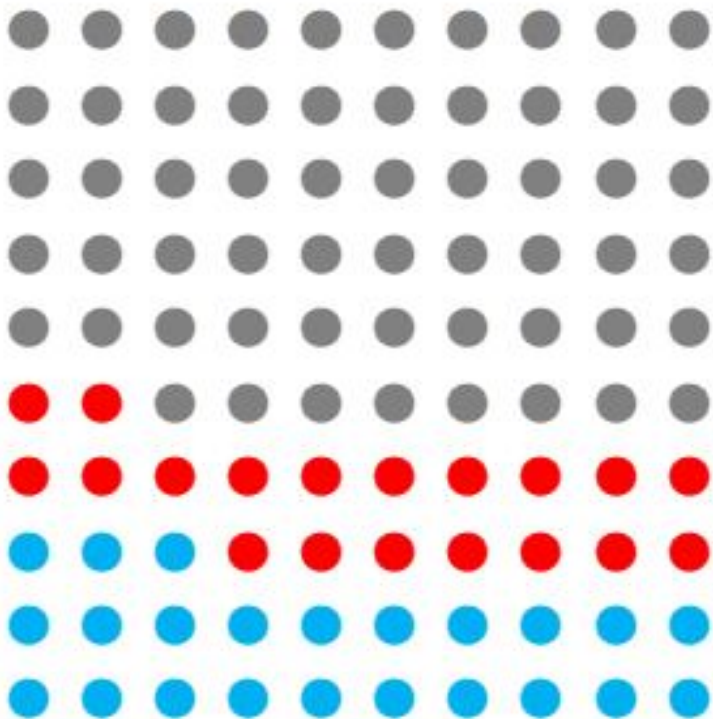


# Key ways to responsibly reinstate earmarks

# Impact of a decade-long moratorium

## Senate, 117th Congress

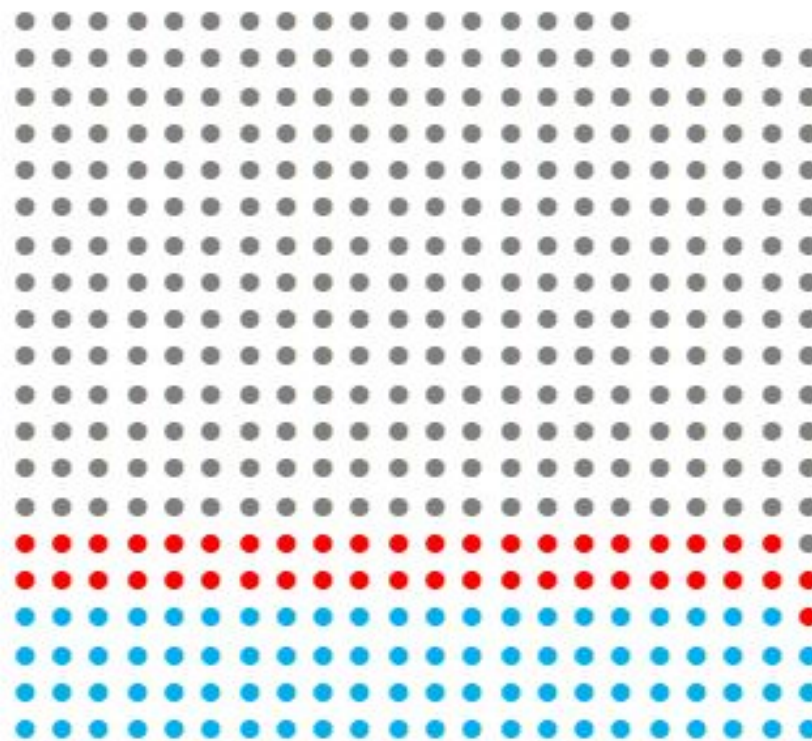
42 of 100 Senators have some prior experience with earmarks or congressional directed spending.



● 23 Democrats ● 19 Republicans

## House of Representatives, 117th Congress

131 of 435 House Members have some prior experience with earmarks or congressional directed spending.



● 87 Democrats ● 44 Republicans

# ModCom Recommendation #85

“Reduce dysfunction in the annual budgeting process through the establishment of a congressionally-directed program that calls for transparency and accountability, and that supports meaningful and transformative investments in local communities across the United States. The program will harness the authority of Congress under Article I of the Constitution to appropriate federal dollars.

# Reflects recommendations from civil society

1

Reduce dysfunction in the annual budgeting process through the establishment of a congressionally-directed program that calls for transparency and accountability, and that supports meaningful and transformative investments in local communities across the United States. The program will harness the authority of Congress under Article I of the Constitution to appropriate federal dollars.

