community-project-funding-congressionally-directed>.
- **Rural Health**—CDS requests for projects to improve health care in rural areas. Examples of eligible activities include medical, dental, or mental health care services; health promotion and education; chronic disease management; telehealth services; and improvements to emergency medical services. CDS funds can be used for services only in areas that meet HRSA’s definition of rural. For lists of eligible rural areas and further information regarding that definition, see: <https://www.hrsa.gov/rural-health/about-us/definition/index.html>. Please include the address of the project’s activities, 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.

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

A General Provision prohibits the award of funding for projects to expend funds for any abortion.

Department of Health and Human Services—Substance Abuse and Mental Health Services Administration—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:

- 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 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 subgrant to other organizations or agencies.

Department of Health and Human Services—Administration for Children and Families—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—projects to promote the ability of families to thrive through financial self-sufficiency in order to reduce poverty and to promote the healthy development and greater well-being of children and families. Projects can serve a diverse population including: low-income individuals, children, youth, families, individuals with developmental disabilities, and Native Americans.

CDS 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.

Department of Health and Human Services—Administration for Community Living—Aging and Disability Services Programs:

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.

Department of Education—Innovation and Improvement—Fund for the Improvement of Education:

Fund for the Improvement of Education (FIE)—Elementary and secondary education CDS requests can be designated under this heading for a wide variety of elementary and secondary education projects, including instructional services, afterschool centers, curricula development, teacher training, acquisition of books and computers, arts education, social and emotional learning activities, full-service community schools, and early childhood education. In general, the focus of elementary and secondary education CDS requests should be providing early childhood or K-12 educational services.

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

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

CDS 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 in the Project Detail 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.

Department of Education—Higher Education—Fund for the Improvement of Postsecondary Education:

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

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

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

Legislative Branch

CDS Requests

The Legislative Branch Appropriations Subcommittee will not accept requests for Congressionally Directed Spending items, as defined in Senate Rule XLIV, for the FY2026 appropriations bill.

Programmatic/Language Requests

In the “Request description” section, please be sure to indicate if your submission is requesting a new program or initiative; or if you are amending an existing program or initiative. If you are amending an existing program or initiative, please explain what specifically you are proposing to change and why. Please include the desired outcome(s) from the establishment of a new program or initiative or any proposed changes to existing ones. When providing cost estimates for impacts from the proposed submission, please indicate how the cost estimate was derived (e.g., President’s Budget, Google search, established Federal government cost estimates, industry best practices, etc.).

Military Construction, Veterans Affairs, and Related Agencies

The following types of requests will be considered:

Programmatic/Language Requests: These types of requests include bill or report language that directs, encourages, or urges the Agency or Department to carry out an action, or are funding requests for a project that is not tied to a specific location. A programmatic funding request may support or highlight a project, program, or account as included in the President’s budget request; advocate changes to the budget request for a specific purpose; or carry forward funding for a project from the previous fiscal year. For example, “increase the Base Closure Account by \$1,000,000 to address PFOS/PFOA mitigation activities” is a programmatic request. Requests to adjust spending for programs operating within larger accounts are acceptable (e.g., “provide \$300,000,000 for VA spending on Rural Health within VA Medical Services Account”).

Congressionally Directed Spending (CDS): This is a funding request for a specific Military Construction project in a specific location that was not included in the President’s budget request or the FY25 enacted bill or exceeds the level included in either document (whichever is higher). If you are asking for a project that is not on the President’s budget, was not funded in the Page 2 of 3 FY25 enacted bill, or is being requested at a level that is above the President’s budget

request or the FY25 enacted bill (whichever is higher), then it is most likely a CDS request.
Funding for the Department of Veterans Affairs and the Related Agencies is not eligible for CDS.

Guidance on Submitting CDS Requests

The following accounts are eligible for CDS requests:

- Military Construction, Army
- Military Construction, Navy and Marine Corps
- Military Construction, Air Force (including Space Force)
- Military Construction, Defense-Wide
- Military Construction, Army National Guard
- Military Construction, Air National Guard
- Military Construction, Army Reserve
- Military Construction, Navy Reserve
- Military Construction, Air Force Reserve

Requests may include major construction, unspecified minor military construction, and planning and design, however, only certain major military construction projects within these accounts are eligible for CDS. Eligible projects can be found on three types of lists, outlined below, 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.

Eligible Lists:

- Future Years Defense Program (FYDP).—Each military department, to include the Guard and Reserve, as well as Defense-Wide agencies, plans its major military construction program five years into the future. FYDPs identify these future planned projects, which are candidates for CDS requests.
- 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.
- 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.

It is the practice of the Subcommittee to only provide funding that can be executed in the year of appropriation. Therefore CDS eligibility is further limited by the executability of funding, and

the amount may be modified based on information provided by the appropriate Service or Agency. Eligible major military construction projects must be:

- Authorized in the Fiscal Year 2026 or prior year National Defense Authorization Act;
- At 35% design or higher with a DD 1391*; and
- Prepared to award a contract in Fiscal Year 2026.

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

If the request is for major construction, you must complete the following requirements for each project:

- 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.

