

HR 3268

Earmark Transparency and Accountability Reform Act

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Congress

Introduced: Jul 20, 2009

Current Status: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.

Latest Action: Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties. (Sep 14, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/3268>

Sponsor

Name: Rep. Reichert, David G. [R-WA-8]

Party: Republican • State: WA • Chamber: House

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Smith, Adam [D-WA-9]	D · WA		Jul 20, 2009
Rep. McMorris Rodgers, Cathy [R-WA-5]	R · WA		Dec 3, 2009
Rep. Bean, Melissa L. [D-IL-8]	D · IL		Mar 3, 2010
Rep. Murphy, Scott [D-NY-20]	D · NY		Apr 20, 2010
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Apr 26, 2010

Committee Activity

Committee	Chamber	Activity	Date
Budget Committee	House	Referred To	Jul 20, 2009
Ethics Committee	House	Referred To	Jul 20, 2009
Judiciary Committee	House	Referred to	Sep 14, 2009
Oversight and Government Reform Committee	House	Referred To	Jul 20, 2009
Rules Committee	House	Referred To	Jul 20, 2009

Subjects & Policy Tags

Policy Area:

Congress

Related Bills

Bill	Relationship	Last Action
111 HRES 1502	Related bill	Jul 1, 2010: Referred to the House Committee on Rules.

Earmark Transparency and Accountability Reform Act - Amends Rule XXI (House and Senate Relations) of the Rules of the House of Representatives to make it out of order to consider any legislation containing a congressional earmark that has not been posted on the website of the reporting committee for at least 72 hours (excluding Saturdays, Sundays and holidays except when the House is in session on such a day).

Amends Rule XXIII (Code of Official Conduct) to require a Member, Delegate, or Resident Commissioner (Member) requesting a congressional earmark, within 24 hours of making such request, to: (1) submit the amount requested, the project name, a project description of its subject matter, and the name of the earmark's recipient to the Clerk for posting on the Clerk's website; (2) provide a written statement to the chairman and ranking minority member of the committee of jurisdiction certifying whether the Member or the Member's spouse has any financial interest in it; and (3) provide an accompanying letter of support from a supporting public entity if such earmark is for a non-public entity.

Amends Rule II (Other Officers and Officials) to require the Clerk's website to include an up-to-date list of all such requests under a heading entitled "Member Spending Requests."

Amends Rule XXI (Restrictions on Certain Bills) to make it out of order to consider any legislation if a committee report or the joint explanatory statement of the managers accompanying a conference report contains any congressional earmark.

Prohibits a conference report from including a modification of any congressional earmark or limited tax or tariff benefit committed to the conference committee by either or both chambers if that modification is beyond the scope of that specific matter as committed to such committee.

Provides for consideration of a point of order against a conference report that contains a violation of this prohibition.

Makes it out of order to consider legislation containing an earmark for an entity named after a sitting Member or Senator.

Amends the Congressional Budget and Impoundment Control Act of 1974 to authorize the President to propose the repeal of any congressional earmark or the cancellation of any limited tariff or targeted tax benefit.

Sets forth requirements for the President's transmittal to Congress of a special message regarding a proposed repeal or cancellation.

Dedicates only to deficit reduction or increase of a surplus any earmark or limited tax or tariff benefit repealed or cancelled.

Sets forth procedures for expedited congressional consideration of a proposed rescission.

Authorizes the President, when transmitting a special message to Congress, to direct that any congressional earmark to be repealed in that special message shall not be made available for obligation for a specified period of time after transmittal of the message. Grants similar authority to the President to suspend implementation of a limited tax or tariff benefit proposed for cancellation in a special message to Congress.

Requires the Comptroller General to develop and implement a systematic process to audit and report to Congress annually on programs, projects, and activities funded through earmarks.

Amends the Lobbying Disclosure Act of 1995 to require any nonpublic recipient of federal funds to file a lobbying disclosure report containing the name of any registered lobbyist to whom the recipient paid money to lobby on behalf of such funds, including the amount.

Establishes the Joint Select Committee on Earmark Reform.

Expresses the sense of the Congress on: (1) disclosure of earmarks requested by the President; (2) official visits by earmark-requesting Members to project sites; and (3) hearings by the subcommittees of the House Committee on Appropriations for earmark-requesting Members to testify.

Actions Timeline

- **Sep 14, 2009:** Referred to the Subcommittee on the Constitution, Civil Rights, and Civil Liberties.
- **Jul 20, 2009:** Introduced in House
- **Jul 20, 2009:** Referred to House Rules
- **Jul 20, 2009:** Referred to the Committee on Rules, and in addition to the Committees on the Budget, Standards of Official Conduct, the Judiciary, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Jul 20, 2009:** Referred to House Budget
- **Jul 20, 2009:** Referred to House Standards of Official Conduct
- **Jul 20, 2009:** Referred to House Judiciary
- **Jul 20, 2009:** Referred to House Oversight and Government Reform