

FY24 Congressionally Directed Spending Request Transportation, Housing and Urban Development and Related Agencies Subcommittee Guidance

Office of Senator Jeanne Shaheen

The information below reflects the updated guidance received from the Senate Appropriations Committee for fiscal year (FY) 2024 with respect to congressionally directed spending (CDS) requests. Should you have any questions, please contact Senator Shaheen's office at appropriations_shaheen@shaheen.senate.gov or call 202-224-2841.

Transportation, Housing and Urban Development and Related Agencies

The THUD subcommittee will only accept requests for CDS for the following accounts, and the CDS item must have a reasonable expectation of being obligated by the end of 2026:

- “Transportation Planning, Research, and Development (TPR&D)” for transportation research projects eligible under title 23 or title 49, United States Code (not for project-specific planning that is eligible for funding under HIP, TIG, or CRISI);
- “Grants-in-Aid for Airports (Airport Improvement Program or AIP)” for airport projects eligible under chapter 471 of title 49, United States Code;
- “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;
- “Highway Infrastructure Programs (HIP)” for highway projects eligible under title 23, United States Code;
- “Transit Infrastructure Grants (TIG)” for transit projects eligible under chapter 53 of title 49, United States Code;
- “Consolidated Rail Infrastructure and Safety Improvement (CRISI) Grants” for rail projects eligible under section 22907 of title 49, United States Code; and
- “Community Development Fund” for “Economic Development Initiatives (EDI)” eligible under chapter 69 of title 42, United States Code, as well as for
- affordable housing construction.

Transportation Planning, Research & Development (TPR&D)

Planning for specific local highway, transit, or rail projects that are eligible under HIP, TIG, or CRISI should NOT be included in this account. Applicants are encouraged to use this account for national or regional research and development projects.

Airports (AIP)

Requests may be submitted under the AIP account for airport projects eligible under chapter 471 of title 49, United States Code.

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

Applicants are required to provide a link to the airport master plan that includes the requested project. Applicants are also required to provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project, as well as a description of all other sources of funding contributing to the total cost of the project.

FAA Facilities and Equipment (F&E)

Requests may be submitted under this account for terminal air traffic control tower facility replacement projects eligible under part A of subtitle VII of title 49, United States Code.

Applicants should provide a statement of why the tower needs to be replaced. Applicants are required to provide the age of the tower, number of enplanements, operational line of sight issues, other related infrastructure work not covered by the cost of replacing the air traffic control tower (roads, utilities, etc.), and any other information to justify the project. In addition, the justification is required to provide the status of the planning and environmental work so the Subcommittee can assess the readiness of the project. Requests should provide information on how the CDS funding will ensure completion of a project or segments of a project, including the total cost of the project, the CDS funding amount, and any other identified sources of funding.

Highways (HIP)

CDS request 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.

All highway CDS funds will be provided directly to your State Department of Transportation. If the local or county level government is requesting the CDS, they will be required to coordinate with the State DOT to receive the funding and ensure a non-Federal match is available.

Requests can receive funding 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.

Transit (TIG)

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

Rail (CRISI)

Requests may be submitted under the CRISI account for rail capital projects eligible under section 22907 of title 49, United States Code. Requests may be submitted for rail projects that are not currently on 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.

Economic Development Initiatives (EDIs)

CDS request for EDIs within the “Community Development Fund” account must fall under activities eligible under section 5305 of chapter 69 of title 42, United States Code, as well as for affordable housing construction.

Examples of eligible EDI projects include, but are not limited to:

- Acquisition of real property (land, water rights, buildings);
- Construction of new affordable housing;
- Blight removal or remediation; and,
- Construction, rehabilitation, and improvements of public facilities (except buildings for general conduct of government), such as neighborhood centers, parks, and shelter for persons having special needs such as survivors of domestic violence and the homeless.

Reimbursement of expenses incurred prior to the enactment of a final FY24 appropriations bill is not permitted.

For more information on types of eligible activities, applicants should review HUD’s resources on the CDBG program [here](#).

Applicants should identify which of the three National Objectives of the broader CDBG program the EDI project and its activities meets and include relevant data or 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.

- If using the LMI National Objective, please review this HUD resource:
<https://www.hudexchange.info/programs/cdbg/cdbg-low-moderate-income-data/>

- Use the “Map Application” tool to provide the necessary data points demonstrating the LMI benefit:
<https://hud.maps.arcgis.com/home/item.html?id=ffd0597e8af24f88b501b7e7f326bedd>