2

3

# 1

## BPC Action Recommendation: Ensure Transparency

### Require Regular Order and Deliberation

Prohibit the inclusion of congressionally directed spending provisions in:

Any supplemental documents not specifically being reported during the Appropriations Committee markups	<b>Partially Implemented</b>
Any appropriations bill on the House or Senate floor, in an appropriations conference report, or in omnibus appropriations legislation that did not previously include both the House or Senate sides	<b>Partially Implemented</b>

# 1

## BPC Action Recommendation: Ensure Transparency

### Increase Accountability

Continue to require that:

All requests are posted both on individual lawmaker websites and on the relevant Appropriations Committee's website prior to a full committee markup	<b>Fully Implemented</b>
A list of all congressionally directed projects in appropriate legislation be published on a publicly accessible website	<b>Fully Implemented</b>
Individual members send a letter indicating that they have no personal financial interest in the request	<b>Fully Implemented</b>

# 2

## BPC Action Recommendation: Increase Vetting

### Require Authorization before Appropriation

Allow congressionally directed spending only in instances where an underlying program has been authorized

**Ongoing  
Implementation**

### Evaluate Spending

Instruct the GAO or another suitable, independent entity to randomly review and audit projects after funding has been allocated

**Ongoing  
Implementation**

# 3

## BPC Action Recommendation: Set Limits

### Prohibit For-Profit Projects

Limit congressionally directed projects to publicly funded federal, state, local, tribal, or other similar not-for-profit entities

**Fully  
Implemented**

### Member and Spending Limits

Keep overall congressionally directed spending at not more than one percent of total annual discretionary federal spending

**Ongoing  
Implementation**

Limit the total amount or number of congressionally directed spending requests that any member can receive

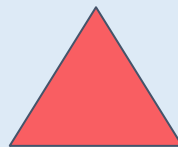
**Partially  
Implemented**



# Earmarks, Implementation, and Capacity

# Balancing Acts

- Potential real wins for the district
- Build or strengthen stakeholder relationships
- Solicit meaningful constituent engagement
- Message district priorities
- Negative press on 'frivolous' spending and projects
- Challenges with improperly vetted recipients
- Politically risky to deny deserving requests
- ENORMOUS staff workload



# Earmarks in Six Steps

1

Understanding  
the rules

2

Education and  
Outreach

3

Intake Process

4

Vetting and  
Decision

5

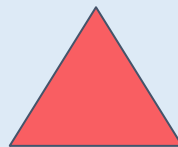
Submission  
Process

6

Close Out  
Process

# Balancing Acts

- Potential real wins for the district
- Build or strengthen stakeholder relationships
- Solicit meaningful constituent engagement
- Message district priorities
- Negative press on 'frivolous' spending and projects
- Challenges with improperly vetted recipients
- Politically risky to deny deserving requests
- ENORMOUS staff workload



# In the context of...

Global  
pandemic,  
skyrocketing  
casework

Stagnant staff  
resources, high  
turnover

for the district  
stakeholder

ful constituent

ment

- Message district priorities

- Negative political climate, spending and project
- Challenges with improperly vetted recipients
- Politically risk
- deserving
- ENG

Normal  
appropriations  
process

Partisan  
violence,  
threats, risk  
aversion

**With that said...**

**Some offices nailed it.**

# Rep. Kim Schrier [D, WA]: early and thorough

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# Sen. Lindsey Graham [R, SC]: constituent-friendly

U.S. SENATOR



SOUTH CAROLINA

LINDSEY GRAHAM

 About Services Press Issues South Carolina Students Contact 

CONGRESSIONALLY DIRECTED SPENDING REQUESTS

Home / Issues / Congressionally Directed Spending Requests



Below are the Congressionally Directed Spending requests that Senator Graham submitted to the Senate Appropriations Committee for consideration. These projects are important for the continued growth of South Carolina. Additional funding requests will be publicly announced in the coming days and weeks.

### Energy & Water

Project Name	Recipient Name	Funding Request	Project Purpose	Project Location
City of Charleston, South Carolina	U.S. Army Corps of Engineers	\$1,500,000	The funds will be used to conduct a feasibility study for tidal and inland-related flood risk management.	City of Charleston

# Sen. Chris Coons [D, DE]: constituent-friendly

 For information about how recent legislation will impact your small business or nonprofit, click here to visit my Small Business webpage.

