

No lobbyist? No problem.

D-I-Y EARMARKS

A THREE-STEP GUIDE TO COMMUNITY PROJECT FUNDING
AND CONGRESSIONALLY-DIRECTED SPENDING REQUESTS
FOR LOCAL GOVERNMENTS AND NONPROFITS

MARCH 2022

(COVERING CURRENT HOUSE & SENATE PROCESSES)

WHAT ARE

EARMARKS

AND WHY SHOULD YOU CARE?

UPDATE, 3/23: Based on guidance from the House Appropriations Committee, House Office submission deadlines for the FY23 cycle will likely be mid-to-late April. We will update this guide as we know more.

Congressionally-Directed Spending (CDS, also known as Community Project Funding in the House, or more commonly, “earmarks”) was recently re-established in 2021, following recommendations from multiple advocacy organizations, congressional experts, and the House Select Committee on Modernization. Advocates for the return of congressionally directed spending note that—when structured well and in a transparent manner—earmarks can reclaim Congress’s Article I power to direct spending, make government more responsive to local needs, and provide an incentive to reach bipartisan agreement.

For nonprofits and local, state, or tribal governments, earmarks are also an unusual and worthwhile opportunity to apply for short-term, place-based federal funding outside of the normal channels for federal spending. Earmark requests are submitted by eligible organizations and governments to their Members of Congress, then recommended to each chamber’s Appropriations Committee, which then chooses final requests to be included in annual federal spending bills (appropriations). This means that earmarks are requested based on individual Members’ understanding of their own state’s or district’s needs, rather than awarded solely based on Federal agency priorities.

Reforms for the reinstated program are intended to create increased transparency and accountability. They also make it easier than ever before for small nonprofits and governments to make requests without having to retain expensive lobbying services. This guide is intended to level the playing field for all qualifying potential requestors by providing an introduction to the CDS process, explaining what to expect as you make an application, and offering some tips from our experience as congressional staffers on how to set your application up for success.

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POPVOX Foundation works “to inform and empower people and make government work better for everyone.” This includes reimagining the concept of “civic infrastructure,” and providing new ways for government to share information and engage the public, with an emphasis on diverse participation and rebuilding public trust.



Bipartisan Policy Center

The **Bipartisan Policy Center** is a Washington, DC-based think tank that actively fosters bipartisanship by combining the best ideas from both parties to promote health, security, and opportunity for all Americans. Our policy solutions are the product of informed deliberations by former elected and appointed officials, business and labor leaders, and academics and advocates who represent both sides of the political spectrum.

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UNDERSTANDING THE PROCESS

Earmarks are:

- ➔ **LIMITED TO NONPROFITS AND LOCAL, STATE, AND TRIBAL GOVERNMENTS.**
- ➔ **PLACE-BASED:** One of the key distinguishing features of earmarks are that they are requested for a specific location, rather than for a federal program that may be administered anywhere in the US.
- ➔ **SHORT-TERM:** Earmarks are requested in bills that direct federal spending for a specific fiscal year. There is no guarantee of funding in subsequent years.
- ➔ **APPLICABLE TO A CERTAIN NUMBER OF ELIGIBLE ACCOUNTS:** The House and Senate Appropriations Committees in FY22 opened only certain federal accounts for earmark requests, limiting the areas of federal spending that can accept earmarks. Certain eligible accounts (more on those below) also have additional restrictions on who may receive funding or how that funding may be spent.
- ➔ **SUBJECT TO AUDIT:** The Government Accountability Office will review a sample of enacted requests.
- ➔ **NOT GUARANTEED:** House and Senate Appropriations Committees have the ultimate say on which requests make it into initial appropriations bills. Even if a request is funded in one year, there is no guarantee that it will be indeed in subsequent years.

Areas include:

- Education improvement
- Distance learning
- Rural broadband
- Agricultural research and management
- STEM research and education
- Conservation
- Conservation education
- Water infrastructure and watershed preservation
- Forest management
- Law enforcement technology
- Crime prevention
- Criminal justice improvements
- Victims' services
- Historical records preservation
- Preservation of historical sites
- Nonprofit security
- Emergency operations centers
- Pre-disaster mitigation
- Employee training and employment services
- Small business initiatives
- Entrepreneur training
- Health professions education
- Rural health outreach and research
- Telehealth and health IT
- Mental health and substance abuse programs
- Rural community facilities
- Transportation priorities
- Economic development

UNDERSTANDING THE PROCESS

Earmarks are NOT:

Part of the American Rescue Plan



The American Rescue Plan (ARP) was a one-time legislative rescue package that allocated recovery funds to be spent by states and cities. Earmarks are part of the annual “appropriations” process, in which Congress allocates money in the federal budget to fund all federal government activities. **Receiving funds through the ARP does not affect eligibility to apply for earmark funding**; many eligible requestors, especially governments, will receive both.

A majority of federal spending



In the annual appropriations process, Congress decides how to allocate money in the “discretionary” budget, or money that is not already going toward the federal government’s obligations like Social Security and Medicare. In FY21, discretionary spending was 22.8% of federal spending. The House and Senate Appropriations committees chose to further limit earmarks: **Earmarks are capped at 1% of the discretionary budget**, divided proportionally between the House and Senate, Democrats and Republicans.

Why haven't I heard about this program?

