



U.S. SENATOR BEN CARDIN'S NONPROFIT ORGANIZATIONS GUIDE TO

CONGRESSIONALLY DIRECTED SPENDING (EARMARKS) FOR FY25



U.S. SENATOR BEN CARDIN

CONGRESSIONALLY DIRECTED SPENDING

This guide provides an overview of opportunities available to nonprofit organizations to apply for Congressionally Directed Spending (CDS), also known in the House of Representatives as Community Project Funding, or more informally as earmarks. Congressionally Directed Spending can provide one-time – not multi-year – grant funding for local community projects.

Congress revived the practice of earmarking federal funding to support local community projects in Fiscal Year 2022. The information in this guide is based on previously issued guidance from the Senate Appropriations Committee over the past three fiscal years. Please note that the Committee will likely issue updated guidance for Fiscal Year 2025, and the information provided here is subject to change.

Generally, eligibility requirements for CDS conform to those for corresponding, existing federal grant programs, but individual programs may have slightly expanded eligibilities per Committee rules that are subject to change. Several federal agencies have created websites that outline specific eligibility requirements, such as non-federal match or reporting requirements. Additional information regarding eligibility can be found in the Notice of Funding Opportunity for each competitive grant program that may be earmarked. A limited category of earmarks may require the approval or support of Maryland State agencies prior to Senate consideration for federal funding.

CDS funding is limited each year, and not every project that Senator Cardin advances to the Senate Appropriations Committee for consideration will receive funding. Maryland's Congressional Delegation works together to coordinate earmark project requests, so the Senator encourages you to reach out to other delegation offices to inform them of your projects so that all delegation members have an opportunity to advocate for your project. Prior successful applicants have used this guide and coordinated with my staff to develop strong project applications. While there is no guarantee of funding through the CDS application process, Senator Cardin will work to ensure that your projects will be eligible to compete for funding if selected to advance to the Appropriations Committee.

To review previous earmark projects that Senator Cardin has supported and received funding from the Senate Appropriations Committee, please visit the following page on his [website](#).

TABLE OF CONTENTS

Basic Project Consideration.....	4
Earmark Timeline.....	5
Construction and Rehabilitation of Community Infrastructure.....	6
Transportation.....	8
Criminal Justice.....	9
Health Care Services and Facilities.....	10
Seniors and Children.....	12
Small Business and Workforce Development.....	13
Education and Research Opportunities..	14

BASIC PROJECT INFORMATION REQUIRED FOR CONSIDERATION

If you apply for Congressionally Directed Spending for a project, you will be asked to prepare and submit some basic information about your proposal, including the following:

- **Official Project Name**
- **Project Purpose**
 - This is a short, 1-3 sentence description of the project that will be made public in congressional disclosures. The description should answer the question, “For what purpose will the requested funding be used?” with as much specificity as possible.
- **Justification of Request**
 - This is a longer, multi-paragraph explanation to provide some detail on your project, including the community need to be met or the populations to be served by the project.
 - This section should also outline what new services or opportunities would be made possible with the requested funding. If requesting additional funds for an ongoing project, please provide the current status or phase of the project.
- **Project Costs**
 - This should outline the total cost of the project and how funds will be spent, such as on salaries, programming, or equipment, and what parts the earmark dollars would pay for.
 - If the project includes multiple phases, please include a breakdown of costs by phase.
- **Funding on Hand**
 - Requests should provide a full accounting of the non-earmark funding dedicated to the project, including philanthropic donations; non-federal, public funding such as state, county, or municipal general funds; nonprofit funding; or financing mechanisms, such as loans or tax financing.
- **Timeline to Completion**
 - Please outline how long it will take to spend any CDS funds awarded to your project (or how long it will take to complete the CDS-funded portion of your project), as well as the anticipated timeline for the whole project.
 - The Appropriations Committee looks favorably at projects that can be started or are already underway within the fiscal year for which you are requesting funds.

SENATE EARMARK CONSIDERATION TIMELINE

1. → 2. → 3.

Early 2024 – Sen. Cardin staff hold webinar sessions on the upcoming FY25 process,

President Biden releases the FY25 budget officially starting the Appropriations process, typically in mid-spring.

