

Agriculture Appropriations: Earmarks Disclosed from FY2022 to FY2024

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The U.S. Department of Agriculture (USDA), through its programs and responsibilities, supports and promotes U.S. agriculture, rural development, human nutrition, agricultural research, natural resources conservation, and food safety. Many USDA programs and activities rely on discretionary funding, which Congress provides through an annual Agriculture appropriations act—formally known as the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act. The annual Agriculture Appropriations Act funds USDA except for the U.S. Forest Service.

In FY2022, the House and Senate allowed Representatives and Senators to identify funding for specific projects, recipient entities, or both in annual appropriations acts after a decade without such actions, including in the Agriculture Appropriations Act. The House and Senate use various terms when referring to these spending directives. The House Committee on Appropriations refers to this type of funding as Community Project Funding, and the Senate Committee on Appropriations refers to it as Congressionally Directed Spending. Both chambers have disclosure rules that these spending directives be disclosed in committee reports accompanying appropriations bills. Collectively, this type of spending is commonly known as “earmarks” and sometimes referred to as such for commonality and brevity. This report uses the terms Community Project Funding (CPF) when referring to disclosed House spending and Congressionally Directed Spending (CDS) when referring to disclosed Senate spending. These disclosed spending projects collectively are referred to as CPF/CDS or earmarks throughout the report.

The House and Senate Appropriations Committees designate which accounts will be eligible for CPF and CDS within each annual appropriations bill for a fiscal year. From FY2022 to FY2024, the committees in both chambers generally designated the following accounts as eligible for CPF and CDS across USDA agencies: Agricultural Research Service (ARS) Buildings and Facilities, Rural Housing Service (RHS) Community Facilities Program grants, and Rural Utilities Service (RUS) Distance Learning and Telemedicine Program grants. In addition, the House committee designated Natural Resources Conservation Service (NRCS) Conservation Operations, RUS ReConnect Program grants, and RUS Water and Waste Disposal Program grants for CPF. The Senate committee separately designated Animal and Plant Health Inspection Service Salaries and Expenses and NRCS Watershed Flood Prevention Operations for CDS.

In FY2022-FY2024, Congress included 1,166 CPF/CDS items totaling \$1.541 billion in enacted Agriculture appropriations bills (P.L. 117-103, P.L. 117-328, and P.L. 118-42). In that period, the number and amount increased each fiscal year. Congress appropriated \$331 million for 237 CPF/CDS items in FY2022, \$456 million for 329 items in FY2023, and \$753 million for 600 items in FY2024. Three USDA agencies accounted for 90% of such spending over the three years—RHS, RUS, and ARS.

From FY2022 to FY2024, Congress funded CPF/CDS projects in 46 states and three U.S. territories. The CPF/CDS projects that received the most cumulative funding for FY2022-FY2024 are concentrated in the following states: Wisconsin (\$119 million), Maine (\$83 million), Texas (\$78 million), New York (\$64 million), and Pennsylvania (\$62 million). Six states and territories did not receive any CPF/CDS in FY2022-FY2024: American Samoa, District of Columbia, Indiana, North Dakota, Puerto Rico, South Dakota, and Wyoming. CPF/CDS funding varies by USDA agency and account.

As Congress considers future appropriations acts, policy issues of potential interest include whether to continue allowing CPF/CDS, the amount of program funding designated for CPF/CDS within accounts, and coordination issues between agencies and recipients regarding points of contact and application procedures.

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Lisa S. Benson,
Coordinator

Specialist in Agricultural
Policy

Megan Stubbs

Specialist in Agricultural
Conservation and Natural
Resources Policy

Jim Monke

Specialist in Agricultural
Policy

Eleni G. Bickell

Analyst in Agricultural
Policy

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Introduction

The U.S. Department of Agriculture (USDA) has a wide range of programs and responsibilities that support and promote U.S. agriculture, as well as rural development, human nutrition, agricultural research, natural resources conservation, and food safety. Many USDA programs and activities rely on discretionary funding, which Congress provides through an annual Agriculture appropriations act: the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act.¹ The annual Agriculture Appropriations Act funds USDA except for the U.S. Forest Service. In FY2024, Congress provided \$26.2 billion in enacted discretionary appropriations for USDA program activities through the annual Agriculture Appropriations Act; the FY2025 appropriations generally continue that FY2024 funding via a full-year continuing resolution, though without earmarks.²

In FY2022, the House and Senate allowed Representatives and Senators to identify funding for specific projects, recipient entities, or both in annual appropriations acts. This resumed a practice after a decade without such actions, including in the Agriculture Appropriations Act. The House and Senate use various terms when referring to these spending directives. The House Committee on Rules defines the term *congressional earmarks* in the 119th Congress as a type of congressional spending at the request of an identified elected Representative that noncompetitively benefits a specific entity or locality.³ The Senate Committee on Rules and Administration defines *congressionally directed spending item* similarly in its rules.⁴ The House Committee on Appropriations refers to this type of funding as Community Project Funding, and the Senate Committee on Appropriations refers to it as Congressionally Directed Spending. Both chambers have rules that these spending directives be disclosed in committee reports accompanying appropriations bills.⁵ Collectively, this type of spending is commonly known as “earmarks” and sometimes referred to as such for commonality and brevity. This report uses the terms Community Project Funding (CPF) when referring specifically to disclosed House spending and Congressionally Directed Spending (CDS) when referring specifically to disclosed Senate spending. These disclosed spending projects collectively are referred to as CPF/CDS or earmarks throughout the report.

¹ Although the U.S. Forest Service is in the U.S. Department of Agriculture (USDA), its appropriations are provided in the Interior Appropriations Act. The Agriculture appropriations bill includes funding for the Food and Drug Administration in the Department of Health and Human Services and, in even-numbered fiscal years, the Commodity Futures Trading Commission.

² CRS Report R48431, *Agriculture and Related Agencies: FY2025 Appropriations*.

³ “For the purpose of this clause, the term ‘congressional earmark’ means a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or congressional district, other than through a statutory or administrative formula driven or competitive award process.” (House Committee on Rules, *Rules of the House of Representatives*, 119th Congress, Rule XXI, Clause 9(e), <https://rules.house.gov/resources>, accessed January 29, 2025.)

⁴ “For the purpose of this rule, the term ‘congressionally directed spending item’ means a provision or report language included primarily at the request of a Senator providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality or Congressional district, other than through a statutory or administrative formula-driven or competitive award process.” (Senate Committee on Rules and Administration, *Rules of the Senate*, “Congressionally Directed Spending and Related Items,” Rule XLIV, <https://www.rules.senate.gov/rules-of-the-senate>, accessed January 29, 2025.)

⁵ CRS Report R44124, *Appropriations Report Language: Overview of Development and Components*.

House and Senate Appropriations Committees issue guidance specifying the accounts in which Members can request CPF and CDS and the amount of CPF and CDS they can request. Such allowances can vary annually and across chambers.