If you have not heard about this opportunity, you are not alone. Last year when the House and Senate Appropriations Committees announced the return of earmarks, House and Senate offices only had a few weeks to set up their processes and educate constituents about this opportunity, presenting a significant challenge to getting timely information out to reach potential requestors. In this cycle, delays to concluding the FY22 appropriations process have also meant that many Congressional offices have delayed outreach until program details for FY23 are finalized.

If you would like to stay updated on similar opportunities in the future, it may be worth signing up for your Member of Congress’s **official** newsletter if they have one, or following their official social media accounts. Members’ official (governing) and campaign offices are prohibited from coordinating or sharing resources with each other (which is why official-side staff do not have access to your voting record or party registration

information). This means that even if you followed your Member of Congress as they were campaigning, or you follow their personal or campaign accounts or newsletters, you may not be getting announcements from their official offices. It also means that signing up for an official newsletter won’t put you on a campaign mailing list.

In addition to legislative updates or news about opportunities like earmark funding, your Member’s newsletter may also include information on:

- ✓ Federal policy changes impacting your area
- ✓ Grant opportunity announcements
- ✓ Military service academy nominations
- ✓ Vietnam Veteran pinning ceremonies
- ✓ Congressional App Challenge
- ✓ Congressional Art Competition
- ✓ Other local events

UNDERSTANDING THE PROCESS

Earmarks in context:

“Earmarks” are a process within Federal appropriations by which individual Members of Congress can request that certain amounts of federal spending be set aside (“earmarked”) for projects within their states or districts. The practice of earmarking has been common for decades; however, a series of scandals in the early 2000s led to a moratorium on earmarks that lasted for over ten years.

While the recently reestablished program was supported by the bipartisan Select Committee on the Modernization of Congress and civil society organizations on both sides of the aisle, there is still some opposition to earmarks, with critics noting the potential for wasteful government spending or encouraging backroom deals. This means that, for Members, earmarks are a balancing act: they can be a powerful opportunity to drive real success in a district or state, but they also come with some potential risks.

Solicit meaningful constituent engagement
Strengthen stakeholder relationships
Potential wins for the district/state
Advance district priorities

Potential negative press on ‘frivolous’ spending
Challenges with improperly vetted recipients
Politically risky to deny requests
Significant staff workload to run process

Requesting organizations and Members of Congress participating in this process may find many overlapping goals that can be furthered by participating in the earmarks process, even if an application in this funding cycle is not successful.

- ✓ Advance priorities to improve quality of life in the district/state
- ✓ Build or strengthen relationships
- ✓ Raise awareness about local projects’ impact

THE BOTTOM LINE

Earmarks are a unique opportunity, but may not be right for every project. However, taking the earmarks process as a chance to build or strengthen relationships with local Members of Congress, raise awareness in your community of your organization’s work, and practice applications for federal funding can be valuable even if a specific request is unsuccessful.

UNDERSTANDING THE PROCESS

Information needed for an application:

While each eligible account (and each Member office) may have a slightly different set of requirements for application, some key information will be required from requestors across nearly every account and office:

- ✓ **Project Description:** Keep it short, ideally under 250 words.
- ✓ **Project Location:** If you are submitting to a member of the House, it will be very unlikely that your request will be successful if the primary location is outside of the Member's district or cannot be shown to impact a large proportion of that Member's constituents.
- ✓ **Project Purpose or Justification:** What will your project do to achieve tangible results for residents of this state/district? In a competitive application cycle, why should your project receive priority?
- ✓ **Project Cost:** Is this a reasonable amount for your organization to spend within this fiscal year? If there is a matching requirement or additional funding needed, do you have a plan to secure it?
- ✓ **Project Timeline:** If the project will take longer than one year to complete, how will future funding be secured?
- ✓ **Evidence of eligibility:** Evidence of nonprofit status if relevant; no financial ties to the Member or their immediate family.
- ✓ **Evidence of Community Support:** For requests that go through the House Committee on Appropriations, requestors are also asked to submit evidence of community support for their project, including city council resolutions, op-eds, letters to the editor, and/or letters of support from community stakeholders. This is not required for the Senate.

Multiple paths to success:

For some projects, submitting a request may involve multiple strategic decisions: for example, a partnership between a nonprofit and a local police department might have more than one eligible requestor, or fall under more than one issue area and eligible account.

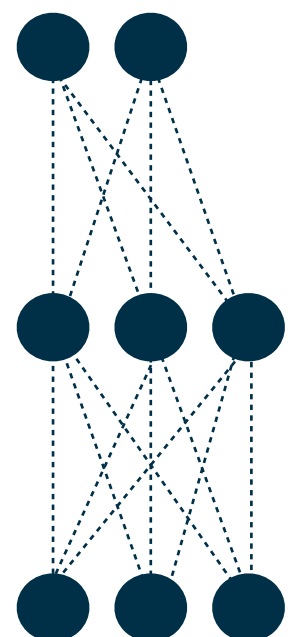
These are not decisions that requestors need to make alone. As the next section will cover, staff for your Member of Congress know this process well and can help you make decisions to give your project the best possible chance of success.

However, it is always helpful to come prepared with a basic knowledge of what's possible: at the end of this guide, we have a full list of eligible accounts open in FY22. A list of sample projects in each account is also available at popvox.org.

Potential
requestors

Members of
Congress

Eligible
accounts



STEP 2

MEETING YOUR REPRESENTATIVES

Now that you have familiarized yourself with the program and think you might have a project that is appropriate for an earmark, you probably still have some questions about whether your project is a good candidate, and how to apply. It's time to start looking at which Member(s) of Congress you will want to approach for your request.

