

U.S. Senators Ron Wyden and Jeff Merkley Oregon Fiscal Year 2023 Congressionally Directed Spending Guidance

The Senate Appropriations Committee will be accepting requests from Senators for congressionally directed spending (CDS) requests for the Fiscal Year 2023 appropriations process. A CDS is a type of federal grant, with the primary difference being the recipients, amounts, and purposes are specifically listed in the annual appropriations bills. The normal rules associated with receiving a federal grant also apply to congressionally directed spending, including matching and environmental compliance. Please note that the Senate Appropriations Committee considers community-initiated projects requests for only specific accounts and maintains a highly selective process for approving requests.

Please also note that the House of Representatives refers to CDS requests as “community project funding” (CPF) requests and maintains a different submission procedure than the Senate. For more information, please contact your relevant federal representative. We encourage you to submit your project in both processes.

For those who participated in this process last year, please note that Fiscal Year 2022 requests do not carry over to Fiscal Year 2023. Projects submitted for consideration in Fiscal Year 2022 must be resubmitted for Fiscal Year 2023.

Disclaimer: Senate rules require Senators to publicly disclose and provide a description of all CDS requests they choose to submit on their official website. Submission of a request does not guarantee the award of federal funding. The requesting entity must comply with any request presented to them by the Government Accountability Office or any other federal entity performing an audit, investigation, or oversight function. Any funding award associated with the request does not guarantee support or funding in future fiscal years.

Submission Process: Both offices will be utilizing a shared online webform to collect CDS requests. The form will become available on March 14.

Submission Requirements:

Complete requests must include a description detailing the following elements:

- This description should provide a brief (250 words or less) summary of the project including its purpose, goals, history, and current status, as well as the justification for the project (i.e., why funding is in the interest of taxpayers).
 - The description should explain how the money will be spent (i.e., \$ -x- for salaries; \$ -x- for programming; \$ -x- for equipment; etc.). Please be specific when describing the activities and expenditures.
 - The justification should also state what performance standards will be used to measure whether this project has achieved its objectives.
- At least three letters of support – These can come from state agencies, state and local elected officials, community leaders, project partners, etc.
- Additionally, your request may require specific technical letters from state agencies or local federal offices certifying eligibility. Please refer to the chart below.

Agency Contacts

<i>Account</i>	<i>Agency</i>	<i>Point of Contact</i>	<i>Other notes</i>
EPA, State and Tribal Assistance Grants, Clean Water Projects	DEQ	Rian Hooff (rian.hooff@deq.oregon.gov)	
EPA, State and Tribal Assistance Grants, Drinking Water Projects	OHA/Business Oregon	OHA: Andre Ourso (andre.ourso@dhsaha.state.or.us) Business Oregon: Jon Unger (jon.unger@biz.oregon.gov)	
FEMA, for both BRIC and EOC	OEM	Andrew Phelps (andrew.phelps@mil.state.or.us)	
Department of Transportation	ODOT	Trevor Sleeman (Trevor.D.SLEEMAN@odot.state.or.us)	This does not apply to AIP projects.
USFS, State and Private Forestry	ODF	Al DeVos (al.devos@odf.oregon.gov)	
USDA, Community Facilities	Oregon Rural Development	Charlotte Bentley (Charlotte.bentley@usda.gov)	Please include the following information in your request: 1) amount of grant requested; 2) population; 3) MHI; and 4) project purpose and uses.
USDA, WFPO	Oregon NRCS	Ron Alvarado (Ron.Alvarado@usda.gov)	

Anticipated Fiscal Year 2023 Accounts

CDS accounts are subject to change pending final instructions for the Fiscal Year 2023 appropriations process. Senator's staff will provide updates of any changes.

Agriculture – page 6

- Animal Plant Health Inspection Service, S&E (APHIS)
- Natural Resources Conservation Service, Conservation Operations (NRCS)
- Watershed Flood Prevention Operations (WFPO)
- Rural Development, Community Facilities grants
- Rural Development, Distance Learning, Telemedicine, and Broadband grants

Commerce, Justice, Science – page 7

- 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
- 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
- National Aeronautics and Space Administration; Safety, Security, and Mission Support
- Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology

Energy & Water – page 8

- Corps of Engineers: Investigations
- Corps of Engineers: Construction
- Corps of Engineers: Operations & Maintenance
- Corps of Engineers: Mississippi Rivers & Tributaries
- Bureau of Reclamation: Water and Related Resources
- Energy Efficiency and Renewable Energy (EERE)
- Office of Electricity (OE)
- Office of Cybersecurity, Energy Security, and Emergency Response (CESER)
- Office of Nuclear Energy (NE)
- Office of Fossil Energy (FE)

Financial Services – *page 8*

- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repair and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition

Homeland Security – *page 9*

- FEMA - Pre-Disaster Mitigation (PDM) Grants
- FEMA - Emergency Operations Center (EOC) Grants

