

111TH CONGRESS
2D SESSION

H. R. 5997

To amend the Rules of the House of Representatives and the Congressional Budget and Impoundment Control Act of 1974 to require that public hearings be held on all earmark requests in the district of the Member, Delegate, or Resident Commissioner making the request, and to further increase earmark transparency and accountability.

IN THE HOUSE OF REPRESENTATIVES

JULY 30, 2010

Mr. TURNER (for himself and Mr. REICHERT) introduced the following bill; which was referred to the Committee on Standards of Official Conduct, and in addition to the Committee on Rules, 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

A BILL

To amend the Rules of the House of Representatives and the Congressional Budget and Impoundment Control Act of 1974 to require that public hearings be held on all earmark requests in the district of the Member, Delegate, or Resident Commissioner making the request, and to further increase earmark transparency and accountability.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Anti-Pork Act of
3 2010”.

4 **SEC. 2. PUBLIC HEARINGS ON EARMARK REQUESTS.**

5 (a) CERTIFICATION BY MEMBERS, DELEGATES, AND
6 THE RESIDENT COMMISSIONER.—Clause 17 of rule XXIII
7 of the Rules of the House of Representatives is amended
8 by adding at the end the following new paragraph:

9 “(c) A Member, Delegate, or Resident Commissioner
10 who requests a congressional earmark in any bill or joint
11 resolution (or an accompanying report) shall provide a
12 written statement to the chair and ranking minority mem-
13 ber of the committee of jurisdiction certifying the fol-
14 lowing:

15 “(1) A governmental entity or nonprofit, non-
16 congressional earmark recipient within the district
17 of, and designated by, such Member, Delegate, or
18 Resident Commissioner has held a public hearing on
19 such congressional earmark at least 30 days before
20 the date of submission of the congressional earmark
21 request to the committee.

22 “(2) Notice of such public hearing was printed
23 in the appropriate local newspaper at least 15 days
24 before the hearing and such notice included the fol-
25 lowing information:

1 “(A) The name of the applicable govern-
2 mental entity or nonprofit, noncongressional
3 earmark recipient.

4 “(B) The time, date, place, and purpose of
5 the meeting.

6 “(C) A summary of the agenda and topics
7 to be discussed.

8 “(3) If the congressional earmark request is for
9 public improvement purposes, the local government
10 entity having jurisdiction over the requested public
11 improvement has passed a resolution in support of
12 the earmark request or written an official commu-
13 nication binding to that governmental entity in sup-
14 port of the earmark request.

15 “(4) Not more than 50 percent of the total cost
16 of the project being funded by the congressional ear-
17 mark shall be appropriated funds.

18 “(5) The congressional earmark does not fund
19 any administrative costs.

20 “(6) The Member, Delegate, or Resident Com-
21 missioner has posted the congressional earmark re-
22 quest on the public Web site of such Member, Dele-
23 gate, or Resident Commissioner providing the infor-
24 mation described in subparagraphs (2) and (4) of
25 paragraph (a) and a notice of the hearing referred

1 to in subparagraph (1) (including the date, time,
2 place, and entity convening the hearing).”.

3 (b) HEARINGS ON EARMARKS BY SUBCOMMITTEES
4 OF THE HOUSE COMMITTEE ON APPROPRIATIONS.—
5 Clause 4(a) of rule X of the Rules of the House of Rep-
6 resentatives is amended by adding at the end the following
7 new subparagraph:

8 “(6)(A) Before any subcommittee of the Committee
9 on Appropriations may approve any bill or joint resolution
10 (or any accompanying report) containing a congressional
11 earmark, that subcommittee shall hold a hearing on all
12 congressional earmarks requested to be included in that
13 measure or any accompanying report. The chair of that
14 subcommittee shall provide at least 14 days notice to the
15 public on the Web site of the committee before the date
16 of any such hearing and such notice shall include the time,
17 place, and entity convening the hearing. As used in this
18 subparagraph, the term ‘congressional earmark’ has the
19 meaning given to such term in clause 9 of rule XXI.

20 “(B) The Member, Delegate, or Resident Commis-
21 sioner who requests any congressional earmark referred
22 to in subdivision (A) shall testify in support of that ear-
23 mark at the applicable subcommittee hearing.”.

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