Congress may consider whether to continue the practice, which accounts are being designated, how much of each USDA account to set aside, challenges USDA agencies may face when implementing such funding, and challenges recipients may experience.

Methodology

The focus of the report is on CPF/CDS (earmarks) that Congress has disclosed in enacted annual Agriculture appropriations acts in FY2022-FY2024.⁶ Where relevant, historical earmarks during FY2008-FY2010 are also discussed. From FY2022 to FY2024, Congress enacted a similar process to request and fund CPF/CDS items. While individual accounts and chamber requests varied, CPF/CDS funds were included within accounts from the same five USDA agencies over the three-year period. Therefore, the report cumulatively analyzes the CPF/CDS funding for the five USDA agencies from FY2022 to FY2024.

The report analyzes trends in funding for CPF/CDS from FY2022 to FY2024 in different ways. The report is divided by USDA agency and account, and compares the amount of funding for CPF/CDS and the number of funded CPF/CDS projects for each USDA account. The report also compares the amount CPF/CDS funding Congress appropriated for each USDA account to the overall amount of funding Congress appropriated for each USDA account by fiscal year. This highlights the percentage of CPF/CDS funding for each account relative to total funding appropriated. Examples of the types of CPF/CDS projects receiving the most funding are provided for each USDA account over the FY2022-FY2024 period to illustrate the type and location of projects funded by account. The range of funding is also provided for CPF/CDS project by accounts to show the scope of CPF/CDS projects.

The report also analyzes CPF/CDS funding in terms of geographic distribution and the chamber of origination. The geographic distribution of CPF/CDS is analyzed in terms of the magnitude of funding by state or territory (i.e., total CPF/CDS funding by state or territory) and in terms of breadth of CPF/CDS projects (i.e., total number of CPF/CDS projects funded by state or territory). In addition, CPF/CDS is analyzed in terms of the chamber of the Member who originated the funded request.

A Brief History of Earmarks in Annual Agriculture Appropriations

Congress has a long history of directing federal funding to specific entities, projects, and locations in certain USDA accounts. Congress started requiring formal disclosure in FY2008. The 110th Congress (2007-2008) codified disclosure requirements to bring transparency to the process of directing spending to specific entities and purposes.⁷ Disclosure requirements for the 119th Congress include listing the name of each requesting Member, the intended recipient, the purpose

⁶ This report is limited to USDA accounts, agencies, and programs that are funded through annual Agriculture appropriations. As such, references to “USDA” throughout the report do not include the U.S. Forest Service.

⁷ CRS Report R46722, *Community Project Funding: House Rules and Committee Protocols*.

of the allocation, and a certification that each requesting Member has no financial interest in the project.

In FY2008, FY2009, and FY2010 Agriculture Appropriations Acts (P.L. 110-161, P.L. 111-8, and P.L. 111-80), Congress disclosed a cumulative 1,606 earmarks totaling \$1.137 billion.⁸ From 2008 to 2010, Congress approved fewer earmarks for USDA each year than the prior year.

Two USDA agencies accounted for 68% (\$816 million) of such funding and 69% of the earmarks (1,108 items)—the National Institute of Food and Agriculture (NIFA)⁹ and the Agricultural Research Service (ARS).¹⁰

The 112th Congress (2011-2012) included in party rules and committee protocols an “earmark moratorium” or “earmark ban.”¹¹ Congress observed the moratorium until the 117th Congress (2021-2022), when leaders of the House and Senate Appropriations Committees announced that CPF and CDS would be allowed in FY2022 appropriations bills.¹²

In FY2022, FY2023, and FY2024, Congress included a cumulative 1,166 CPF/CDS items totaling \$1.541 billion in Agriculture appropriations acts (P.L. 117-103, P.L. 117-328, and P.L. 118-42).¹³ From FY2022 to FY2024, Congress approved more CPF/CDS funding and CPF/CDS items for USDA each year than the prior year. USDA’s Rural Housing Service (RHS) accounted for 66% (\$1.013 billion) of the CPF/CDS funding and 73% of the CPF/CDS items (855) in Agriculture appropriations in FY2022-FY2024.

For FY2025, the House Agriculture Appropriations Subcommittee and the Senate Agriculture Appropriations Subcommittee marked up appropriations bill proposing CPF/CDS.¹⁴ The full-year continuing resolution for FY2025 (that follows a general approach of continuing FY2024 appropriations amounts for FY2025) did not allow any new CPF/CDS for FY2025 and did not continue any of the FY2024 CPF/CDS.¹⁵ Therefore, FY2024 CPF/CDS are the most recent instances of enacted earmarks.

⁸ CRS Report R40976, *Earmarks Disclosed by Congress: FY2008-FY2010 Regular Appropriations Bills*.

⁹ The National Institute of Food and Agriculture (NIFA) was formerly the Cooperative State Research Education and Extension Service (CSREES). In explanatory statements for P.L. 119-61 and P.L. 111-8, the “Disclosure of Earmarks and Congressionally Directing Spending Items” sections mention CSREES rather than NIFA.

¹⁰ CRS Report R40721, *Agriculture and Related Agencies: FY2010 Appropriations*.

¹¹ CRS Report R45429, *Lifting the Earmark Moratorium: Frequently Asked Questions*.

¹² U.S. Senate Committee on Appropriations, “Leahy Announces Restoration of the Power of the Purse: Reforms for a Return to Congressionally Directed Spending in Fiscal Year 2022,” April 26, 2021, <https://www.appropriations.senate.gov/news/majority/-leahy-announces-restoration-of-the-power-of-the-purse-reforms-for-a-return-to-congressionally-directed-spending-in-fiscal-year-2022>; and U.S. House Committee on Appropriations, “DeLauro Announces Community Project Funding in Fiscal Year 2022,” press release, February 26, 2021, <https://appropriations.house.gov/news/press-releases/delauro-announces-community-project-funding-in-fiscal-year-2022>.

¹³ In FY2022, Congress appropriated funding for CDS projects in the General Provisions title of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2022 (P.L. 117-103, Division A). Congress appropriated \$5 million to Shelburne Farms for the National Farm to School Institute and \$10 million to the University of Vermont for the Institute for Rural Partnerships. For more information, see the CPF/CDS table included in the explanatory statement associated with the law.

¹⁴ “Community Project Funding,” H.Rept. 118-583 accompanying H.R. 9027, pp. 172-208; and “Congressional Directed Spending Items,” S.Rept. 118-193 accompanying S. 4690, pp. 167-175.

¹⁵ H.R. 1968, §1111.

CPF/CDS in Annual Agriculture Appropriations

This section discusses the congressional process to request CPF/CDS in FY2022-FY2024. This section also describes the subsequent funding Congress provided to CPF/CDS-eligible accounts in FY2022-FY2024.

