

Congressionally Directed Spending for Fiscal Year 2025: FAQ Document

Senators Michael Bennet and John Hickenlooper are accepting Congressionally Directed Spending (CDS) requests for Colorado projects in Fiscal Year 2025 (FY25). As part of the broader appropriations process, CDS (previously known as earmarks) is a mechanism by which members of Congress can request funding for specific projects in their home state that have been submitted for consideration by local government entities and nonprofits. CDS funding is contingent upon a project being included in federal spending bills, and passed by both the House of Representatives and Senate.

Senators Bennet and Hickenlooper will have a joint application process for FY25 CDS projects. Applicants will be able to complete *one* application form which will be received by both offices. **Each Senator will then review project requests and submit to the Appropriations Committee individually.** Ahead of the official application, the Senators are sharing an *optional interest form* for projects to submit their interest in applying for federal funding through CDS.

Please note that this interest form does not serve as an official request submission, but allows our offices additional time to learn about your project and offer feedback on your request. Upon completion of the interest form and official FY25 guidance, our offices will send you the official request form.

This document provides answers to some of the most frequently asked questions about Congressionally Directed Spending. If you have additional questions about the process or your specific project, please contact the Senate offices at:

Senator Michael Bennet: directedspending@bennet.senate.gov

Senator John Hickenlooper: cds@hickenlooper.senate.gov

ELIGIBILITY

What are the eligibility requirements for CDS projects?

1. Submitting organizations must be either not-for-profit entities or government organizations. Individuals and for-profit entities are not eligible to apply for CDS funding. All entities must provide their EIN number to verify non-profit status.
2. Projects must fit within an account of one of the Appropriations Committee subcommittees accepting requests. A list of the subcommittees and eligible accounts can be found [HERE](#) or at the end of this document. Note: this list of eligible accounts is from FY24, it will be updated with FY25 guidance once it is released.
3. For the best chance of success, projects should be:
 - a. Shovel-ready: Projects should be ready to begin as soon as funding has been received. Given the uncertainty surrounding passage timing of an FY25 appropriations package, projects should be able to begin at any date.
 - b. Clear and reasonably budgeted: Itemized budgets must be as detailed as possible, and should indicate whether portions of the project could be completed independently of other portions if the project cannot be fully funded.
 - c. Self-sustaining: CDS projects should be able to be either completed or put on a sustainable path with one round of funding. While we will consider all projects, CDS projects should only depend on receiving money in FY25, and should have an ongoing impact on the community even after the funding has been used.
 - d. Beneficial to the wider community: Each project will be assessed based on its demonstrated level of positive impact for the community, with an emphasis on serving longstanding unmet needs.

APPLICATION PROCESS

What is the CDS Interest Form?

Beginning in FY25, Senators Bennet and Hickenlooper will implement a new Interest Form for the CDS process. This is a simple form that allows projects to share basic information about their project (a detailed summary, budget, location, etc.) with the Senate offices ahead of the official request form. This will allow each office to review and provide feedback on project requests ahead of the official application. This form is not the official request form and submissions received only via the interest form will not be considered for CDS.

What is the CDS official request form?

When guidance from the Senate Appropriations Committee is available, Senators Bennet and Hickenlooper will release a joint official request form. Requests must be submitted through the official request form to be considered for CDS funding. This form will allow each office to collect all necessary information to review and submit projects for consideration by the Senate Appropriations Committee. Once available, the form will be available on each office's website. If an organization submits an interest form, the Senators will directly share the official request form. Our offices will not consider requests received outside the form.

Do I need to fill out an interest form to be considered for CDS?

No, but we suggest filling out the interest form for any appropriate feedback from our office on your request.

What information will I need to complete the official request form?

- Organization contact information
- A point of contact for all project specifics within your organization
- Detailed description of the purpose and scope of your project
- Itemized budget
- Your organization's Employer Identification Number (EIN)
- Details on any other CDS request your organization has made or will make this year
- Any other federal funding your project has secured including federal grants, loans, or CDS from previous years.