Which Member to work with?

The first step is to identify your Members of Congress. Most lawmakers will only be open to submitting requests for projects that are either physically located within their district or can easily be shown to provide services for a large proportion of their constituents.

There is no reason not to meet with all of your current representatives, especially if your project spans multiple districts: The House and Senate

Appropriations Committees have opened different eligible accounts in the past: depending on which accounts are open for FY23, you may have different options to apply depending on the chamber. House offices are also limited in the number of requests they can submit, unlike the Senate, so there will likely be different strategic decisions in the House and Senate offices on which requests to support. Meeting with both may maximize your options.

Do your homework

- ✓ **Previous earmarks:** Check the House or Senate Appropriations Committee's websites to see if your Member submitted earmark requests in FY22, and if so, for which projects. Not every Member of Congress chose to participate in the FY22 earmarks program, and many may choose not to do so again. If you do not see information on earmarks for FY22 or FY23, it still may be worth calling to respectfully ask if the Member will accept earmark requests or would be open to discussing other funding opportunities with you. Click the links below and scroll down to see all requests by subcommittee or by Member (alphabetical order)

appropriations.house.gov/transparency

appropriations.senate.gov/congressionally-directed-spending-requests

- ✓ **Member priorities:** Don't rely on issue statements on the Member's website; instead, look at the committees they serve on, caucus memberships, recent bills they've introduced, media appearances, and op-eds. These priorities might not clearly line up with your project, but having some awareness may help you tailor your application.



Tip: you can sign up to follow your representatives' legislative activities, including bills introduced or cosponsored, committee activity, and votes on [POPVOX.com](https://popvox.com)

- ✓ **Application process:** Walk as far as possible through the Member's application process as you can to see if you have questions. Members will list this information in different places on their websites, but a good place to start is often looking through site menus for an "appropriations" page, often under a "services" tab. You can also try searching common terms like "appropriations requests," "community project funding (House)," "Congressionally directed spending (Senate)," "FY22" or "FY23."

MEETING YOUR REPRESENTATIVES

Meet the team

A smart step at this point will be to introduce yourself to the staff member handling appropriations for your Member of Congress. Most Members, whether in the House or Senate, assign specific staff members as points of contact to handle the federal appropriations process, including earmarks. These staffers serve as liaisons to requestors through this process, from answering questions to notifying you if your request is approved.

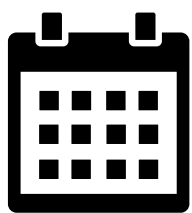
Requesting a meeting will actually be a courtesy to your Member's staff: by letting the office know to expect your application, they can understand how their outreach efforts are working, and get a sense for how many requests and what types of requests they will be working with. Some staffers in offices that prioritize appropriations will take hundreds of meetings from potential applicants every year.

How to ask for a meeting

This is the easiest part! Call the Member's office and ask who handles appropriations, and for their contact information. Follow up with a short introductory email noting that you are considering submitting an application, and ask whether you might be able to schedule time to talk. Most appropriations staffers will be in DC, so you can expect a short phone call or Zoom meeting. There is no need to go to DC in person.

Some advocacy guides recommend pressing for a meeting directly with the Member or senior staff. While this is sometimes useful in other advocacy contexts, it's not the best use of your (or their) time for an earmark request. Instead, focus on building a great relationship with the staffer handling the process so they can advocate for you.

One additional option is to request a meeting with your local district staff. Depending on the office, these staffers may not be directly involved with the appropriations process, but can still be helpful allies.



SCHEDULING MEETINGS IN CONGRESS

Follow up

After your initial outreach, wait a week before sending a polite follow up. If you haven't heard back in another 3-5 days after your follow up, pick up the phone.

Be flexible

Be open to last-minute scheduling changes: with votes changing by the minute, scheduling in Congress is notoriously difficult, including for staff who have to be available to assist the Member on short notice.

Be brief

Meetings on the Hill tend to be short and to-the-point. Maximize your time by having materials prepared to leave behind with more information.

MEETING YOUR REPRESENTATIVES

What to expect at the meeting

At an introductory meeting, you're not pitching your project to win support: instead, you are taking the first step toward a long-term working relationship with this office, seeking expert feedback on whether your project is a good fit for this funding opportunity, and if so, asking whatever questions you need to make your application as thorough and helpful as possible.

At the same time, the staffer you meet with will be feeling out whether your project is a good candidate for the Member's selection, and whether your organization is a safe and worthwhile bet as a partner on this and other issues going forward.

Plan to cover the basics in 20 minutes.

You may have longer, but to be on the safe side, plan to introduce yourself and your project and get any questions answered in 20 minutes. The staffer you meet with may not be familiar with your organization's work, or intimately familiar with the district. Plan to walk them through the context for your organization and project.

Ask questions.

- Do you have advice on which Eligible Account this project may fall under?
- If my project has multiple eligible partners, do you have advice on which partner should submit the request?
- How will your boss make their decision on requests?
- Are you planning any changes to your process for handling earmarks this cycle?
- Can we confirm deadlines for this application process?
- If we have questions in the process, how would you prefer that we contact you?
- What else should we know about your office's application, and what we will be expected to provide?

Be prepared to answer questions (especially nonprofits).