Process

The House and Senate Appropriations Committees established the following process for submitting and funding CPF and CDS requests through annual Agriculture appropriations bills:

1. The committees designate which, if any, USDA accounts will be allowed to have CPF or CDS in the annual Agriculture appropriations bill for the upcoming fiscal year. The committees may designate the same or different USDA accounts.
2. The committees solicit requests from Members. The committees also issue guidance listing requirements for Member requests.¹⁶ The agriculture subcommittees compile Member requests for the designated USDA accounts and often provide additional guidance and requirements for submissions.
3. Members may solicit their constituents for requests, which must comply with the Appropriations Committee and agriculture subcommittee guidance for the USDA program that is the subject of the request.
4. Members submit requests and required statements to the agriculture subcommittees.
5. Agriculture subcommittees, in consultation with the committees, determine which requests to include in the appropriations markup. The committee report accompanying the bill discloses information, including the name of the Member or Members submitting the request, the USDA account, the recipient's name, and the amount that would be provided.
6. A conference agreement between the chambers, or joint explanatory statement, determines which requests from each chamber, and in what amounts, are included in the enrolled bill.
7. Once the Agriculture appropriations bill is enacted, the entities listed as recipients in the accompanying report or explanatory statement are authorized to receive the funding.¹⁷ In previous years, committees required recipients with CPF/CDS funding for USDA programs to submit applications to the relevant programs before receiving the CPF/CDS funding.¹⁸

¹⁶ House and Senate Appropriations Committees' FY2022, FY2023, and FY2024 guidance to Members required Members to submit a financial disclosure certification, prohibiting requests that would fund for-profit businesses, and limited the amount of funding. The financial disclosure certification states that the Member and the Member's immediate family do not have a financial interest in the request. The House Appropriations Committee guidance for FY2022, FY2023, and FY2024 included a maximum number of requests that each House Member could submit.

¹⁷ For more information, see CRS In Focus IF12703, *Considerations for Implementing Congressionally Directed Spending: How Federal Agencies Administer Earmarks*.

¹⁸ House Committee on Appropriations Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, *Fiscal Year 2024 Member Request Guidance*, <https://appropriations.house.gov/fy24-member-request-guidance>.

Accounts

The House and Senate Appropriations Committees designate which accounts will be eligible for CPF and CDS within each annual appropriations bill for a fiscal year. From FY2022 to FY2024, the committees selected some of the same accounts annually within USDA agencies to be eligible and some different accounts for some years (**Table 1**). For most of those years, both committees designated the following USDA accounts as eligible for CPF and CDS:

- ARS Buildings and Facilities,
- RHS Community Facilities Program grants, and
- Rural Utilities Service (RUS) Distance Learning and Telemedicine Program grants.

Only the House designated RUS ReConnect Program grants and RUS Water and Waste Disposal Program grants for CPF. Only the Senate designated Animal and Plant Health Inspection Service (APHIS) Salaries and Expenses and Natural Resources Conservation Service (NRCS) Watershed Flood Prevention Operations (WFPO). In FY2022, only the House designated the NRCS Conservation Operations (CO) account for CPF. For FY2023 and FY2024, only the Senate designated the NRCS CO account for CDS.

Table 1. USDA Accounts Designated for Community Project Funding and Congressionally Directed Spending

FY2022-FY2024

USDA Agency and Account	FY2022		FY2023		FY2024	
	H	S	H	S	H	S
Agricultural Research Service						
Buildings and Facilities	X		X	X	X	X
Animal and Plant Health Inspection Service						
Salaries and Expenses		X		X		X
Natural Resources Conservation Service						
Conservation Operations		X	X		X	
Watershed Flood Prevention Operations		X		X		X
Rural Housing Service						
Community Facilities Program grants	X		X	X	X	X
Rural Utilities Service						
Distance Learning and Telemedicine Program grants		X	X	X	X	X
ReConnect Program grants	X		X		X	
Water and Waste Disposal Program grants					X	

Sources: Compiled by CRS using annual guidance issued by the House Committee on Appropriations and the Senate Committee on Appropriations for FY2022-FY2024. For House and Senate guidance, see House Committee on Appropriations, “Archived Community Project Funding,” <https://appropriations.house.gov/committee-activity/archived-community-project-funding>; and Senate Committee on Appropriations, “FY 2025 Appropriations Requests and Congressionally Directed Spending,” <https://www.appropriations.senate.gov/fy-2025-appropriations-requests-and-congressionally-directed-spending>.

Notes: H = House-designated accounts and S = Senate-designated accounts (in the jurisdiction of Agriculture appropriations). In FY2022, Congress appropriated \$15 million of Congressionally Directed Spending funding to the General Provisions title in the Agriculture Appropriations Act (P.L. 117-103, Division A, §767 and §780). That funding was not associated with a USDA agency or account and therefore is not included in the table.

Funding

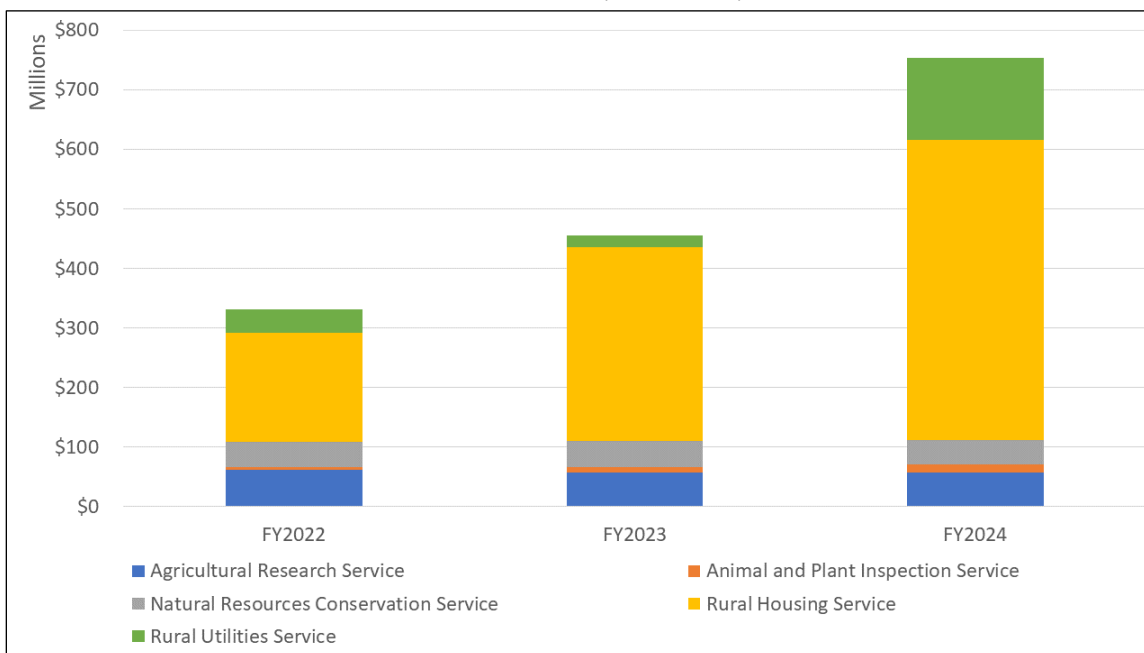
From FY2022 to FY2024, Congress included CPF/CDS funding each year for five USDA agencies: ARS, APHIS, NRCS, RHS, and RUS. During that time, Congress enacted similar processes to request and fund CPF/CDS items; therefore, the CPF/CDS funding for those five USDA agencies from FY2022 to FY2024 is analyzed cumulatively in this report.