Nonprofit organizations submit requests to Senator Cardin for consideration shortly after the release of the FY25 budget.

4. → 5. → 6.

Senator Cardin selects projects to advance to the Senate Appropriations Committee

Senate Appropriations reviews the submitted requests, typically in early summer

Senate Appropriations releases legislation with proposed, qualifying earmarks that were selected, typically in summer

7 → 8. → 9.

House and Senate Appropriations bills are conferenced together throughout the fall

Congress passes final appropriations legislation with Senate and House earmarks, to be signed into law

Earmark funding is distributed by federal agencies, likely in spring 2025.

CONSTRUCTION AND REHABILITATION OF COMMUNITY INFRASTRUCTURE

Construction and Rehabilitation of Community Facilities

- **Economic Development Initiatives (EDI) or Community Development Block Grant (CDBG)**
 - The EDI program supports projects that are generally eligible for assistance from the Community Development Block Grant program of the U.S. Department of Housing and Urban Development.
 - Eligible uses of funds include the acquisition of real property, construction of new affordable housing, elimination of blight, and construction, rehabilitation or improvement of public facilities (except buildings for general conduct of government), such as neighborhood centers, parks, and shelters for populations with special needs such as survivors of domestic violence and the homeless.
 - Funding requests must indicate that the project will address one of the National Objectives identified by the CDBG program: (1) benefitting low and moderate-income persons or communities; (2) preventing or eliminating slums or blight; or (3) addressing 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.
 - **HUD has posted more in-depth guidance for earmark recipients on its [website](#).**

Earmarks proposed in FY24 under this authority ranged from \$500,000 to \$3 million.

- **U.S. Department of Agriculture Rural Development (USDARD) Community Facilities**
 - This program can assist with the purchase, construction, or improvement of community facilities in rural communities.
 - Eligible uses of funds include health care facilities; public facilities such as town halls, courthouses, or streets; community support services for child care centers, community centers, or fairgrounds; facilities for emergency personnel, community educational services for museums, libraries or private schools; food systems including community gardens and food pantries; and utility services for telemedicine and distance learning equipment.
 - Only rural communities with populations of 20,000 or less are eligible to compete for this funding source.
 - The expected non-federal share of project costs increases depending on the population size and median income of the community served by a nonprofit organization, and the maximum federal share is 75 percent.

- These projects must be reviewed by the Maryland USDA Director's office to verify that the project is eligible to receive earmark funding. My office can connect you to the appropriate USDA Rural Development personnel for verification.
- USDA has posted an overview of the Rural Development Community Facilities program at: [https:// www.rd.usda.gov/programs-services/community-facilities/community-facilities-direct-loangrant-program](https://www.rd.usda.gov/programs-services/community-facilities/community-facilities-direct-loangrant-program)

Earmarks proposed in FY24 under this authority ranged from \$150,000 to \$2,000,000.

- **National Park Service's (NPS) Save America's Treasures (SAT) Program**

- The SAT program funds the preservation, rehabilitation, and conservation of nationally significant historic properties.
- Eligible properties must be listed as a National Historic Landmark or in the National Register of Historic Places. The full list can be accessed at the National Park Service's website at: <https://www.nps.gov/subjects/nationalregister/database-research.htm#table>
- Properties listed for historic significance at the state or local level are not eligible for this program.

This authority has a maximum earmark amount of \$500,000.

- **U.S. Department of Energy, Energy Projects**

- The Department of Energy funds projects in five topic areas:
 - Renewable and Clean Energy
 - Electricity and Energy Resiliency
 - Cybersecurity and Energy Security
 - Nuclear Energy
 - Fossil Energy or Carbon Management
- Projects funded under this program have statutory minimum cost share requirements depending on the project type.
 - 50% - demonstration or commercial application of an energy project
 - 20% - research and development projects
 - No minimum - outreach, educational, and fundamental science projects
- Eligible entities include county and municipal government agencies and nonprofit organizations, including institutions of higher education.
- The following types of projects are not eligible for funding:
 - Projects that require multiple years of funding. Construction of buildings or new facilities
 - 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 rate payer contracts or through existing federal incentives.
 - Planning studies for a forthcoming project.

Earmarks proposed in FY24 under this authority ranged from \$750,000 to \$2 million.