Department of State, Foreign Operations, and Related Programs

Congressionally Directed Spending Items

Consistent to prior years, the SFOPS subcommittee will **not** accept requests for Congressionally Directed Spending items in FY2026, as defined in Senate Rule XLIV.

Requests for Programmatic Funding and/or Bill or Report Language

Requests to the SFOPS subcommittee must include ALL of the following information:

- Specific agency
- Appropriations account
- Program, project, or activity
- Amount, if any, requested by the Member
- Amount, if any, requested in the President's FY2026 Budget Request
- Amount, if any, included in the FY2025 enacted full year continuing resolution • Brief explanation justifying the request

If **new bill or report language** is requested, you **must** include a draft of the proposed language, including any proposed redline changes to existing law. If a draft of the proposed language is not included, the request will not be considered. Please indicate under which title/account or general provision you would like to place the bill or report language. Brevity is strongly encouraged. Please refer to prior SFOPS bills and reports when drafting your language.

If you are requesting **bill language** that is **identical to existing law**, do not repeat it verbatim. It is sufficient to cite the FY2025 section number and title.

If you are requesting **report language** that was included in a prior year report and that calls for a specific action by an agency, the request must describe the agency's response to the prior year language (i.e., did the agency comply with the language? If so, with what result? If not, why not?). For all report language that was included in a prior year, explain the need for repeating the language in FY2026. Repetition of prior year requests is strongly discouraged absent a compelling reason.

For all **funding requests**, please indicate whether funding was provided for the program, project, or activity in a prior year. If funding was provided in a prior year, include the amount of funding. Please explain why additional funds are needed in FY2026.

Information submitted as a **justification** for a request should pertain only to the request in question and should not be copied into multiple different requests. Please submit separate requests for each item, each with its own justification.

Transportation, Housing and Urban Development, and Related Agencies

THUD will accept requests for CDS from the following accounts for FY2026:

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

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

CDS requests within the TPR&D account for transportation research projects must be eligible under title 23 or title 49 of the United States Code. Planning for specific local highway, transit, rail, or port projects that are eligible under HIP, TIG, CRISI, or PIDP should *not* be included in this account. The Subcommittee encourages this account be used for national or regional research and development projects.

Applicants must include a link for TPR&D projects that provides additional background behind the project.

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

CDS requests within the AIP account for airport projects must be eligible under chapter 471 of title 49, United States Code (<https://www.faa.gov/airports/aip/overview>).

As AIP CDS follows the existing AIP statute, the Federal cost-share requirements still apply to CDS. For large and medium primary hub airports, CDS can cover 75% of eligible costs (or 80% for noise program implementation). For small primary, reliever, and general aviation airports, CDS can cover a range of 90-95% of eligible costs, based on statutory requirements.

Applicants must provide:

- A link to the airport master plan that includes the requested project.
- The status of the planning and environmental work so the Subcommittee can assess the readiness of the project (provide this information in the “Additional Project Details” section).
- A description of all other sources of funding contributing to the total cost of the project/

Highway Infrastructure Programs (HIP):

CDS requests within the HIP account for highway projects must be eligible under title 23, United States Code, including, but not limited to, highway and bridge construction projects, planning, environmental review, design, and right-of-way acquisition. Operational expenses are not eligible.

Applicants must 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).

- Funding can be requested for highway projects that are not currently on the STIP or TIP but for which a State DOT has provided a letter confirming that: (1) the project is eligible for Federal-aid highway funding under title 23, United States Code; (2) the State DOT is willing to carry out the project if funding is enacted; and (3) the State DOT will include the project on the STIP or TIP once funding for the project is enacted. The letter from the State DOT should be attached to the application form.
- The status of the planning and environmental work so the Subcommittee can assess the readiness of the project (provide this information in the “Additional Project Details” section).
- A description of all other sources of funding contributing to the total cost of the project.

All highway CDS funds will be provided directly to State Departments of Transportation. If the local or county level government is requesting the CDS, they will be required to coordinate with the State DOT to receive the funding and ensure a non-Federal match is available. The only exception to this is if the project is intended to be for a Tribal government, in which case applicants should provide the name and POC information for the relevant Tribal government.

Transit Infrastructure Grants (TIG):

CDS requests within the TIG account for transit projects must be eligible under chapter 53 of title 49, United States Code.

Applicants must 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).
 - Funding can be requested for transit projects that are not currently on the STIP or TIP but for which a transit agency has provided a letter confirming that: (1) the project is eligible for transit funding under chapter 53 of title 49, United States Code; (2) the transit agency is willing to carry out the project if funding is enacted; and (3) the transit agency will include the project on the STIP or TIP once funding for the project is enacted. The letter should be attached to the application form.
- The status of the planning and environmental work so the Subcommittee can assess the readiness of the project (provide this information in the “Additional Project Details” section).
- A description of all other sources of funding contributing to the total cost of the project

- The name of the recipient or subrecipient transit agency.