- How long has your organization been operating in the state/district?
- How do you collaborate with other stakeholders in your issue area?
- What are your organization's long term plans/goals?
- How else is your organization funded?
- Have you considered other funding sources for this project?

DO:



Make a connection: even in a short meeting, be a human, and remember you're talking to a human.



Follow up afterwards with a short note to say thanks, and provide copies of any materials you provided or they asked for.

DON'T:



Never offer a gift (even a little one!) or bring up the Member's campaign. The best way to say thanks is to be easy to work with.



Never assume that offices from the same delegation (even opposite parties) don't talk to each other. Word gets around.

STEP 3

SUBMITTING YOUR APPLICATION

1

SUBMIT ON TIME

The best thing you can do to give your application the best chance of success will be to respect the office's deadlines.

With Committee deadlines for the House for FY23 at the end of April, most House deadlines will likely be the week of April 13th.

Senate deadlines tend to be later than House deadlines, which may give you another chance to submit a request that was not ready for a House submission.

2

SUBMIT ONCE

Congressional appropriations staffers will be working to vet hundreds of applications in time to complete their review and decision-making process and prepare thorough, complete submissions to the committee.

When preparing your submissions, make sure that all details are correct and you've answered every question thoroughly before you submit. Sloppy or incomplete submissions may raise red flags for staffers vetting requests.

3

ASK, SPARINGLY

You may have questions in the application process.

That's normal! It's better to ask than not ask, but before you contact the staffer you've working with, exhaust all available resources, including:

- Public materials from the office you're working with
- Publicly available materials from the House or Senate committee
- Resources from other offices (collected in the appendix to this guide).

How much to request?

There are technically no limits on the amount that may be requested for a project in an earmark; however, there are limits on funding available for all earmarks in total. Funding available through the earmarks program is limited to 1% of Federal discretionary spending; this is theoretically split proportionally between House and Senate and by party.

House and Senate Appropriations Committees may also choose to honor a request but at a lower amount than requested. The staff member assisting you with your application may be able to provide some guidance on a feasible amount.

SUBMITTING YOUR APPLICATION

Expect due diligence.

An important step for Congressional Offices in evaluating requests is vetting applicants. If you represent a government entity, this will be less important; however, for nonprofits, especially nonprofits not already well-known to a Member office, this step will be crucial. You may have been asked to provide some of this information in the application, or your office may contact you for additional information as they are making their decision.

While some offices will have more and others less intensive vetting processes, knowing the scope of a standard vetting will help your organization prepare to be helpful and responsive in answering Congressional offices' questions.

This [guide](#) for Member offices on how to vet potential applicants recommends eight steps:

BASIC DUE DILIGENCE

- ✓ **Basic Due Diligence:** checking nonprofit 990s to evaluate basic financial health and mission alignment, public presence, and any Foreign Agents Registration Act (FARA) registrations or financial ties to the Member or campaign.
- ✓ **Organization Management:** reviewing the management structure and experience of the chief project manager.
- ✓ **Evaluation Plan:** reviewing how the organization will evaluate the project, including any relevant performance standards.
- ✓ **Risk Assessment:** what issues may prevent this project from successful completion, and what contingency plans are in place?
- ✓ **Funding:** does the requested funding amount line up with projects the organization is used to handling; does the project's proposed scope and timeline line up with the requested funding amount?
- ✓ **Mission Alignment:** does this project advance the Member's priorities, or significant priorities for other district stakeholders?
- ✓ **Community support:** does this project have strong support in the community? This step is required for House offices, but still may be useful for Senate requests.
- ✓ **Final review:** has the organization attempted in any way to bypass the Member office's application process, misrepresent their project or organization, or been evasive when asked to provide additional information? Does this project uphold the highest possible ethical standards for the Member office?

SUBMITTING YOUR APPLICATION

How will your Member of Congress make a decision?

The short answer is that there is no one way: as discussed above, doing your homework for the Member's priorities and FY22 earmarks will give you a place to start. Many Members will want to spread requests evenly throughout the district; others will prioritize requests that tackle a specific district need or priority area. While House offices must carefully winnow their field of applications, Senate offices may choose to submit all or nearly all of the requests they receive, or also prioritize.

Members may also choose to invite input from a Community Advisory Board of stakeholders who are familiar with the district, or to invite community input on all or a sample of requests received as well. Requestors may make themselves available in these processes to answer any factual questions, but should avoid the impression of undue pressure. If you ever have a question about how you should participate, ask the staffer assisting you.

Again, seeing an earmark application as a chance to start or continue building relationships with your Member of Congress is key for keeping this process in perspective.

In the meantime...

Be patient! Plan to check back in if you haven't heard anything by the Appropriations committees' deadlines for submissions. Read on for more information on where to find those.

Campaign, but avoid spamming: If you have other community members who would like to express their support for your project while the Members is making their decision, that can be helpful, although not necessary. Focus on **quality over quantity:** sending one email with ten attached letters from elected officials, impacted constituents, and other stakeholders will mean far more than 100 pre-scripted phone calls or Facebook comments.

Prepare to follow up: If you're successful, you may want to have a press release ready to highlight your project's inclusion in the Member's requests. If you're unsuccessful, it may be worth following up to see if there are any alternative sources of funding the Member's office may be able to assist you with.

HOW THEY **WILL NOT** MAKE A DECISION

Bipartisan reforms to the earmarks process intended to foster transparency and accountability impose some constraints on how Members can select earmark requests. Members...

