

Military Construction, Veterans Affairs, and Related Agencies Subcommittee Guidance on Submitting Requests for Congressionally Directed Spending (CDS)

The following types of requests will be considered:

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 or the FY21 enacted bill, or if it exceeds the level included in either document (whichever is higher). If you are asking for a project that is not on this list, was not funded in the FY21 enacted bill, or is being requested at a level that is above the President's request or the FY21 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.

The following accounts are eligible for CDS requests:

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

Requests may include major construction, unspecified minor military construction, and planning and design, however, only certain military construction projects within these accounts are eligible for CDS. Eligible projects can be found on three types of lists, outlined below, where are provided to Congress by the Department of Defense, and contain requirements which have been validated and vetted by the appropriate Service or Agency.

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. Some of the lists can be found on the website of the Under Secretary of Defense (Comptroller). Additional inquiries on the FYDP or whether a specific project is included in the FYDP should be directed to the Senate Liaison Offices of each military department.
- **Unfunded Requirements/Priorities Lists (UFR/UPL)**—In addition to the annual budget request and as required by law, each military department submits to the congressional defense committees a document identifying unfunded priorities that would be funded if additional appropriations were provided. Questions about the UPL list or whether a specific project is included should be directed to the Senate Liaison Offices of each military department.
- **Cost-to-Complete (CTC)**—Variables such as construction market conditions can affect cost estimating throughout the military construction programming process, and as such, DOD can experience cost increases that cannot be sufficiently covered by available appropriated funding. In these cases, the military departments submit a list of projects separate from the budget request

that have received an authorization and appropriation, but require additional funding to be completed. Once the full budget request is released, questions about these lists and whether specific projects are included should be directed to the Senate Liaison Offices of each military department.

It is the practice of the Committee to only provide funding which can be executed in the year of appropriation, and therefore CDS eligibility is further limited by the executability of funding. Eligible major military construction projects must therefore be:

- Authorized in the Fiscal Year 2022 or prior year National Defense Authorization Act;
- At 35% design or higher with a DD 1391*¹; and
- Prepared to award a construction contract in Fiscal Year 2022;

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