Capital Investment Grants—Requests for specific projects that are consistent with the President’s budget request in the Federal Transit Administration’s Capital Investment Grants (CIG) program should be submitted as a standard programmatic request and not as a CDS request. Requests for additional funds on top of the budget request should be requested in TIG as CDS requests, but please be aware that additional funding for such projects are likely to be minimal compared to the overall project costs.

Consolidated Rail Infrastructure and Safety Improvements (CRISI) Grants:

CDS requests within the CRISI account for rail capital projects must be eligible under section 22907 of title 49, United States Code.

Applicants must provide:

- A link to the State Rail Plan that includes the requested project.
 - Funding can be requested for rail projects that are not currently on the State Rail Plan but for which a State rail agency or State DOT has provided a letter confirming that: (1) the project is eligible for rail funding under section 22907 of title 49, United States Code; (2) the State rail agency, State DOT, or other relevant State agency is willing to carry out the project if funding is enacted; and (3) the State rail agency or State DOT will include the project on the State Rail Plan once funding for the project is enacted. The letter should be attached to the application form.
- The status of the planning and environmental work so the Subcommittee can assess the readiness of the project (provide this information in the “Additional Project Details” section).
- A description of all other sources of funding contributing to the total cost of the project.

Port Infrastructure Development Program (PIDP) Grants:

CDS requests within the PIDP account for port projects must be eligible under section 54301 of title 46, United States Code.

Applicants must provide:

- A link to the relevant planning document for the project, if applicable.

- The status of the planning and environmental work so the Subcommittee can assess the readiness of the project (provide this information in the “Additional Project Details” section).
- A description of all other sources of funding contributing to the total cost of the project.
- A summary of whether (1) the project is eligible under 46 USC 54301, specifically which eligible use; (2) The recipient is eligible under 46 USC 54301, specifically (A) through (F); (3) The project is at a small port as described under 46 USC 54301(b); and (4) The project is in a rural area as described under 46 USC 54301(a)(12) (provide this information in the “Additional Project Details” section).
- Automation—The current NDAA includes a provision that prohibits DOT from funding “a grant to purchase fully automated cargo handling equipment that is remotely operated or remotely monitored with or without the exercise of human intervention or control, if the Secretary of Transportation determines such equipment would result in a net loss of jobs within a port or port terminal.” The FY24 THUD bill includes a cross reference to this provision for appropriated funding, which will apply to all PIDP CDS projects. Therefore, to ensure grantees can receive their PIDP CDS funding, proposed 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 in the “Additional Project Details” section whether or not the equipment is fully automated or whether the terminal infrastructure is designed for fully automated equipment. For CDS purposes, the Subcommittee considers fully automated cargo handling equipment to be remotely operated or monitored, with or without the exercise of human intervention or control. If fully automated equipment is proposed to be acquired or terminal infrastructure for such equipment is proposed to be created, the applicant must provide in the “Additional Project Details” section information describing any job changes that will result from the project, including supporting evidence demonstrating and certifying that the project will NOT directly result in a net loss of jobs or degradation of job quality. Failure to provide detailed information relating to automation and jobs may result in the Subcommittee rejecting the request.

Community Development Fund for “Economic Development Initiatives (EDI):

EDI projects are funded within the “Community Development Fund” account for activities eligible under section 5305 of chapter 69 of title 42, United States Code, as well as for affordable housing construction. The Subcommittee strongly encourages projects that address affordable housing, community services, and economic development, and are comparable to activities in the CDBG program. Eligible EDI activities include, but are not limited to:

- Acquisition of real property;

- Construction, rehabilitation, and improvements to affordable housing;
- Blight removal or remediation;
- Public housing modernization 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 for buildings for the general conduct of government.

Federal requirements:

- EDIs are subject to all general Federal requirements, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards under 2 CFR Part 200, Build America Buy America (BABA) Preferences, 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. Applicants requesting EDIs should confirm in the "Additional Project Details" section that they will be able to comply with all Federal requirements. To review HUD's current implementation of the EDI program and the applicable Federal requirements, please see HUD's EDI landing page: https://www.hud.gov/program_offices/comm_planning/edi-grants.

Other restrictions:

- Any expenses incurred prior to the enactment of a final FY2026 appropriations bill cannot be reimbursed with EDI funds. THUD CDS cannot be used for operational expenses or administrative salaries and benefits. Examples of these ineligible expenses are costs that cover an organization's day-to-day operations, such as utilities, rent, office supplies and equipment, insurance, and an organization's staff salaries and benefits.

Applicants must 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. If neither is available, provide the organization's website.
- 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 nonprofit, if a "Responsible Entity" has been identified to conduct the Federal environmental review should one be necessary for the project (provide this information in the "Additional Project Details" section).

- A list of which of the three National Objectives of the broader CDBG program the EDI project and its activities meets and include relevant data and a description indicating **how** it meets such National Objective(s). The three CDBG program National Objectives are:
 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.

The most common CDBG National Objective that EDI projects will meet is the benefit to low- and moderate-income (LMI) persons, which 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 individuals at certain income levels.

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, provide the necessary data points on the LMI population in that service area:

<https://hud.maps.arcgis.com/home/item.html?id=279eca0222754f8a954bbf8cf995a1a3>.