- **WILL NOT request earmarks for an entity that they or their immediate family have a financial stake in**
Members have to publicly certify that they and their families have no stake in requested projects.
- **WILL NOT request any secret earmarks**
Members have to post all of their requests publicly; the House and Senate committee also publish lists of requests. Rules prohibit Members from adding earmarks outside of the normal process.

FOLLOWING YOUR APPLICATION

The Appropriations Process

Earmark requests are a very small part of the annual appropriations process through which Congress decides how to allocate money in the federal budget. The appropriations process is complex, and as FY22 shows, can take a significant amount of time.

There are several key phases to the appropriations process after Member offices submit their appropriations requests. To be included in a final spending bill, an earmark request must make it through each phase of the simplified timeline below.

- ➔ **SUBCOMMITTEE BILL DRAFT:** Each Appropriations subcommittee will review priorities and Member requests, including earmark requests, and write a draft bill.
- ➔ **MARKUP:** House and Senate subcommittees “mark up” subcommittee bills, allowing Members to weigh in on priorities (this process may be bypassed in some circumstances).
- ➔ **PASS FULL APPROPRIATIONS COMMITTEES:** Subcommittee bills pass out of the full Appropriations Committees in both the House and Senate.
- ➔ **FLOOR DEBATE AND VOTING:** Each full chamber (House and Senate) debates and votes on appropriations bills, often combining all subcommittee bills (an omnibus) several subcommittee bills (a minibus).
- ➔ **CONFERENCE NEGOTIATIONS:** Later in the year, conference negotiations reconcile House and Senate versions of appropriations bills for final passage and the President’s signature.

Timing over the next few months*

FEB MAR APR MAY JUN JUL AUG SEP OCT NOV DEC



FY 23 House Appropriations closes for Member submissions April 30th

Appropriations subcommittees working on bill drafts

Subcommittee bills go through markup

Behind-the-scenes conference negotiations on final spending bills

Final spending package passed?

*A VERY rough estimate

FOLLOWING YOUR APPLICATION

Application accepted by your Member of Congress

Application not accepted in this cycle

Send a thank you note to the staffer you worked with for their support and hard work in this process.

OPTIONAL (BUT ENCOURAGED!) NEXT STEPS:

IN A FEW WEEKS



Sign up for [congress.gov](https://www.congress.gov) appropriations alerts to follow the process.

Feel free to ask for feedback on your application, but don't be surprised if the answer is "it's a tough year and competitive field!"

Be a good ally: do as much of the communications work as possible, including a press release or social media post for each checkpoint your project reaches.

Feel free to ask if they have ideas for any other funding sources. Congressional offices often maintain a grants list or newsletter and may provide letters of support.

#1

PRESS RELEASE:

PROJECT chosen for inclusion in **MEMBER'S Community Project Funding/Congressionally Directed Spending**. Quote: "We're so proud! Thanks to MEMBER and their staff for tireless work on behalf of STATE/DISTRICT."

#2

PRESS RELEASE:

PROJECT included in **HOUSE/SENATE Appropriations Subcommittee Bill**. Quote: "Great news! So glad to see the Committee's valuing our project out of so many great requests."

#3

PRESS RELEASE:

PROJECT included in **Final Omnibus Appropriations Bill**. Quote: "Fantastic news! So excited to get to work to serve STATE/DISTRICT. Thanks again to MEMBER and their staff!"

ADDITIONAL RESOURCES

EARMARKS IN FY23

[House Appropriations Committee Guidance](#)

ELIGIBLE ACCOUNTS

In the following pages, we provide a list of eligible accounts open in FY22 and short descriptions of projects that may be funded through these accounts. For more information, see our full list of eligible accounts with sample projects for each account, or the House and Senate lists of funded projects.

[Sample projects list](#)

[All FY22 House Projects](#)

[All FY22 Senate Projects](#)

FOLLOWING AN EARMARK REQUEST

[You submitted an appropriations request... now what? ARTICLE](#)

More in-depth guide for requestors on the appropriations process and what to expect.

[Appropriations update: where is my earmark request? ARTICLE](#)

Guide for requestors on reading Appropriations committee documents to follow a request.

RESOURCES FROM MEMBER OFFICES

Individual Members of Congress often provide their own guides to community project funding for constituents. While each Member's process will differ slightly, it can be helpful to browse available guides as a resource. We have included three great examples below.

[Nonprofit Guide to Congressionally Directed Spending, Sen Ben Cardin \[D, MD\]](#)

[Community Project Funding Resource Guide, Rep Lisa Blunt Rochester \[D, DE\]](#)

[The Congressional Budget Process guide, Rep Mike Simpson \[R, ID\]](#)

EARMARKS IN FY22

[Reforming and restructuring earmarks: What is the path forward? VIDEO](#)

Earmarks scholars from AEI, BPC, Claremont McKenna, and more discuss the re-implementation of earmarks, data from the program in FY22

[Assessing member Office Implementation and Uptake of Member Directed Spending Programs, AKA "Earmarks" \(Thus far\) ARTICLE](#)

Early assessment from the POPVOX Foundation and BPC on how Member offices implemented the reestablished earmarks program.

[BPC Action Resource Center](#)

Roundup of documents in the appropriations process, disclosure requirements, and more. Staff-focused.