In FY2022, FY2023, and FY2024, Congress included a cumulative 1,166 CPF/CDS items totaling \$1.541 billion in enacted Agriculture appropriations bills (P.L. 117-103, P.L. 117-328, and P.L. 118-42). In that period, the number and amount increased. Congress appropriated \$331 million for CPF/CDS in FY2022, \$456 million in FY2023, and \$753 million in FY2024—an increase of 127% (**Figure 1**), not adjusted for inflation. Three USDA agencies accounted for 90% of such spending over the three years—RHS, RUS, and ARS.

In FY2022, FY2023, and FY2024, House Members cumulatively originated more funded requests (598, or 51%) than Senate Members (535, or 46%). House Member-originated requests that were funded totaled \$807 million, and Senate Member-originated requests that were funded totaled \$637 million. House and Senate Members jointly requested the remaining 35 (3%) totaling \$112 million.

Figure 1. Community Project Funding and Congressionally Directed Spending by USDA Agency

FY2022-FY2024 (\$ in millions)



Source: Compiled by CRS from the Community Project Funding (CPF) and Congressionally Directed Spending (CDS) tables for Agriculture appropriations jurisdiction in the explanatory statements accompanying P.L. 118-42, P.L. 117-328, and P.L. 117-103.

Note: Values are not adjusted for inflation.

Geographic Distribution

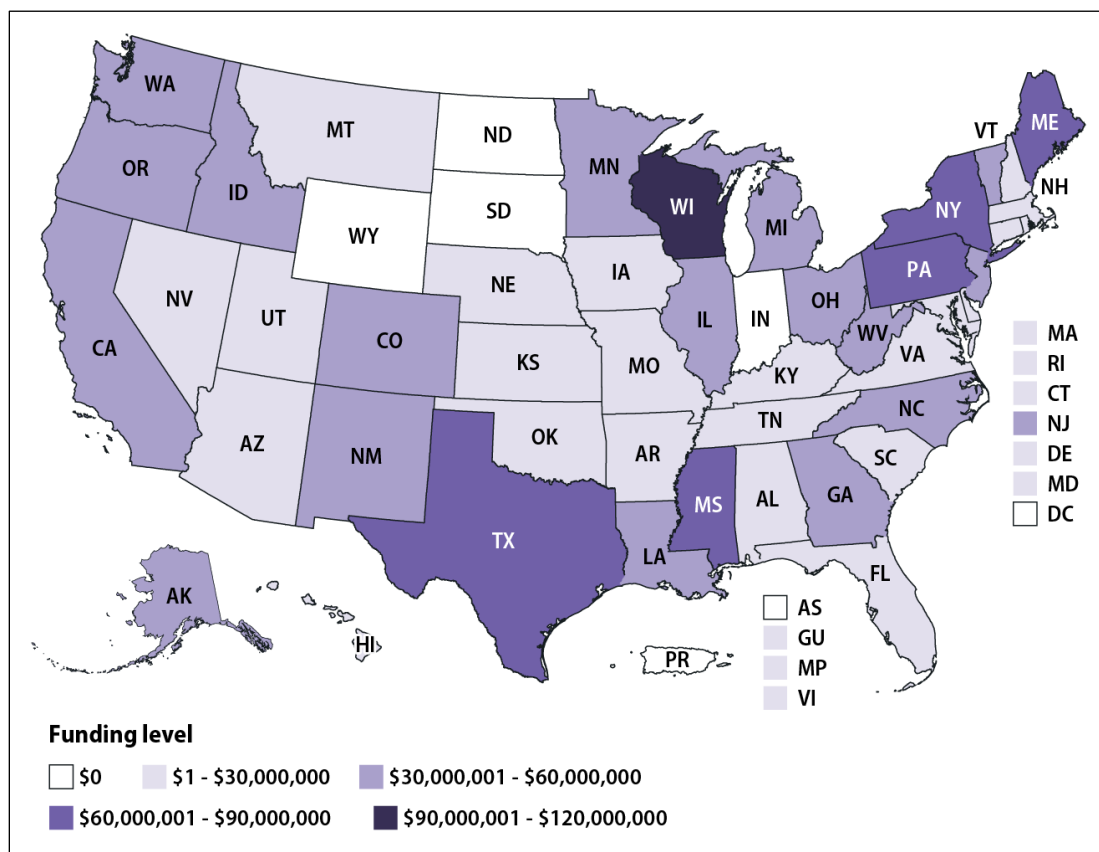
From FY2022 to FY2024, Congress funded CPF/CDS projects in 46 states and three U.S. territories (**Figure 2**). Some Members did not submit CPF/CDS requests in one or more fiscal years. In addition, the House Appropriations Committee limited House Members to 10 CPF requests across all eligible federal agencies and accounts in FY2022 and 15 CPF requests each year in FY2023 and FY2024. Therefore, House Members may have limited the number of CPF requests for accounts in Agriculture appropriations in favor of submitting requests for other eligible federal agencies and accounts.

The states with the most cumulative CPF/CDS funding from FY2022 to FY2024 are Wisconsin (\$119 million), Maine (\$83 million), Texas (\$78 million), New York (\$64 million), and Pennsylvania (\$62 million). The states and territories with the least cumulative CPF/CDS funding in that time are Montana (\$1 million), U.S. Virgin Islands (\$3 million), Arkansas (\$4 million), Kansas (\$5 million), and Guam (\$6 million). Six states and territories did not receive any CPF/CDS in FY2022-FY2024: American Samoa, District of Columbia, Indiana, North Dakota, Puerto Rico, South Dakota, and Wyoming.

The states with the most projects that received CPF/CDS in FY2022-FY2024 were Pennsylvania (60), New Mexico (56), Maine (54), New York (54), and California (50). The states and territories with the fewest projects that received CPF/CDS in that period were Montana (2), U.S. Virgin Islands (3), Nebraska (3), Arkansas (5), and Guam (5).

Figure 2. USDA Community Project Funding and Congressionally Directed Spending by State

Cumulative total, FY2022-FY2024



Source: Compiled by CRS from the Community Project Funding (CPF) and Congressionally Directed Spending (CDS) tables in the explanatory statements accompanying P.L. 118-42, P.L. 117-328, and P.L. 117-103.

Note: USDA CPF/CDS funding includes funding for all USDA accounts in which Congress appropriated funding for FY2022-FY2024 through annual Agriculture appropriations acts.