TRANSPORTATION

Transportation

The U.S. Department of Transportation supports a wide range of projects across all modes of transportation. Most of this funding is provided to states. It is important to note that nearly all transportation projects require coordination with the State and any applicable Metropolitan Planning Organization (MPO). The Appropriations Committee prioritizes projects that are included in either the Statewide Transportation Improvement Program (STIP), authored by the Maryland Department of Transportation (MDOT), or in a Transportation Improvement Plan (TIP), authored by an MPO.

Given their cost and complexity, many large-scale transportation projects cannot be supported entirely through Congressionally Directed Spending, although an earmark may advance a component of a project or provide funding for planning. DOT's Transportation Alternatives Program (TAP) is designed to provide direct support to county and municipal transportation priorities, such as the creation or expansion of pedestrian and bicycle infrastructure, and projects funded under this authority are more likely to be fully funded through an earmark. This program, which falls within the Highway Infrastructure Program, may also support projects led by nonprofit organizations that have the support of their local communities.

Earmarks proposed in FY24 under this authority ranged from \$400,000 to \$5 million.

- **Highway Infrastructure Program**

- This program covers projects that are eligible for funding under the major federal surface transportation programs, including highway and bridge construction and repair, planning, environmental reviews, design, and right-of-way acquisition for eligible highway projects. Additional activities that can be supported with this type of earmark include projects eligible for funding under the Transportation Alternatives Program. Information about eligibility for TAP funding, including the Department of Transportation's guidance for this program, is available at: https://www.fhwa.dot.gov/environment/transportation_alternatives/
- Any project seeking earmark funding from this account will need support from the State and applicable MPO. It also must be included in the STIP or regional TIP.
- Specific information needed for this type of earmark includes the website link to the STIP or TIP where the project is described or listed, the project ID number in the STIP or TIP, all other sources of financing that contribute to the total cost of the project, and status of the planning and environmental work.
- If the project is not included in the STIP or TIP, the Appropriations Committee requires a letter from MDOT stating that the project will be included in the STIP once earmark funding is received. Please contact my office so my staff can assist you on the steps for securing a letter from MDOT to make the earmark request eligible for consideration.

CRIMINAL JUSTICE

Criminal Justice

The U.S. Department of Justice (DOJ) provides funding to local law enforcement agencies for a wide range of criminal justice programs including law enforcement training, community relations, planning and evaluation, and other critical areas.

Proposed funding for these projects in FY24 ranged from \$200,000 to \$1.5 million.

- **Department of Justice Byrne JAG Discretionary Projects**
 - This program has a wide range of allowable uses of funds, such as providing additional personnel, equipment, supplies, contractual support, training, technical assistance, and information systems for criminal justice systems, including the development of new Law Enforcement Assisted Diversion (LEAD) programs.
 - DOJ has published FAQs that provide greater details on eligible activities under the Byrne JAG program at <https://bja.ojp.gov/program/jag/overview>
- **DOJ COPS Law Enforcement Technology:**
 - Eligible uses of funds include the acquisition of equipment, relevant support systems for the new equipment, and development of new technologies aimed at preventing, rather than reacting to crimes.

HEALTH CARE SERVICES AND FACILITIES

Health Resources and Services Administration (HRSA)

The Health Resources and Services Administration (HRSA) within the U.S. Department of Health and Human Services provides funding to state, county, and municipal governments, as well as partner nonprofit health care providers, to enhance the ability of the local community to respond to pressing health care needs, including the construction of facilities, capital equipment purchases, and rural health needs.

Earmarks proposed under this account in FY24 ranged from \$85,000 to \$5 million.

- **Health Facilities Construction and Equipment**

- Eligible uses of funding include construction, renovation, or capital equipment purchase for facilities for health, mental health, substance abuse services, training of health professionals, or medical research.
- Eligible facilities include hospitals; health centers and clinics; skilled nursing facilities; mental health centers; facilities for schools of medicine, nursing, or other health professions; and medical research laboratories.
- Congressionally Directed Spending cannot be used for previously completed work, the acquisition of land or purchase of existing buildings, or to pay for salaries or operating costs of the health care facilities. General feasibility studies for a health care facility are also prohibited expenses, but architectural and engineering costs with an eligible construction project are permissible uses of funds.
- Funding may also be used to purchase capital equipment involved in patient care, such as lab equipment, x-ray machines, or other equipment with a useful life of more than a year and a unit cost of at least \$5,000.