ELIGIBLE ACCOUNTS

PROGRAMS ELIGIBLE FOR EARMARKS IN FY22

Eligible Accounts are areas of federal spending open for earmarks. This list includes all eligible accounts open in the FY22 cycle, with short summaries of what each account covers. Some accounts have additional restrictions; for more information, please see the House and Senate Appropriations Committees' websites, linked in the previous page. Note that not all accounts were open for both the House and Senate.

This list is in order by Appropriations subcommittee of jurisdiction. Many projects may be eligible under multiple accounts in different committees. For a full searchable list and sample projects funded in FY22 from each account, please see our website.

Open in House or Senate	Agency administering the account	Account name	Subcommittee
AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES			
H	USDA: Agricultural Research Service, Buildings, and Facilities	For repairing, renovating, or replacing Agricultural Research Service laboratories and facilities. Can be used for buying land, construction, repair, improvement, alteration, extension, or buying equipment or facilities.	
H	USDA: Rural Development, Rural Community Facility Grants	To be used for purchasing, constructing, or improving essential rural community facilities, including healthcare facilities, public facilities, public safety measures, educational services, and other community support services. Some examples of eligible projects include medical or dental clinics, towns halls, courthouses, childcare centers, police or fire departments, public works vehicles, or distance learning equipment . Can't be used for refinancing debt, paying interest, non-rural areas, or commercial rental space.	S
H	USDA: Rural Utilities Service, ReConnect Grants	For facilitating rural broadband deployment. Can be used for construction, improvement, or other facilities and equipment needed for broadband service to rural areas without sufficient access (less than 90% of the area households having access to fixed terrestrial service with at least 10 Mbps downstream and 1 Mbps upstream). Middle-mile facilities are eligible if they are needed to bring sufficient service to all premises. Mobile and satellite service are not considered in determining sufficient service.	

S

USDA: Agricultural Research Service, Buildings, and Facilities

For repairing, renovating, or replacing Agricultural Research Service laboratories and facilities. Can be used for buying land, construction, repair, improvement, alteration, extension, or buying equipment or facilities.

H

S

USDA: Rural Development, Rural Community Facility Grants

To be used for purchasing, constructing, or improving essential rural community facilities, including healthcare facilities, public facilities, public safety measures, educational services, and other community support services. Some examples of eligible projects include medical or dental clinics, towns halls, courthouses, childcare centers, police or fire departments, public works vehicles, or distance learning equipment. Can't be used for refinancing debt, paying interest, non-rural areas, or commercial rental space.

H

USDA: Rural Utilities Service, ReConnect Grants

For facilitating rural broadband deployment. Can be used for construction, improvement, or other facilities and equipment needed for broadband service to rural areas without sufficient access (less than 90% of the area households having access to fixed terrestrial service with at least 10 Mbps downstream and 1 Mbps upstream). Middle-mile facilities are eligible if they are needed to bring sufficient service to all premises. Mobile and satellite service are not considered in determining sufficient service.

S

USDA: Natural Resources Conservation Service Conservation Operations

For projects to help people reduce soil erosion, enhance water supplies, improve water quality, increase wildlife habitat, and reduce natural disaster damages.

H

USDA: Rural Development, Distance Learning, Telemedicine, Broadband grants

To help rural communities use the unique capabilities of telecommunications to connect to each other and to the world, overcoming the effects of remoteness and low population density. Requestors are strongly encouraged to contact [acting state directors and local specialists](#) to confirm that proposals meet eligibility requirements, including a flat 15% match.

S

USDA: Animal Plant Health Inspection Service (APHIS), Salaries and Expenses

Project must meet environmental review requirements; while the entire account is open for CDS requests, the Subcommittee suggests that particular line items are most compatible, including field crop and rangeland ecosystems pests, pest detection, plant protection methods development, specialty crop pests, tree and wood pests, wildlife damage management, wildlife services methods development, veterinary diagnostics, and equine/cervid/small ruminant health. Several programs have matching requirements.

S

USDA: Animal Plant Health Inspection Service (APHIS), Salaries and Expenses

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S

USDA: Watershed Flood Prevention Operations

Helps units of federal, state, local, and tribal government protect and restore watersheds up to 250,000 acres. Project must contain benefits directly related to agriculture, including rural communities, that account for at least 20% of the total benefits of the project. Member must certify that program sponsor has contacted NRCS state office to verify the proposal meets all program requirements.

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

H

DOJ: Byrne Justice Assistance Grants

To assist state, local, and tribal law enforcement efforts to prevent crime, improve criminal justice, provide victims' services, etc. Usually does not fund vehicles, construction, or renovation. Encourages community project funding to improve police-community relations.

S

H

DOJ: COPS Technology and Equipment

To assist state, local, and tribal law enforcement in developing/acquiring effective technologies and communications to help investigate, respond to, and prevent crime. Projects should improve police effectiveness and communication between law enforcement agencies, local service providers, and communities.

S

H

Commerce: NOAA: Operations, Research, and Facilities

For research, demonstration, or educational projects performed by external partners, or prioritizing NOAA internal funds for geographically specific projects. Note that this does NOT include construction projects, or funding for the National Weather Service, Office of Marine and Aviation Operations, or Coastal Zone Management funds.

S

H

NASA: Safety, Security, and Mission Services

For STEM education activities, scientific research, or other work supportive of NASA's mission directorates and within the agency's authorities. Not for building construction or renovation.

S

COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES (CONT.)