Government Accountability Office Audits

The joint explanatory statement accompanying the Consolidated Appropriations Act, 2022, required the Government Accountability Office (GAO) to audit CPF/CDS included in the act. Congress stated that GAO's audit was for "public transparency and accountability" and to inform the committees' consideration of such funding in future years.¹⁹ Congress required GAO to review a sample of CPF/CDS items across agencies and subcommittees. Congress did not specify the agencies or subcommittees from which GAO was to select. GAO was to review such projects to determine whether recipients spent the funding or had a plan to do so and to assess whether the funds were used for the purposes originally identified. GAO also was required to assess whether

¹⁹ "Explanatory Statement Accompanying the Consolidated Appropriations Act, 2022," proceedings and debate in the House, *Congressional Record*, daily edition, vol. 168 (March 9, 2022), p. H2925.

the federal agencies administering CPF/CDS had “sufficient processes” for monitoring expenditures. Congress required GAO to conduct a similar audit in FY2023 and in FY2024.²⁰

GAO issued a series of reports analyzing CPF/CDS spending in FY2022 and FY2023. GAO analyzed USDA’s plan for distributing and monitoring FY2022 funding,²¹ finding that nearly half of the CPF/CDS recipients were tribal, state, and local governments. House and Senate Appropriations Committees’ guidance on CPF and CDS for FY2022 prohibited requests for for-profit entities. GAO reported that USDA planned to require CPF/CDS recipients to submit documents similar to those submitted by applicants for competitive grants (e.g., a proposal, work plan, and budget).²² GAO also reported that USDA anticipated reviewing such documents to ensure the recipients had the capacity to implement the projects and offering technical assistance to those that did not have the capacity to implement the projects.²³ The GAO report also recorded observations from individual USDA agencies. USDA Rural Development officials reported to GAO that they were experiencing challenges in identifying points of contact when the recipients were large organizations, such as hospitals. USDA NRCS officials reported to GAO that some of their staff workload had increased due to the implementation of the Infrastructure Investment and Jobs Act (P.L. 117-58), which could affect staff capacity and result in delaying the CPF/CDS funding to recipients.

USDA CPF/CDS Funding by Agency

This section provides additional information about CPF/CDS within each of the USDA agencies receiving such funding since FY2022.

Agricultural Research Service

ARS is USDA’s principal intramural research agency. It addresses a wide range of agricultural areas, from crop and livestock health to food safety and environmental stewardship.²⁴ To carry out this mission, ARS receives appropriations for salaries and expenses to conduct research programs. It owns and operates laboratories and facilities across the United States. ARS facilities and worksites are located in all states except Alaska, Connecticut, New Hampshire, and Rhode Island. ARS facilities also are located in the U.S. territories of Puerto Rico and the U.S. Virgin Islands.

The House and Senate Appropriations Committees have designated the ARS Buildings and Facilities account for CPF and CDS each year since FY2022. The House Appropriations Committee required in its guidance for each year that CPF requests be submitted for existing ARS facilities or for facilities that would enhance ongoing ARS research.²⁵ The Senate Appropriations Committee stated in its guidance for each year that CDS requests could be submitted for existing ARS facilities or facilities where ARS funding had been provided in the past.

²⁰ “Explanatory Statement Accompanying the Consolidated Appropriations Act, 2023,” proceedings and debate in the Senate, *Congressional Record*, vol. 168 (December 20, 2022), p. S9210. H.Rept. 118-364 accompanying the Further Consolidated Appropriations Act, 2024 (P.L. 118-47).

²¹ U.S. Government Accountability Office (GAO), *Tracking the Funds: Specific Fiscal Year 2022 Provisions for U.S. Department of Agriculture*, GAO-23-105913, October 2022.

²² GAO, *Tracking the Funds*, GAO-23-105913, October 2022.

²³ GAO, *Tracking the Funds*, GAO-23-105913, October 2022.

²⁴ For more information, see USDA, Agricultural Research Service (ARS), <https://www.ars.usda.gov/>.

²⁵ For House Appropriations Committee guidance on FY2025 Community Project Funding, see <https://appropriations.house.gov/committee-activity/fy25-member-request-guidance>.

In FY2022-FY2024, Congress funded a cumulative 43 CPF/CDS projects totaling \$176 million for ARS Buildings and Facilities (**Table 2**). During that time, Congress appropriated less funding for the account each fiscal year. In addition, Congress displaced funding provided for the general account with funding for CPF/CDS. In FY2022, Congress appropriated \$128 million for the account and designated 49% of the total funding for CPF/CDS. In FY2023, Congress provided \$74 million for the account (a decrease of 42% compared with the previous year) and designated 76% of the total funding for CPF/CDS. In FY2024, Congress provided \$57 million (a decrease of 23% compared with the previous year) and designated 100% of the funding for CPF/CDS. In FY2024, limited funding was available for construction, alteration, and repair of ARS buildings and improvements not included as CPF/CDS items. It is unclear why Congress decreased the amount of funding for the general account during this time while keeping the CPF/CDS funding at roughly the same level.

Table 2. ARS Building and Facilities Community Project Funding and Congressionally Directed Spending

FY2022-FY2024

Fiscal Year	Total Funding for Account	Number of CPF/CDS	CPF/CDS Funding	Percent CPF/CDS Funding
2022	\$127,805,000	5	\$62,400,000	49%
2023	\$74,297,000	23	\$56,697,000	76%
2024	\$57,164,000	15	\$57,164,000	100%
Total	\$259,266,000	43	\$176,261,000	68%

Source: CRS analysis of Community Project Funding (CPF)/Congressionally Directed Spending (CDS) tables in the explanatory statements accompanying P.L. 118-42, P.L. 117-328, and P.L. 117-103.

Note: Funding amounts are in nominal dollars and not adjusted for inflation.

In FY2022-FY2024, individual ARS CPF/CDS projects ranged from \$117,000 to \$40 million, with the median at \$2 million. The three largest amounts accounted for 43% of the ARS total: the ARS Plant Germplasm Research Facility co-located at the University of Wisconsin-Madison (\$40 million, FY2022, Wisconsin), ARS National Center for Resilient and Regenerative Precision Agriculture co-located at the University of Nebraska-Lincoln (\$25 million, FY2024, Nebraska), and ARS New England Plant, Soil, and Water Research Laboratory (\$10 million, FY2024, Maine).

In FY2022-FY2024, Congress funded CPF/CDS 36 projects in 21 states through the ARS account; 7 of those projects received funding for more than one year. The CPF/CDS projects under the ARS account that received the most funding are concentrated in the following states: Wisconsin (\$48 million), Nebraska (\$25 million), and Louisiana (\$19 million). The states with the greatest number of projects are Illinois (5), Oklahoma (5), Idaho (3), Louisiana (3), Missouri (3), and Wisconsin (3).

Animal and Plant Health Inspection Service

APHIS protects U.S. plant and animal resources from pests and diseases by monitoring animal and plant health worldwide and setting import policies, resolving trade issues related to animal

and plant health, and conducting regulatory activities for humane care and treatment of certain animals.²⁶

The Senate Appropriations Committee designated APHIS Salaries and Expenses as an account eligible for CDS for FY2022-FY2024. The House Appropriations Committee did not designate the account for CPF.