- **Rural Health**

- This program funds projects to improve health care in rural areas, including medical, dental, or mental health care services; health promotion and education; chronic disease management; telehealth services; and improvements to emergency medical services.
- Eligible applicants are county, municipal, or partner nonprofit health care providers that serve communities that meet HRSA's definition of a rural community. Please see HRSA's Rural Health Grants Eligibility Analyzer to determine the specific eligibility for your project at <https://www.hrsa.gov/rural-health/about-us/definition/index.html>. Under HRSA's eligibility analyzer, all parts of Caroline, Dorchester, Garrett, Kent, Talbot, and Worcester counties are eligible for grants, as well as certain parts of Frederick, Queen Anne's, Somerset, and Washington counties.

Substance Abuse and Mental Health Services Administration (SAMHSA)

The Substance Abuse and Mental Health Services Administration (SAMHSA) provides a wide range of funding to create or expand the capacity of state, county, and municipal governments, as well as partner nonprofit health care providers to provide mental health or substance abuse treatment or prevention programs for local residents, such as through crisis stabilization centers. No SAMHSA funding may be used for construction projects.

Earmarks proposed under this account in FY24 ranged from \$115,000 to \$4.5 million. The average amount was around \$750,000.

- **Mental Health**

- Eligible SAMHSA Mental Health projects include those to support programs that promote the prevention or treatment of mental health disorders, including rehabilitation, outreach, and other support services.

- **Substance Abuse Treatment**

- This account provides resources to enhance programs that improve patient access, reduce barriers, and promote high quality, effective treatment and recovery services.

- **Substance Abuse Prevention**

- Eligible uses of funds under this program include projects to prevent the onset of illegal drug use, prescription drug misuse and abuse, alcohol misuse and abuse, and underage alcohol and tobacco use.

SENIORS AND CHILDREN

Administration for Community Living's Aging and Disability Services Programs

The Administration for Community Living (ACL) within the U.S. Department of Health and Human Services provides funding for projects to improve the ability of older adults and individuals of all ages with disabilities to live independently and participate fully in their communities. Generally, projects should focus on improving access to, or the quality of, education, training, support services, and independent living services for older adults and people with disabilities. Construction and renovation of facilities are not eligible uses of funds.

Earmarks proposed in FY24 under this authority ranged from \$100,000 to \$1 million.

Administration for Children and Families Programs

- **Child Abuse Prevention**

- This category of funding supports projects to improve the prevention, assessment, identification, and treatment of child abuse and neglect through research, model service improvement, information dissemination, and technical assistance.
- Projects must serve or target abused and/or neglected children and their families.

Earmarks proposed in FY24 under this authority ranged from \$200,000 to \$1 million.

- **Social Services Research and Demonstration**

- Funds in this category are aimed at empowering families to thrive through financial self-sufficiency, and to promote the healthy development and general wellbeing of children and families.
- Projects can serve a diverse population including low-income individuals, children, youth, families, individuals with developmental disabilities, and Native Americans.
- Construction or renovation of facilities are not eligible uses of funds.

Earmarks proposed in FY24 under this authority ranged from \$200,000 to \$1 million.

SMALL BUSINESS AND WORKFORCE DEVELOPMENT

Small Business

The majority of programs within the U.S. Small Business Administration may be earmarked for county and municipal governments and their nonprofit partners to receive funding and support local small businesses. These grants can range from delivering services on entrepreneurial development, financial literacy workshops, small business incubators, and support for historically underserved businesses. Funds can also be utilized for the construction or renovation of facilities that will provide these services.

Due to the prohibition on providing earmark dollars to for-profit entities, SBA earmark funding cannot be sub-granted to for-profit small businesses for their own use. Funds must be retained and utilized by the county, municipality, or partner nonprofit to deliver services or trainings directly to small businesses.

Proposed FY24 earmarks projects under this account ranged from \$250,000 to \$1.5 million.

