

U.S. Senators Ron Wyden and Jeff Merkley Oregon Fiscal Year 2024 Congressionally Directed Spending Guidance

The Senate Appropriations Committee will be accepting requests from Senators for congressionally directed spending (CDS) requests for the Fiscal Year 2024 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 2023 requests do not carry over to Fiscal Year 2024. Projects submitted for consideration in Fiscal Year 2023 may be resubmitted for Fiscal Year 2024.

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 deadline for submitting is March 3.

Senator Merkley and Senator Wyden are only accepting requests from Oregon-based eligible entities for projects in Oregon. Only non-profits (501(c)3s), federal, state, local or tribal governments, or public institutions are eligible to receive funds. Construction projects for museums, pools, and parking lots are not eligible.

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, Water and Wastewater Infrastructure, Clean Water projects	DEQ	Rian Hooff (rian.hooff@deq.oregon.gov)	
EPA, Water and Wastewater Infrastructure, Drinking Water Projects	OHA/Business Oregon	OHA: Andre Ourso (andre.ourso@dhsoha.state.or.us) Business Oregon: Jon Unger (jon.unger@biz.oregon.gov)	
FEMA, for both BRIC and EOC	OEM	EOC: Alaina Mayfield (Alaina.mayfield@oem.oregon.gov) BRIC: Stephen Richardson (Stephen.j.richardson@oem.oregon.gov)	
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	Ryan Gordon (Ryan.P.Gordon@Oregon.gov)	

USDA, Community Facilities	Oregon Rural Development	Charlotte Bentley (Charlotte.bentley@usda.gov)	Include the following: 1) Name of applicant/project owner; 2) Facility address; 3) Service area; 4) What funds will be spent on (equipment, construction, etc.); 5) Total project cost; and 5) Amount of grant requested.
USDA, WFPO	Oregon NRCS	Ron Alvarado (Ron.Alvarado@usda.gov)	Letter not required, but confirmation of eligibility is.

Fiscal Year 2024 Accounts

Agriculture – *page 7*

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

Commerce, Justice, Science – *page 8*

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

Energy & Water – *page 9*

- 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 10

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

Homeland Security – page 11

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

Interior – page 12

- WWI: EPA, 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

Labor, HHS, Education – page 13

- 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)
- Higher Ed—Fund for the Improvement of Postsecondary Education (FIPSE)

Transportation-HUD - *page 14*

- 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
- “Facilities and Equipment (F&E)” for terminal air traffic control facility replacement projects eligible under part A of subtitle VII of title 49, United States Code
- 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
- Watershed Flood Prevention Operations (WFPO)
- Rural Development
 - Community Facilities grants
 - Distance Learning, Telemedicine, and Broadband (DLT) grants
- Agricultural Research Stations, Building and Facilities (ARS)

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

WFPO

- CDS recipients for WFPO must have a local sponsor.
- Require technical review from Oregon NRCS office.
- 25% match

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 2022/2023 process.
- Construction projects are ineligible.

NASA Safety, Security, and Mission Support

- Refer to project examples from the Fiscal Year 2022/2023 process.
- Construction projects are ineligible.
- Medical research, Space Grant, and NASA-owned Visitor Centers projects are ineligible.

NOAA ORF Special Projects

- Refer to project examples from the Fiscal Year 2022/2023 process.
- Construction projects are ineligible

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 projects to include:
 - Renewable and Clean Energy
 - Electricity and Energy Resiliency
 - Cybersecurity and Energy Security
 - Nuclear Energy
 - Fossil Energy or Carbon Management

Account Guidance

Refer to program requirements on the appropriate agency website. Eligible Corps of Engineers projects should have capability identified for Fiscal Year 2024. For the Corps and BOR, the Subcommittee will only provide funding which can be executed in the year of appropriation, and therefore CDS eligibility is further limited by the capability of the agency to obligate the funding.