In FY2022-FY2024, Congress funded 30 CDS projects totaling \$27 million for APHIS Salaries and Expenses (**Table 3**). They were less than 1% of the total funding Congress provided for the account. Congress provided an increasing amount of CDS funding for APHIS each year: \$3 million in FY2022, \$10 million in FY2023, and \$14 million in FY2024.

Table 3. APHIS Salaries and Expenses Congressionally Directed Spending
FY2022-FY2024

Fiscal Year	Total Funding for Account	Number of CDS	CDS Funding	Percent CDS Funding
2022	\$1,110,218,000	8	\$3,474,000	0.3%
2023	\$1,171,071,000	9	\$9,552,000	0.8%
2024	\$1,162,026,000	13	\$14,276,000	1.2%
Total	\$3,443,315,000	30	\$27,302,000	0.8%

Source: CRS analysis of Congressionally Directed Spending (CDS) tables in the explanatory statements accompanying P.L. 118-42, P.L. 117-328, and P.L. 117-103.

Note: Funding amounts are in nominal dollars and not adjusted for inflation.

In FY2022-FY2024, individual CDS projects in the APHIS Salaries and Expenses account ranged from \$40,000 to \$7 million, with the median at \$500,000. The three largest amounts accounted for 44% of the APHIS total: Clemson University's Veterinary Diagnostic Center (\$7 million, FY2024, South Carolina), the University of Maine's Tick-Borne Disease Prevention Project in Northern New England (\$3 million, FY2023, Maine), and the Mississippi Department of Agriculture and Commerce's Wild Hog Control Program (\$2 million, FY2024, Mississippi).

Congress funded CDS projects in 15 states through the APHIS account. The CDS projects under the ARS account that received the most funding are concentrated in the following states: South Carolina (\$8 million), Mississippi (\$5 million), and Hawaii (\$3 million). The states with the greatest number of projects are Mississippi (6), Hawaii (4), New Mexico (3), and Connecticut (3).

Natural Resources Conservation Service

NRCS is the lead USDA agency for agricultural conservation programs that assist private landowners with making land improvements and addressing natural resource concerns. In FY2022, the Senate Appropriations Committee designated Conservation Operations (CO) and Watershed and Flood Prevention Operations (WFPO) as eligible for CDS. For FY2023-FY2024, the Senate Appropriations Committee designated WFPO as eligible for CDS, and the House Appropriations Committee designated CO as eligible for CPF. In FY2022-FY2024, Congress funded 88 CPF/CDS projects totaling \$125.9 million for those two NRCS accounts (**Table 4**).

²⁶ For more information, see USDA, Animal and Plant Inspection Health Inspection Service, <https://www.aphis.usda.gov/>.

Table 4. NRCS Program Community Project Funding and Congressionally Directed Spending
FY2022-FY2024

Fiscal Year	NRCS Program	Total Funding for Accounts ^a	Number of CPF/CDS	CPF/CDS Funding	Percent CPF/CDS Funding
2022	CO	\$904,396,000	17	\$19,611,000	2.2%
	WFPO	\$100,000,000	7	\$23,275,000	23.3%
2023	CO	\$941,124,000	16	\$22,972,900	2.4%
	WFPO	\$75,000,000	19	\$20,591,000	30.6%
2024	CO	\$914,899,000	18	\$19,144,913	2.1%
	WFPO	\$35,000,000	11	\$20,350,000	58.1%
Total		\$2,970,419,000	88	\$125,944,813	4.2%

Source: CRS analysis of Community Project Funding (CPF)/Congressionally Directed Spending (CDS) tables in the explanatory statements accompanying P.L. 118-42, P.L. 117-328, and P.L. 117-103.

Notes: NRCS = Natural Resources Conservation Service; CO = Conservation Operations; and WFPO = Watershed and Flood Prevention Operations. Funding amounts are in nominal dollars and not adjusted for inflation.

- a. In addition to discretionary funding through appropriations, WFPO is permanently authorized to receive \$50.0 million annually from mandatory sources. This mandatory funding is available unless otherwise amended by Congress. Mandatory funds are not available to be designated for CPF/CDS and are authorized for WFPO projects as well as rehabilitation work under the Small Watershed Rehabilitation Program. Total program funding does not include the percentage of mandatory funding used for WFPO projects.

Conservation Operations

The CO account primarily funds Conservation Technical Assistance (CTA), which provides conservation planning and implementation assistance from NRCS field staff located in almost all counties within the United States and its territories. Other components of CO include the Soil Survey, the Snow Survey and Water Supply Forecasting Program, and Plant Materials Centers. The CO account is the primary source of discretionary funding for salaries and expenses for NRCS staff. In FY2022, the Senate Appropriations Committee designated CO as eligible for CDS; for FY2023-FY2024, the House Appropriations Committee designated CO as eligible for CPF.

In FY2022-FY2024, Congress funded 51 CPF/CDS projects totaling \$61.7 million from the CO account. In that period, such individual CO projects ranged from \$50,000 to \$5.0 million, with the median at \$1.0 million. The greatest number of CPF/CDS projects from CO were located in California and Texas, with seven projects in each state, followed by Vermont and New Mexico, with four projects in each state. Projects located in Texas received the most total CPF/CDS funding from CO (\$10.2 million), followed by Vermont (\$6.3 million) and California (\$5.3 million). The largest individual CPF/CDS projects were the Farmland Futures Fund (\$5.0 million, FY2022, Vermont), the Long Island Sound Coastal Zone Soil Survey (\$5.0 million, FY2022, Connecticut), and the Rock Creek Conservation and Water Quality Enhancement (\$4.0 million, FY2023, Idaho).

Approximately 2% of available CO funds were directed to CPF/CDS projects in FY2022-FY2024 (see **Table 4**). While these projects have been directed at conservation-related activities, they

reduce the total amount of funding available for the agency to use on other actions funded by the account, such as NRCS personnel.

Watershed and Flood Prevention Operations

In FY2022-FY2024, the Senate Appropriations Committee designated CO as eligible for CDS. The program assists state and local organizations with planning and installing measures to prevent erosion, sedimentation, and flood damage.²⁷

In FY2022-FY2024, Congress funded 37 CDS projects totaling \$64.2 million from WFPO. In that period, individual such WFPO projects ranged from \$50,000 to \$9.1 million, with the median at \$1.0 million. The greatest number and amount of total funding for such WFPO projects were located in Mississippi (12 projects, \$26.8 million), Oregon (7 projects, \$19.4 million), and Rhode Island (3 projects, \$12.0 million).