Interior – *page 9*

- WWI: EPA, State and Tribal Assistance Grants, Water and Wastewater Infrastructure
- HPF: National Park Service, Historic Preservation Fund
- SPF: U.S. Forest Service, State and Private Forestry
- Land Management Agencies, Construction
- Bureau of Indian Affairs, Operation of Indian Programs, Special Initiatives
- EPA, Science and Technology, Research: National Priorities
- EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

Labor, HHS, Education – *page 10*

- Employment and Training Administration
- Health Resources Service Administration
- Substance Abuse and Mental Health Services Administration (combining mental health, substance abuse treatment, and substance abuse prevention)
- Administration for Children and Families – Child Abuse Prevention and Social Services Research and Demonstration
- Administration for Community Living—Aging and Disability Services Programs
- Fund for the Improvement of Education (FIE)
- Rehabilitation Services—Demonstration and Training
- Higher Ed—Fund for the Improvement of Postsecondary Education (FIPSE)

Transportation-HUD - *page 12*

- Transportation Planning, Research, and Development (TPR&D) for transportation research projects
- Grants-in-Aid for Airports (Airport Improvement Program or AIP) for airport capital projects
- Highway Infrastructure Programs (HIP) for highway capital projects
- Transit Infrastructure Grants (TIG) for transit capital projects
- Consolidated Rail Infrastructure and Safety Improvement Program (CRISI) for rail capital projects
- Housing and Urban Development (HUD) Economic Development Initiatives (EDI) for economic development projects

Agriculture, Rural Development, Food and Drug Administration

Eligible Accounts

- Animal Plant Health Inspection Service (APHIS), Salaries and Expenses
- Natural Resources Conservation Service (NRCS), Conservation Operations
- Watershed Flood Prevention Operations (WFPO)
- Rural Development
 - Community Facilities grants
 - Distance Learning, Telemedicine, and Broadband (DLT) grants

Account Guidance

APHIS - Salaries and Expenses

- Must meet environmental review requirements (i.e. NEPA and ESA)
- Please know that several specific APHIS programs require cost-matches.
 - Generally speaking, APHIS comes with a 25% cost-match.
 - Grasshopper/Mormon Cricket – 50% cost share on state land, 33% percent of the cost on private land.
 - Brucellosis – 40% match by the state
 - Wildlife Services – 50% match

NRCS - Conservation Operations

- No additional guidance to normal grant requirements.

WFPO

- Require technical review from Oregon NRCS office.

Rural Development - Community Facilities Grants

- Require technical review from Oregon Rural Development
- Full list of eligible entities, uses, and limitations can be found in 7 CFR Part 3570

Rural Development - Distance Learning, Telemedicine, and Broadband (DLT) Grants

- There is a flat 15 percent match (matching funds cannot come from another Federal source)
- Full list of eligible entities, uses, and limitations can be found in 7 CFR Part 1734 Subpart A and B

Commerce, Justice, Science

Eligible Accounts

- Department of Commerce;
 - National Institute of Standards and Technology (NIST)
 - Scientific and Technical Research Services (STRS), External Projects
 - Construction of Research Facilities.
 - 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
 - Community Oriented Policing Services (COPS), Law Enforcement Technology
- National Aeronautics and Space Administration
 - Safety, Security, and Mission Support

Account Guidance

NIST STRS External Projects

- Refer to project examples from the Fiscal Year 2022 process.
- Construction projects are ineligible.

NASA Safety, Security, and Mission Support

- Refer to project examples from the Fiscal Year 2022 process.
- Construction projects are ineligible.
- Medical research, Space Grant, and NASA-owned Visitor Centers projects are discouraged.

NOAA ORF Special Projects

- Refer to project examples from the Fiscal Year 2022 process.

Byrne Discretionary

- For eligibility guidance, please see requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide.
- Funding cannot be used for land acquisition or construction.

COPS Law Enforcement Technology

- For eligibility guidance, please see the activities allowed under the COPS Office statute, the requirements of 2 CFR Part 200 and the DOJ Grants Financial Guide, and the applicable Award Owner's Manual.

Energy and Water

Eligible Accounts

- Corps of Engineers
 - Investigations
 - Construction
 - Operations & Maintenance
 - Mississippi Rivers & Tributaries
- Bureau of Reclamation: Water and Related Resources
- Energy Efficiency and Renewable Energy (EERE)
- Office of Electricity (OE)
- Office of Cybersecurity, Energy Security, and Emergency Response (CESER)
- Office of Nuclear Energy (NE)
- Office of Fossil Energy (FE)

Account Guidance

Refer to program requirements on the appropriate agency website. Eligible Corps of Engineers projects should have capability identified for Fiscal Year 2023. Additionally, for Corps of Engineers and Bureau of Reclamation Requests, only authorized projects and programs will be considered for funding.

Financial Services and General Government

Eligible Accounts

- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repair and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition

Account Guidance

Refer to program requirements on the appropriate agency website or consult with the Senators' staff.