Workforce Development

Under the Department of Labor's Employment and Training Administration authority, earmark funds may be used by county, municipal, partner nonprofit organizations, K-12 school systems, or institutions of higher education to enhance Workforce Innovation and Opportunity Act (WIOA) eligible activities. Eligible programs for funding include those designed to provide direct services to individuals to enhance their employment opportunities, training for locally available, in-demand jobs, enhancing connections between a State and local workforce investment system; or evaluating existing workforce investment systems for potential future enhancements.

Proposed FY24 earmarks projects under this account ranged from \$250,000 to \$1.5 million.

EDUCATION AND RESEARCH OPPORTUNITIES

Department of Education

The U.S. Department of Education (ED) provides federal funding to enhance K-12, Higher Education and Rehabilitation Services programs provided by nonprofit organizations, local school systems or institutions of higher education. In general, ED earmarks may not be used for the construction or renovation of facilities.

Proposed FY24 education project earmarks ranged from \$75,000 to \$2 million.

- **Fund for the Improvement of Education (FIE)**

- In general, the focus of elementary and secondary education CDS requests should be providing early childhood or K-12 educational services including instructional services, afterschool centers, curricula development, teacher training, acquisition of books and computers, arts education, social and emotional learning activities, full-service community schools and early childhood education.
- In addition, CDS awards to provide and improve special education services at the elementary and secondary levels are also eligible under this program. Eligible projects may include early intervention services for infants and toddlers, transition services and postsecondary education services.
- Eligible grantees are nonprofit organizations, state education agencies, school districts and colleges and universities. Daycare and childcare projects that do not include educational services are not eligible for funding.

- **Fund for the Improvement of Postsecondary Education (FIPSE)**

- Generally, requests should focus on improving access to, or the quality of, postsecondary education. Examples of projects that can be funded under FIPSE include projects to hire and train faculty, establish and improve degree programs, improve teacher preparation programs, develop and improve curricula, upgrade technology and telecommunications, acquire science laboratory equipment, provide student support, implement university partnerships with school districts and establish research and training centers.
- Eligible entities include nonprofit organizations and colleges and universities.
- CDS funding within FIPSE cannot be used for endowments or for the construction or renovation of facilities, except in the case of minor remodeling or minor alterations in previously completed building, for example, as part of technology upgrades.

Science Agency Research Opportunities

In addition to the Department of Education, several federal agencies with science and research priorities also offer earmark opportunities to support educational institutions and nonprofit organizations in enhancing their academic missions.

Proposed FY24 earmarks projects under these accounts ranged from \$150,000 to \$1 million.

- **NOAA Operations, Research, and Facilities (ORF) Special Projects**
 - The Subcommittee will accept requests for earmarks for NOAA ORF. Projects should address fisheries, marine, mammals, ocean, climate, weather and atmospheric research programs.
 - Construction projects will not be accepted.
- **NIST Scientific and Technical Research and Services (STRS) External Projects**
 - The Subcommittee will accept requests for CDS for NIST Scientific and Technical Research and Services. Projects should address standards-related research and technology development.
 - Construction projects will not be accepted.
- **NIST Construction of Research Facilities, Extramural Construction**
 - The Subcommittee will accept CDS requests for NIST Extramural Construction projects for non-Federal research facilities, including for projects at research institutions and colleges and universities.
 - Given the significant investments necessary for construction projects, only a very limited number of projects will be supported on an annual basis. In FY24, the Subcommittee funded a total of 7 projects in this account.
 - If you are interested in pursuing funding in this account, please reach out to my staff.
- **Agricultural Research Service (ARS), Buildings and Facilities**
 - Requests for ARS Buildings and Facilities may include funding only for repairs and maintenance to existing facilities.
 - Eligible entities include USDA Agricultural Research Service centers, 1865 Land Grant Universities, and 1890 Land Grant Universities.
 - Construction of new buildings is not an eligible use of funds.
- **NASA Safety, Security and Mission Support (SSMS)**
 - Projects seeking funding in this category should focus on science education, research, and technology development related to NASA's mission.
 - Medical research projects and projects at NASA-owned Visitor Centers or a state's designated Space Grant Consortium are not eligible for this funding.
 - This category does not fund construction, but it can be used for equipment, research, or education programs.

**For more information,
including future FY25 guidelines:**