WFPO was the NRCS conservation program, by amount of funding, most earmarked before the moratorium in FY2011. For example, in FY2009, 97% of the funds appropriated for WFPO were directed for specific projects; in FY2010, 74% of appropriated WFPO funds were earmarked.²⁸ As a result, limited funding in that period was available for competitive grants, making it difficult for the program to service constituents in areas that did not receive earmarked funding. Since the return to directed spending in FY2022, the percentage of appropriated WFPO funds for CDS has increased annually; though total amounts, when adjusted for inflation, remain below those before the moratorium.²⁹

Rural Housing Service

RHS supports the construction, repair, and modernization of single-family and multifamily homes and community facilities located in rural communities. These programs provide grants, loans, loan guarantees, and technical assistance to support rural housing.³⁰

For FY2022-FY2024, the Senate and House Appropriations Committees designated RHS Community Facilities Program grants as eligible for CPF and CDS. Under the Community Facilities Program, RHS provides grants to public bodies (such as counties or towns), federally recognized tribes, and community-based nonprofit corporations to build essential community facilities in rural areas with populations of 20,000 or fewer people.³¹ Essential community facilities are “those public improvements requisite to the beneficial and orderly development of a community that is operated on a nonprofit basis.”³² The facilities must serve a function usually provided by local units of government, such as fire stations and police departments that provide

²⁷ For additional information on Watershed and Flood Prevention Operations (WFPO) and its authorities, see CRS Report R46471, *Federally Supported Projects and Programs for Wastewater, Drinking Water, and Water Supply Infrastructure*.

²⁸ The Omnibus Appropriations Act, 2009 (P.L. 111-8), appropriated \$24.3 million for WFPO, of which \$23.6 million was for earmark projects (\$34.3 million and \$33.3 million, respectively, when adjusted for inflation in 2024 dollars). The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80), appropriated \$30 million for WFPO, of which \$22.1 million was for earmark projects (\$41.9 million and \$30.9 million, respectively, when adjusted for inflation in 2024 dollars).

²⁹ See footnote 28.

³⁰ For more information, see USDA, Rural Housing Service, <https://www.rd.usda.gov/about-rd/agencies/rural-housing-service>.

³¹ 7 U.S.C. §1991(a)(13)(C). For more information, see CRS Report R47510, *Rural Definitions Used for Eligibility Requirements in USDA Rural Development Programs*.

³² 7 C.F.R. §3570.53.

public safety. Under the Community Facilities Program, RHS provides competitive grants that cover between 15% and 75% of project costs.³³ The percent of grant coverage depends on the population and median household income of the rural community, with areas that have relatively lower populations and median household incomes qualifying for grants with a higher percentage of covered project costs.

In FY2022-FY2024, Congress funded 855 CPF/CDS projects totaling \$1.014 billion for RHS Community Facilities Program grants (**Table 5**). During that time, Congress appropriated more funding for the account each fiscal year. In addition, Congress displaced funding provided for the general account with funding for CPF/CDS. In FY2022, Congress appropriated \$239 million for the account and designated 77% of the total funding for CPF/CDS. In FY2023, Congress provided \$341 million for the account (an increase of 43% compared with the previous year) and designated 95% of the total funding for CPF/CDS. In FY2024, Congress provided \$523 million (an increase of 53% compared with the previous year) and designated 97% of the funding for CPF/CDS. As a result, from FY2022 to FY2024 limited funding was available for competitive grants, making it difficult for the program to support constituents in areas that did not receive CPF/CDS funding.

Table 5. RHS Community Facilities Program Community Project Funding and Congressionally Directed Spending

FY2022-FY2024

Fiscal Year	Total Funding for Account	Number of CPF/CDS	CPF/CDS Funding	Percent CPF/CDS Funding
2022	\$239,449,000	174	\$183,449,000	77%
2023	\$341,490,000	241	\$325,490,000	95%
2024	\$523,023,927	440	\$505,023,927	97%
Total	\$1,103,962,927	855	\$1,013,962,927	92%

Source: CRS analysis of Community Project Funding (CPF)/Congressionally Directed Spending (CDS) tables in the explanatory statements accompanying P.L. 118-42, P.L. 117-328, and P.L. 117-103.

Note: Funding amounts are in nominal dollars and not adjusted for inflation.

In FY2022-FY2024, individual Community Facilities Program CPF/CDS projects ranged from \$17,000 to \$10 million, with the median at \$859,000. The three largest amounts accounted for 2.5% of the Community Facilities Program total: the Yuut Elitnaurviat Campus expansion project (\$10 million, FY2023, Alaska), the Montrose County Courthouse renovation project (\$8 million, FY2022, Colorado), and the Zebulon Fire Station/Wake County Emergency Management Services project (\$8 million, FY2023, North Carolina).

Congress funded Community Facilities CPF/CDS projects in 46 states and three U.S. territories. States and territories that did not receive such funding were the American Samoa, District of Columbia, Indiana, North Dakota, Puerto Rico, South Dakota, and Wyoming. The CPF/CDS projects under the Community Facilities Program that received the most funding are concentrated in the following states: Wisconsin (\$70 million), Maine (\$67 million), and Alaska (\$54 million), accounting for 19% of the CPF/CDS total. The states with the greatest number of projects are Maine (51), Pennsylvania (50), and New Mexico (43), accounting for 17% of the total CPF/CDS projects.

³³ 7 U.S.C. §1926(a)(19)(B)(ii); and 7 C.F.R. §3570.63(b).

Rural Utilities Service

RUS supports the construction, repair, and modernization of utility systems in rural communities.³⁴ RUS programs provide grants, loans, loan guarantees, and technical assistance through various programs intended to help rural communities with a range of utilities, such as broadband, electricity, drinking water, waste disposal, and telephone service.

In FY2022, the Senate Appropriations Committee designated RUS Distance Learning and Telemedicine Program as eligible for CDS. For FY2023-FY2024, both the Senate and House Appropriations Committees designated the program as eligible for CPF and CDS. The Distance Learning and Telemedicine Program provides grants for telemedicine and distance learning projects in eligible rural areas. For this program, rural areas are defined as areas with 20,000 or fewer people and not adjacent to cities of 50,000 or more people.³⁵ Grants can be used to purchase audio and video equipment, broadband facilities, computer hardware and software, and instructional programming.

The House Appropriations Committee designated RUS ReConnect Program grants as eligible for CPF for FY2022-FY2024 and RUS Water and Waste Disposal Program grants for FY2024. The ReConnect Program provides grants to fund the building and updating of facilities or equipment needed to provide broadband access to rural areas. For this program, rural areas are defined as areas with 20,000 or fewer people and not adjacent to cities of 50,000 or more people.³⁶ The Water and Waste Disposal Program provides grants for projects that build or enhance clean and reliable drinking water systems, sanitary sewage disposal systems, and stormwater drainage to households and businesses in eligible rural areas. For this program, eligible rural areas are areas with populations of 10,000 or fewer people.³⁷

In FY2022-FY2024, Congress funded 150 CPF/CDS projects totaling \$197 million for the three RUS accounts, including \$39 million in FY2022, \$21 million in FY2023, and \$137 million in FY2024 (**Table 6**). In that period, CPF/CDS funding was 14% of the total funding Congress provided for the RUS designated programs. The increase in funding in FY2024 was due to the addition of RUS Water and Waste Disposal Program grants as eligible for CPF in the House.

³⁴ For more information, see USDA, Rural Utilities Service, <https://www.rd.usda.gov/about-rd/agencies/rural-utilities-service>.