S

National Institute of Standards and Technology (NIST) Scientific and Technical Research Services (STRS)

Projects should address standards-related research and technology development; construction projects will not be accepted.

S

National Institute of Standards and Technology (NIST) Construction of Research Facilities

Construction projects for non-Federal research facilities at research institutions and colleges/universities; only a very limited number of projects will be supported on an annual basis.

FINANCIAL SERVICES AND GENERAL GOVERNMENT

H

SBA: Small Business Initiatives

To support small businesses through projects like entrepreneur training, workforce development, counseling, research, and construction or acquisition of facilities

S

S

NARA National Historical Publications and Records Commission

Projects that deal with records of non-Federal units of government, manuscripts, personal/family papers, organizational and business archives, collections of photographs/motion pictures/sound recordings/electronic records, and/or visual materials as unpublished architectural, cartographic, and engineering drawings; projects focus on collecting, describing, preserving, compiling, and publishing documentary sources significant for the United States; implementing solutions to long-term success of preserving these materials and making them accessible.

S

GSA Federal Buildings Fund, Construction and Acquisition

Funding for Public Buildings Service activities, providing workplaces for Federal agencies and their employees.

HOMELAND SECURITY

H

S

DHS: Pre-Disaster Mitigation Grants

For projects that meet the [Notice of Funding Opportunity](#) requirements for BRIC grants (Building Resilient Infrastructure and Communities). Must have an appropriate letter of support from the state agency responsible for administering mitigation grants in the requestor's state.

H

DHS: Nonprofit Security Grants

For projects that meet the [Notice of Funding Opportunity](#) for the Nonprofit Security Grant program--intended to provide support for target hardening and physical security enhancements to nonprofits at high risk of terrorist attack, including promoting coordination and collaboration between communities and state/local government. [See also the Preparedness Grants Manual.](#)

HOMELAND SECURITY (CONT.)

DHS: Emergency Operations Center Grants

For projects that meet the [Notice of Funding Opportunity](#) for the Emergency Operations Center Grant Program, intended to support flexible, sustainable, secure, strategically located, and fully interoperable Emergency Operations Centers, focused on addressing identified deficiencies. Grants are available for construction or renovation of primary EOCs. Again, must be submitted with a letter from the appropriate state administrative agency.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

DOL: Employee Training Administration: Training and Employment Services

For projects that 1) provide direct services to individuals to enhance employment opportunities; 2) demonstrate linkage with State/local workforce investment systems, and 3) include evaluation. Note that equipment and curriculum development may be incidental to project funding but not the primary component. Can not be used for facility construction/renovation.

HHS: Health Resources and Services Administration: Program Management

For projects in the following four categories: 1) Health professions education and workforce development; 2) [Rural health outreach](#); 3) Rural health research, and 4) Telehealth and Health IT. Grant funding may be used for capital equipment, but not expendable supplies. Not for land/building acquisition, salaries, work previously completed, or general feasibility studies. Please note that health facilities are normally the only types of construction projects eligible for construction/renovation funding through this account.

HHS: SAMHSA: Health Surveillance and Program Support

For projects in the following categories: 1) Mental health (supporting programs to promote prevention/treatment of mental health disorders); 2) Substance abuse treatment (improving access/removing barriers to high quality treatment and recovery services; 3) Substance abuse prevention. Not for construction (other than limited amounts of necessary renovation).

HHS: Administration for Children and Families

For projects for Child Abuse Prevention or Social Services Research and Demonstration. Projects may not include construction or renovation of facilities.

HHS: Administration for Community Living - Aging and Disability Services Programs

Projects to improve the ability of older adults and individuals with disabilities to live independently; should focus on improving access to or quality of education, training, support services, and independent living services.

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES (CONT.)

Department of Education: Innovation and Improvement

Innovation and improvement projects for early childhood, elementary, and secondary education, including services, curricula development, acquisition of books/computers, training, arts education, full-service schools, early childhood education, etc. Special education services are also eligible, as are early intervention services for infants/toddlers, transition services, and postsecondary education services. Eligible grantees are state education agencies, school districts, colleges and universities, and other public and private nonprofit entities. Funding for individual schools is usually awarded to the school district. Can not be used for construction or renovation except minor remodeling for tech upgrades; also can not be used for daycare and non-educational childcare.

Department of Education: Higher Education

Improvement of access to and quality of post-secondary education, including hiring and training faculty, developing curricula, improving degree programs/teacher prep programs, partnerships with school districts, acquiring lab equipment, establishing research/training centers. Can not be used for construction/acquisition/renovation. Recipients may not restrict participants based on race, ethnicity, or gender.

Department of Education: Rehabilitation Services - Demonstration and Training

Wide variety of projects that further the purposes of the Rehabilitation Act, including providing individuals with disabilities with education, training, support services, and independent living services. Eligible grantees include State vocational rehab agencies, community rehab programs, Indian tribes or tribal organizations, or other public or nonprofit agencies and organizations. Cannot be used for construction or renovation of facilities.

DEFENSE

DOD: Research, Development, Test, and Evaluation: Army, Navy, Air Force, Space Force, Defense-Wide

MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES

DOD: Military Construction: Army, Army Reserve

DOD: Military Construction: Navy and Marine Corps, Navy Reserve

DOD: Military Construction: Air Force, Air Force Reserve

DOD: Military Construction: Defense-Wide

DOD: Military Construction: Army National Guard

DOD: Military Construction: Air National Guard

For projects on the [Future Year Defense Program list](#); Unfunded Requirements or Unfunded Priorities lists, or cost-to-complete projects. Includes Planning and Design projects, Construction and Unspecified Minor Construction (equal to or less than \$6mil) for Active or Reserve components. Some Reserve component projects require State funding match that must be verified before submission.