Homeland Security

Eligible Accounts

- FEMA
 - Pre-Disaster Mitigation (PDM) Grants
 - Emergency Operations Center (EOC) Grants

Account Guidance

All requests:

- All proposals must be accompanied by a letter of support from the Oregon Office of Emergency Management affirming that it believes the project is eligible
- Please note that in Fiscal Year 2022, the Oregon Office of Emergency Management—as the state agency responsible for administering mitigation grants in Oregon—was expected to submit an application to the Federal Emergency Management Agency (FEMA) for requests and served as the administrative agent for the grant. This may continue to be a requirement for Fiscal Year 2023.

Interior and Environment

Selected Eligible Accounts

- WWI: EPA, State and Tribal Assistance Grants, Water and Wastewater Infrastructure
- HPF: National Park Service, Historic Preservation Fund
- SPF: U.S. Forest Service, State and Private Forestry
- Land Management Agencies, Construction, (BLM, FWS, NPS, USFS)
- Land Management Agencies, Local Projects and Research (BLM, NPS, FWS, USGS)
- Bureau of Indian Affairs, Operation of Indian Programs, Special Initiatives
- EPA, Science and Technology Research: National Priorities

Account Guidance

- All drinking or clean water projects, with the exception of tribal water projects, are required to provide an agency letter confirming the project is eligible.
- All State and Private Forestry projects require a letter confirming the project is consistent with the State Forest Action Plan.

Labor, Health, Human Services, and Education

Eligible Accounts

- Department of Labor
 - Employment and Training Administration (ETA)
- Department of Health and Human Services
 - Health Resources Service Administration (HRSA) – Program Management
 - Substance Abuse and Mental Health Services Administration (SAMHSA) – Health Surveillance and Program Support
 - Administration for Children and Families (ACF) – Children and Families Services Program
 - Administration for Community Living (ACL)
 - Aging and Disability Services Programs
- Department of Education
 - Fund for the Improvement of Education (FIE)
 - Rehabilitation Services—Demonstration and Training
 - Higher Ed—Fund for the Improvement of Postsecondary Education (FIPSE)

Account Details

DOL Employment and Training Administration

- Meet all Workforce Innovation and Opportunity Act (WIOA) requirements
- Must direct services to individuals to enhance employment opportunities
- Demonstrate evidence of a linkage with the State or local workforce investment system
- Include an evaluation component
- Equipment purchases and curriculum development can not be used for an incidental part of the project
- No funding for construction or renovation of facilities

HHS HRSA

- Health Facilities Construction and Equipment
 - Funding can be used for construction, renovation, or capital equipment purchase for facilities for health, mental health, or substance abuse services, training of health professionals, or medical research. Equipment-only grants are permissible
 - 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. Funding cannot be used for general feasibility studies
 - Costs of expendable supplies such as pharmaceuticals, lab chemicals, or office paper are not eligible
- Rural Health
 - 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>

HHS SAMHSA

- Funding cannot be used for construction (other than a limited amount of renovation necessary to carry out a funded project)

Last Updated: 3/3/2022

- 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.

HHS ACF

- Projects must serve or target abused and/or neglected children and their families.
- Funding cannot be used for construction or renovation of facilities.

HHS ACL

- Funding cannot be used for construction or renovation of facilities.

ED FIE

- Funding intended for individual schools is provided to the applicable school district and not directly to the individual school.
- Funding cannot be used for construction or renovation of school buildings, except in the case of minor remodeling required as part of technology upgrades.
- Daycare and childcare projects that do not include educational services are not eligible.

ED Rehabilitation Services

- Funding cannot be used for construction or renovation of facilities

ED FIPSE

- Funding cannot be used for construction or renovation of academic buildings, except in the case of minor remodeling required as part of technology upgrades

Transportation, Housing, and Urban Development

Eligible Accounts

- Transportation Planning, Research, and Development (TPR&D) for transportation research projects
- Grants-in-Aid for Airports (Airport Improvement Program or AIP) for airport capital projects
- Highway Infrastructure Programs (HIP) for highway capital projects
- Transit Infrastructure Grants (TIG) for transit capital projects
- Consolidated Rail Infrastructure and Safety Improvement Program (CRISI) for rail capital projects
- Housing and Urban Development (HUD) Economic Development Initiatives (EDI) for economic development projects

Account Guidance

TPR&D

- See projects eligible under title 23 or 49, USC for guidance
- Strongly encouraged to provide project website

AIP

- See projects eligible under chapter 471 of title 49, USC for guidance
- Please include a link to the airport master plan in your application.

TIG

- See projects eligible under chapter 53 of title 49, USC for guidance.
- Please include a link to Statewide Transportation Improvement Plan or Transportation Improvement Plan in your application.

CRISI

- See projects eligible under section 22907 of title 49, USC for guidance.
- Please include a link to the State Rail Plan in your application.

EDI

- See projects eligible under chapter 69 of title 42, USC for guidance.
- Relevant data on how activities or projects benefit primarily low- and moderate-income persons or communities to meet program requirements.
- Please include a link to the project website if available or a link to the HUD five year Consolidated Plan or Annual Action Plan if the project is included or complements planned or current projects within these required plans