³⁵ 7 U.S.C. §950bb(b)(3)(A); CRS Report R47510, *Rural Definitions Used for Eligibility Requirements in USDA Rural Development Programs*.

³⁶ 7 C.F.R. §1740.2(a); CRS Report R47510, *Rural Definitions Used for Eligibility Requirements in USDA Rural Development Programs*.

³⁷ 7 U.S.C. §1991(a)(13)(B); CRS Report R47510, *Rural Definitions Used for Eligibility Requirements in USDA Rural Development Programs*.

Table 6. RUS Program Community Project Funding and Congressionally Directed Spending
FY2022-FY2024

Fiscal Year	RUS Programs	Total Funding for Account	Number of CPF/CDS	CPF/CDS Funding	Percent CPF/CDS Funded
2022	Distance Learning	\$62,510,000	7	\$2,510,000	4%
	ReConnect	\$436,605,000	19	\$36,605,000	8%
2023	Distance Learning	\$64,991,000	8	\$4,991,000	8%
	ReConnect	\$363,513,000	13	\$15,513,000	4%
2024	Distance Learning	\$49,574,000	16	\$9,574,000	19%
	ReConnect	\$100,385,000	9	\$10,385,000	10%
	Water and Waste Disposal	\$372,485,000	78	\$117,485,000	32%
Total		\$1,450,063,000	150	\$197,063,000	14%

Source: CRS analysis of Community Project Funding (CPF)/Congressionally Directed Spending (CDS) tables in the explanatory statements accompanying P.L. 118-42, P.L. 117-328, and P.L. 117-103.

Notes: Distance Learning = Distance Learning and Telemedicine Program. Funding amounts are in nominal dollars and not adjusted for inflation.

In FY2022-FY2024, individual CPF/CDS projects in RUS accounts ranged from \$72,000 to \$6 million, with the median at \$1 million. The three largest such RUS amounts were for a ReConnect Program grant (\$6 million, FY2022, Minnesota); a Water and Waste Disposal Program grant for sewer system improvements (\$5 million, FY2024, Georgia); a Water and Waste Disposal Program grant for water infrastructure improvements (\$5 million, FY2024, Colorado); and a Water and Waste Disposal Program grant for wastewater system improvements (\$5 million, FY2024, Maryland).

Congress funded CPF/CDS projects in 36 states and U.S. territories from RUS accounts. The CPF/CDS projects under the RUS account that received the most funding are concentrated in the following states: New York (\$16 million), Minnesota (\$16 million), and California (\$13 million). The states with the greatest number of projects are Illinois (13), New York (12), Pennsylvania (8) and Texas (8).

Considerations for Congress

As Congress considers future appropriations acts, policy issues of potential interest include whether to continue allowing CPF/CDS, the amount of program funding designated for CPF/CDS within accounts compared with the total of the account, and coordination issues between agencies and recipients regarding points of contact and application procedures.

Continuing CPF/CDS

Some Congresses have embraced the use of CPF/CDS, and others have rejected using them. Future Congresses will face similar choices. In considering their options, Members might compare recent trends in such funding with prior levels; the perception of whether disclosure practices are achieving sufficient transparency; and the success of directing spending to various

constituencies, The GAO reports analyzing CPF/CDS spending in FY022 and FY2023 may inform these decisions.

Determining Accounts for CPF/CDS

Congress might also consider whether to continue limiting the number of accounts that each appropriations subcommittee may include for CPF/CDS and, if so, whether the House and Senate might harmonize the list of accounts before each chamber marks up bills for an annual appropriations cycle.

As discussed above, some accounts are eligible for CPF/CDS in both chambers, and other accounts are eligible in one chamber. When only one chamber allows earmarks for an account, and conference agreements and joint explanatory statements combine CPF and CDS from both chambers' bills, the priorities of one chamber are reflected in the particular account. This effect may be increased for accounts where CPF/CDS makes up the majority, or all, of the provided funding.

Impact on Account Funding

Earmarking affected accounts differently in the FY2022-FY2024 period. Some accounts, such as salaries and expenses accounts, maintained relatively flat total funding, and CPF/CDS displaced USDA discretion for allocating funds. Other accounts, such as grant making accounts, increased in total funding, and earmarks were additive to the total funding. In both the displacement and additive categories, CPF/CDS became the majority (or, in some cases, the exclusive) mechanism to distribute funding for some accounts.

For example, Congress directed 100% of the funding provided for USDA Community Facilities Program grants in FY2023 and 99% of the funding toward CPF/CDS projects in FY2024. As a result, USDA did not fund any competitive grants for the program in FY2023 and funded very few competitive grants for the program in FY2024. Total funding for the Community Facilities account more than doubled from FY2022 to FY2024 (**Table 5**). USDA discretion to award grants competitively decreased over a time though total funding for the account increased.

For the ARS Buildings and Facilities account, CPF/CDS funding has meant USDA has been less able to use its discretion to fund projects on USDA's infrastructure priority list.³⁸ In FY2024, 100% of the amount for ARS Buildings and Facilities was CPF/CDS funding. In FY2023, three-fourths of the amount were earmarked and in FY2022, half was earmarked (**Table 2**), leaving less each year for USDA's priority infrastructure list.

Agency Implementation

Congress might consider whether to address some of the challenges facing USDA and other federal agencies in trying to implement CPF/CDS. GAO noted some challenges for USDA in implementing such projects in FY2022 (e.g., USDA Rural Development officials cited difficulty identifying the point of contact for recipients that were large organizations, such as hospitals; see "Government Accountability Office Audits").³⁹

³⁸ USDA, ARS, *FY2025 Budget and Explanatory Notes*, p. 57, <https://www.usda.gov/sites/default/files/documents/20-ARS-2025-ExNotes.pdf>.

³⁹ GAO, *Tracking the Funds: Specific Fiscal Year 2022 Provisions for U.S. Department of Agriculture*, GAO-23-105913, October 2022.

Congress might consider whether CPF/CDS requests are to provide additional information, such as the point of contact, or whether recipients have experience implementing similar projects. Such information may ease implementation by USDA agencies but may complicate assembling CPF/CDS requests by Members and their staff.

Recipient Implementation

Congress may consider addressing challenges cited by CPF/CDS recipients in order to make the process of receiving funding more efficient. GAO analyzed how FY2022 recipients of such funding fared with implementing their projects, including applying for funding from the designated programs and following certain administrative procedures.⁴⁰ Congress may consider whether entities seeking CPF/CDS need to follow a different application process.

Author Information

Lisa S. Benson, Coordinator
Specialist in Agricultural Policy

Jim Monke
Specialist in Agricultural Policy

Megan Stubbs
Specialist in Agricultural Conservation and Natural
Resources Policy

Eleni G. Bickell
Analyst in Agricultural Policy

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⁴⁰ GAO, *Tracking the Funds: Sample of Fiscal Year 2022 Projects Shows Funds Were Awarded for Intended Purposes but Recipients Experienced Some Challenges*, GAO-24-106334, September 2024.