TRANSPORTATION, AND HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

H

DOT: Local Transportation Priorities

For highway and transit capital projects eligible under title 23 and 49. Must be capital projects or planning/design for capital projects; supported by the state/local entity that would administer the project (including inclusion on a statewide improvement plan), and administered by public entities.

[Guidance doc.](#)

S

H

DOT: Airport Improvement Program

For enhancing airport safety, capacity, security, and mitigating environmental concerns. Must be supported broadly by the community, administered by an airport/airport sponsor, and AIP eligible in accordance with USC 49 and FAA policy and guidance.

S

S

DOT: Transportation, Research, Planning, and Development (TPR&D)

For transportation research projects; for projects eligible under title 23 or title 49, US Code.

S

DOT: Highway Infrastructure Programs

For transit capital projects, for projects eligible under chapter 53 of title 49, US Code.

S

DOT: Consolidated Rail Infrastructure and Safety Improvements

For rail capital projects eligible under section 22907 of title 49, US Code.

H

S

HUD: Economic Development Initiatives

EDI community project requests may be used for economic and community development activities, including land or site acquisition, demolition or rehabilitation of housing or facilities, construction and capital improvements of public facilities (including water and sewer facilities), and public services. Requests may also include planning and other activities consistent with the underlying authorization for the Community Development Block Grant program within HUD. EDI community project requests are not eligible for the reimbursement of expenses for activities already undertaken (including debt service or debt retirement).

H

S

EPA State and Tribal Assistance Grant (STAG): Water and Wastewater Infrastructure

Primarily for STAG (State and Tribal Assistance Grants) infrastructure projects, including funding local wastewater and drinking infrastructure projects, to include construction/modification of sewage treatment plants and drinking water treatment plants. Only for projects that are publicly-owned or owned by a nonprofit. Minimum 20% cost share requirement for any project funded through a STAG infrastructure grant--be prepared to show how the 20% cost share will be obtained.

NB: House accounts in this area include EPA STAG Clean Water, EPA Stag Drinking Water; Senate accounts also include Indian Health Service Water and Wastewater Infrastructure.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

S

EPA, Science and Technology, Research: National Priorities

For high priority lines of research related to environmental quality and human health.

S

BIA, Operation of Indian Programs, Special Initiatives

To invest in tribal communities, create economic opportunities, foster cultural heritage, promote efficient and effective tribal governance, and conserve natural resources.

H

US Forest Service: Certain State and Private Forestry projects

For providing technical and financial assistance through the network of State Foresters to improve management, protection, and utilization of forests, including State fire assistance projects, urban/community forestry projects, and specific forest disease/pest treatment areas.

S

US Forest Service Resource Information and Analysis

To provide technical and financial assistance grants to non-federal forest landowners, including state, tribal, and local governments, for activities including forest health management, cooperative fire protection, wood innovation, and urban and community forestry. Requests should be part of the state's Forest Action Plan or contribute to the plan's goals

S

Land Management Agencies Local Projects and Research

Including:

- BLM, Management of Land and Resources, Habitat Management Priorities
 - Activities related to wildlife and aquatic habitat management
- NPS, National Recreation and Preservation, Statutory and Contractual Aid
 - Activities relating to operating, managing, and preserving resources, including as authorized by law
- FWS, Resource Management, Stewardship Priorities
 - Fish and aquatic conservation, habitat conservation, recovery, and restoration activities
- USGS, Surveys Investigations and Research, Status and Trends
 - High priority and core science research, and ecosystem and water resources related activities.

H

S

Land Management Agencies, Land Acquisition through the Land and Water Conservation Fund (LWCF)

For acquisitions for the purpose of land conservation and the encouragement of outdoor recreation. Although third parties are often involved in coordinating land acquisition, please note that the project should be requested through the agency that would manage the land being acquired (Bureau of Land Management, US Fish and Wildlife Service, National Park Service, US Forest Service).

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES (CONT)

Land Management Agencies, Construction

Including BLM Construction, FWS Construction Projects—Line Item Construction, NPS Construction—Line Item Construction and Maintenance, and USFS Capital Improvement and Maintenance, Facilities, Road and Trails.

National Park Service Historic Preservation Fund

For projects that preserve historical and archaeological sites; most requests within the Save America's Treasures (SAT) program; applicants must apply through grants.gov and meet all audit and Secretary of the Interior requirements.

ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES

Army Corps of Engineers: Investigations

Army Corps of Engineers: Construction

Army Corps of Engineers: Mississippi River and Tributaries

Army Corps of Engineers: Operation and Maintenance

Bureau of Reclamation: Water and Related Resources

[Please see the posted lists of authorized projects under this subcommittee here.](#)

Department of Energy: Energy Efficiency and Renewable Energy (EERE)

Department of Energy: Office of Electricity (OE)

Department of Energy: Office of Cybersecurity, Energy Security, and Emergency Response (CESER)

Department of Energy: Office of Nuclear Energy

Department of Energy: Office of Fossil Energy

Projects within these accounts will be considered on a case-by-case basis; the Committee noted it expected to fund few projects in FY22.