Do I need to provide any supporting documentation?

Yes, one letter of support is required from either the state government, local governments, Tribal governments, or other community leaders that identify the community benefits and support for the project. This letter must be submitted with the official request form.

What agencies and accounts are accepting CDS requests?

A list of the subcommittees and accounts that are accepting CDS requests is available at the end of this document. We expect that this list will contain very few changes from the fiscal year 2024 process.

What is the status of the FY24 projects that were included in the Senate spending bills?

The projects included in the FY24 spending bills have not yet been funded. They are still pending as Congress continues to negotiate the FY24 budget. We remain hopeful Congress will be able to agree upon a final budget that will include Colorado's projects and we continue to advocate for their passage. Our offices will stay in contact as the process continues to move forward.

Should I complete the Interest Form if my project is included in the FY24 Senate spending bills?

No. If your project is currently included in the FY24 Senate spending bills you do not need to complete the Interest Form for FY25. Should Congress not pass a budget that includes the FY24 CDS projects, our offices will be in touch about appropriate next steps for FY25 consideration.

FREQUENTLY ASKED QUESTIONS

Can I submit projects to more than one member of Congress?

Yes, you can submit the project to every member of the congressional delegation who represents the location where the project will be implemented AND is accepting requests. If you submit the same project to multiple members of Congress, we ask that your application be identical and that you note the other members to whom you have submitted your project in your application.

Which agency and/or account should I select for my project?

An “account” is a funding bucket from which federal funds are disbursed. To be eligible for funding, your project must align with an account that is accepting CDS requests. When applying, please select the account that best fits the focus of your project. If your project does not fit within an account, even if it aligns with all of the other criteria above, it is unfortunately ineligible. Please review the list of Senate Appropriations subcommittees and examples of previously approved CDS projects, which can be found [HERE](#). Eligible agencies and accounts can be viewed from the list of Senate Appropriations subcommittees found at the end of this guidance document.

If you are confused as to which account your project may fit within, please don’t hesitate to reach out to our offices.

Where should I submit water infrastructure projects?

Water infrastructure (both drinking water and wastewater) projects should be submitted to the Interior subcommittee, NOT the Energy & Water subcommittee.

Can I have a meeting to discuss questions specific to my proposal?

Yes, our offices are happy to meet with organizations to answer questions specific to projects. If you anticipate needing to discuss your project, please reach out as soon as possible as we will not be able to extend our submission deadline.

Can I amend my submission after the deadline?

You should not plan on being able to make changes to your submission after the submission deadline. However, if minor mistakes are made, please let us know as soon as possible and we can work with you to try to correct them. Major changes may not be accepted depending on how close we are to the subcommittee’s submission deadline. Once projects are submitted to the Appropriations Committee there will be no further opportunity to change them.

If Senators Bennet or Hickenlooper request my project, am I guaranteed funding?

No, our offices requesting a project is only the first step in the process. After our offices submit requests to the Senate Appropriations Committee, the committee will review requests and determine which projects will be included in spending bills. In order to be funded, these bills must pass both the House and Senate, and then be signed into law by the President.

If my project is included in FY25 appropriations legislation, when should I expect funding?

Project funding will only be disbursed after the President signs the FY25 appropriations legislation into law. Projects that secure funding in a final spending bill will then work with the funding agency on their internal process (this can include another application or other submission on final project details). Agencies will need to approve the project details and scope before funds are ultimately distributed.

Can funds be reimbursed retroactively?

No, CDS funding cannot be used retroactively. For that reason, projects should not be dependent on receiving the funds by a certain date.

What grant requirements will I need to abide by if my project does get funded?

Each agency has slightly different requirements. But note that all CDS projects, once funded by Congress, will need to complete an agency process for final approval and release of funds. In many cases this is similar to a typical agency grant application. CDS projects are subject to all requirements for federal funds, including but not limited to: State Historical Preservation Office review, backend audits, and environmental impact reviews.

Does CDS require an EIS?