For Department of Energy projects, the Subcommittee will not fund the following projects:

- Projects that do not follow statutory cost sharing requirements. Statutory cost sharing requirements may apply to these projects, as required by section 988 of the Energy Policy Act of 2005. In short, the amount of required cost sharing will depend on the scope and technological maturity of the project:
 - Research or development activities of a basic or fundamental nature: no minimum cost share.
 - Research or development activities of an applied nature: minimum 20 percent cost share.
 - Demonstration or commercial application: minimum 50 percent cost share.
 - Some projects may contain elements of more than one of the categories listed above. Therefore, some projects may have a blended cost share.
- Projects that require multiple years of funding.
- Construction of buildings or new facilities (no brick and mortar), even if it will have clean energy associated with it.
- Vehicle charging projects, unless the project is connected to larger clean energy sources (like a battery) or has clean energy applications beyond the charging station.
- Electrical substation replacement or routine grid upgrades that could otherwise be funded under ratepayer contracts or through existing federal incentives.
- Planning studies for a forthcoming project.

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
- General Services Administration, Federal Buildings Fund, Repairs and Alterations
- Office of National Drug Control Policy – Prevention Grants

Account Guidance

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

National Archives and Records Administration, National Historical Publications and Records Commission (NHPRC): Projects that help ensure online public discovery and use of historical records collections, encourage public engagement with historical records, strengthen the nation’s archival network, or publish documentary editions of historical records. This includes initiatives like record digitization, programming, and online availability of records.

General Services Administration, Federal Buildings Fund, Construction and Acquisition or Repairs and Alterations: Construction projects typically include federal courthouses, federal buildings, or land ports-of-entry. Repairs projects must be federally-owned properties in need of repair or alteration and are typically federal buildings or federal courthouses. Eligible projects do not include state or county facilities, DOD facilities, VA facilities, or transportation infrastructure facilities.

Office of National Drug Control Policy, Administrative Provision (Prevention Grants): Preferred prevention programs would include community-based coalitions which, as part of their application, propose data-driven, evidence-based prevention interventions; have established measurable objectives; and proposed implementing a comprehensive mix of strategies. *Please note: Programs should not be substance specific. Treatment programs are not eligible for CDS under this account.*

Homeland Security

Eligible Accounts

- FEMA
 - Pre-Disaster Mitigation (PDM) Grants (Full requirements can be found in the fiscal year 2022 [NOFO for the “Pre-Disaster Mitigation Grant Program”](#))
 - Emergency Operations Center (EOC) Grants (Full requirements can be found in the fiscal year 2022 [NOFO for the “Emergency Operations Center Grant Program”](#))

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
- The Oregon Office of Emergency Management—as the state agency responsible for administering mitigation grants in Oregon—is expected to submit an application to the Federal Emergency Management Agency (FEMA) for requests and served as the administrative agent for the grant.

Interior and Environment

Selected Eligible Accounts

- WWI: EPA, Water and Wastewater Infrastructure
- STAG: EPA, State and Tribal Assistance Grants
- 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.
- EPA, Water and Wastewater Infrastructure grants come with a 20% cost-share requirement

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)
 - Higher Ed—Fund for the Improvement of Postsecondary Education (FIPSE)

No LHHS project maybe be used to sub-grant.

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 also be used for an incidental part of the project
- No funding for construction or renovation of facilities or the purchase of lands or buildings

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)
- 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 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
- “Facilities and Equipment (F&E)” for terminal air traffic control facility replacement projects eligible under part A of subtitle VII of title 49, United States Code
- Housing and Urban Development (HUD) Economic Development Initiatives (EDI) for economic development projects

CDS projects must have a reasonable expectation of being obligated by the end of FY 2026. The Subcommittee will not fund CDS requests for operational expenses or administrative salaries and benefits

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
- EDIs are subject to other Federal requirements including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR Part 200, the National Environmental Policy Act (NEPA), HUD’s NEPA-implementing

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regulations at 24 CFR Part 50 or 24 CFR Part 58, and all appropriate Federal environmental and historic preservation laws, regulations, and Executive Orders. To review HUD's current implementation of the EDI program and the applicable Federal requirements, please see HUD's EDI landing page: https://www.hud.gov/program_offices/comm_planning/edi-grants

FAA Facilities and Equipment (F&E).

- This account is **only** for terminal air traffic control tower facility replacement projects eligible under part A of subtitle VII of title 49, United States Code.