If you are requesting funds for a construction project, you should be prepared to complete an environmental impact study (EIS) or related review for the project per the requirements of the funding agency. If you have already completed an EIS at the time of your application, please clearly note that for our offices. In addition to an EIS, many agencies require other reviews for construction (including, but not limited to a review by the State Historic Preservation Office (SHPO)).

What types of projects were most successful the last time?

The most successful projects were those that could demonstrate qualitative or quantitative community benefits, met eligibility criteria for one of the accounts members can request CDS from, and were “shovel-ready.”

Our project received CDS funding last year, can we apply again for the same project this year?

Yes, but please note that CDS is meant to be a one-time infusion of funding for each project.

Can I request the total cost of my project?

Yes, but please note some accounts require match funds and our offices can therefore only request a percentage of the total project cost for specific accounts. In addition, while there is not a limit on the dollar amount Senators can request per project, most projects that received funding ranged from \$1-5 million.

Are there match requirements for CDS funding?

Many agencies have match requirements. The below chart outlines previous match requirements.

Agency	Account	Percentage of Total Cost you can request (%)
USDA	Rural Development	Varies between 10% and 70%, please contact USDA Colorado to confirm your eligibility.
USDA	Animal & Plant Health Inspection Service	Varies between 40% and 50% for certain programs.
Department of Energy	All energy projects	Varies between 0 and 50% depending on the nature of the project.

Army Corps of Engineers	Investigations; Construction; Operations and Maintenance	Please contact your local district (either Albuquerque or Omaha) to confirm specific project cost shares
Department of Homeland Security	Pre-Disaster Mitigation Projects; Emergency Operations Center Grant Program	75%
Environmental Protection Agency	State and Tribal Assistance Grants	80%
U.S. Forest Service	Forest Service	50%
National Park Service	Historic Preservation Fund, Save America's Treasures Grant Program	50% (cash or in-kind)
Department of Transportation	Highway Infrastructure Programs & Transit Infrastructure Grants	Varies depending on program

AGENCIES & ACCOUNTS ACCEPTING CDS REQUESTS

Below is a list of agencies that accepted Congressionally Directed Spending (CDS) projects in FY24. They are organized by the relevant Senate Appropriations Subcommittee. Under each heading are the accounts that accept CDS which can offer examples of the appropriate types of projects. Note: the below list is based off of FY24 allowances and is subject to change in FY25. This list will be updated once the Senate Appropriations Committee releases FY25 guidance.

Agriculture

- Agricultural Research Service, Building and Facilities (ARS B&F)
- Animal Plant Health Inspection Service (APHIS) (S&E)
- Watershed Flood Prevention Operations (WFPO)
- Rural Development, Community Facilities grants
- Rural Development, Distance Learning, Telemedicine, and Broadband Program (DLT) grants

Commerce, Justice, Science

- Department of Commerce; National Institute of Standards and Technology (NIST); Scientific and Technical Research Services (STRS); External Projects
- Department of Commerce; NIST; Construction of Research Facilities; Extramural Construction

- Department of Commerce; National Oceanic and Atmospheric Administration (NOAA); Operations, Research, and Facilities (ORF); Special Projects
- Department of Justice; Office on Justice Programs; State and Local Law Enforcement Assistance; Byrne Discretionary
- Department of Justice; Community Oriented Policing Services (COPS); COPS Law Enforcement Technology and Equipment
- National Aeronautics and Space Administration; Safety, Security, and Mission Support

Energy & Water

- Corps of Engineers: Investigations
- Corps of Engineers: Construction
- Corps of Engineers: Operations & Maintenance
- Corps of Engineers: Mississippi Rivers & Tributaries: Investigations
- Corps of Engineers: Mississippi Rivers & Tributaries: Construction
- Corps of Engineers: Mississippi Rivers & Tributaries: Operation & Maintenance
- Bureau of Reclamation: Water and Related Resources
- Department of Energy: Energy Projects
 - Renewable and Clean Energy projects
 - Electricity and Energy Resiliency projects
 - Cybersecurity and Energy Security projects
 - Nuclear Energy Projects
 - Fossil Energy or Carbon Management Projects

Financial Services

- Small Business Administration, Administrative Provision
- National Archives and Records Administration, National Historical Publications and Records Commission
- National Archives and Records Administration, Repair and Restoration
- General Services Administration, Federal Buildings Fund, Construction and Acquisition
- Office of National Drug Control Policy - Prevention grants

Homeland Security

- Federal Emergency Management Agency Pre-Disaster Mitigation Projects
- Federal Emergency Management Agency Emergency Operations Center Grant Program

Interior

- EPA, State and Tribal Assistance Grants, Clean Water SRF, Clean Water
- EPA, State and Tribal Assistance Grants, Drinking Water SRF, Drinking Water
- IHS, Sanitation Facilities Construction, Sanitation Facilities Construction
- ThankNPS, Historic Preservation Fund Projects
- USFS, State and Private Forestry, Forest Resource Information and Analysis
- Projects on Agency Lists
 - WCF: Great American Outdoors Act, Land and Water Conservation Fund
 - BLM, Land Acquisition
 - FWS, Land Acquisition
 - NPS, Land Acquisition

- USFS, Land Acquisition
 - USFS, Forest Legacy
 - LRF: Great American Outdoors Act, Legacy Restoration Fund
 - BLM, Legacy Restoration Fund
 - FWS, Legacy Restoration Fund
 - NPS, Legacy Restoration Fund
 - BIE, Legacy Restoration Fund
 - USFS, Legacy Restoration Fund
 - LMCON: Land Management Agencies, Construction
 - BLM, Construction
 - FWS, Construction Projects, Line Item Construction
 - NPS, Construction, Line Item Construction and Maintenance
 - USFS, Capital Improvement and Maintenance, Facilities, Road and Trails
- Land Management Agencies, Local Projects and Research
 - BLM, Management of Land and Resources, Habitat Management Priorities
 - NPS, National Recreation and Preservation, Statutory and Contractual Aid
 - FWS, Resource Management, Stewardship Priorities
 - USGS, Surveys Investigations and Research, Special Initiatives
- BIA, Operation of Indian Programs, Special Initiatives
- EPA, Science and Technology, Research: National Priorities
- EPA, State and Tribal Assistance Grants, STAG Infrastructure Grants

Labor, HHS, Education

- Department of Labor—Employment and Training Administration—Training and Employment Services
- Department of Health and Human Services—Health Resources and Services Administration—Program Management
- Department of Health and Human Services—Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support
- Department of Health and Human Services—Administration for Children and Families—Children and Families Services Programs
- Department of Health and Human Services—Administration for Community Living—Aging and Disability Services Programs
- Department of Education—Innovation and Improvement—Fund for the Improvement of Education
- Department of Education—Rehabilitation Services—Demonstration and Training
- Department of Education—Higher Education—Fund for the Improvement of Postsecondary Education

MilCon-VA

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

- Military Construction, Army Reserve
- Military Construction, Navy Reserve
- Military Construction, Air Force Reserve

Transportation-HUD

- Transportation Planning, Research, and Development (TPR&D) for transportation research projects eligible under title 23 or title 49, United States Code (not for project-specific planning that is eligible for funding under HIP, TIG, or CRISI);
- Grants-in-Aid for Airports (Airport Improvement Program or AIP) for airport projects eligible under chapter 471 of title 49, United States Code;
- Facilities and Equipment (F&E) for terminal air traffic control facility replacement projects eligible under part A of subtitle VII of title 49, United States Code [8]
- Highway Infrastructure Programs (HIP) for highway projects eligible under title 23, United States Code
- Transit Infrastructure Grants (TIG) for transit projects eligible under chapter 53 of title 49, United States Code
- Consolidated Rail Infrastructure and Safety Improvement Program (CRISI) grants for rail projects eligible under section 22907 of title 49, United States Code
- Community Development Fund for Economic Development Initiatives (EDI) eligible under chapter 69 of title 42, United States Code