**CHRIS COONS**

Meet ChrisServicesNewsContactQ



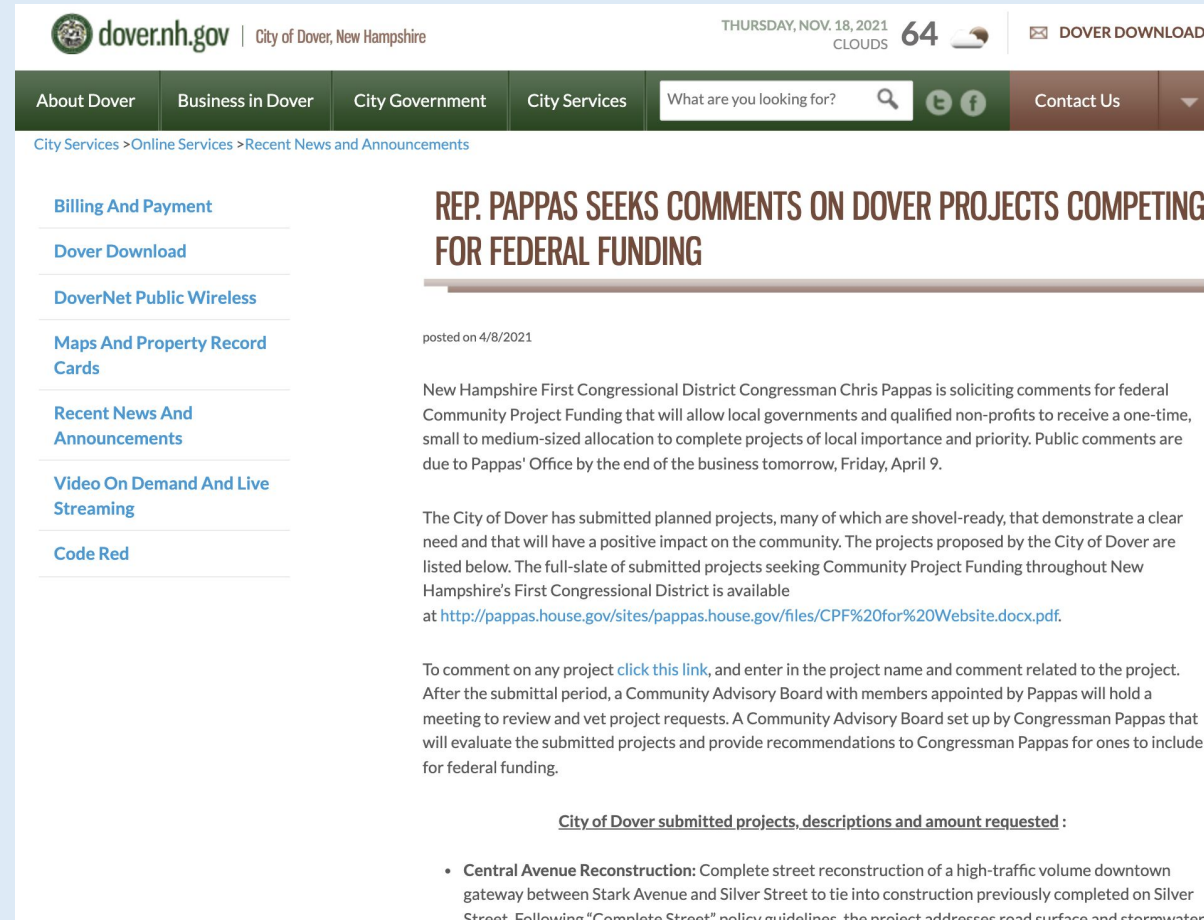
## Congressionally Directed Spending Requests

Applications for congressionally directed spending for Fiscal Year 2022 closed on June 1, 2021. The application for congressionally directed spending for Fiscal Year 2023 will open in January 2022. The projects that Senator Coons submitted to the Senate Appropriations Committee for consideration for Fiscal Year 2022 can be found [here](#).

**Notes for future applicants:**

- **All request forms for Fiscal Year 2022 were due by June 1, 2021.** The application for congressionally directed spending for Fiscal Year 2023 will open in January 2022.
- **Eligible organizations:** Nonprofit organizations and government entities are eligible to receive Congressionally Directed Spending. For-profit entities are not eligible. Please inquire if you are unsure of your project or organization's eligibility.
- **Eligible appropriations bills and accounts:** Only certain appropriations bills and accounts are eligible for Congressionally Directed Spending. Please find more information [here](#).
- No multi-year funding requests will be considered. When determining your submission, please note that only one-year funding requests will be considered

# Rep. Chris Pappas [D, NH]: public input



The screenshot shows the City of Dover website (dover.nh.gov) with a navigation bar and a sidebar. The main content area features a headline: "REP. PAPPAS SEEKS COMMENTS ON DOVER PROJECTS COMPETING FOR FEDERAL FUNDING". Below the headline, it states that New Hampshire First Congressional District Congressman Chris Pappas is soliciting comments for federal Community Project Funding. The announcement is dated 4/8/2021. It lists submitted projects, including Central Avenue Reconstruction, and provides a link to the full slate of projects. The sidebar on the left contains links to various city services and announcements.

City of Dover, New Hampshire

THURSDAY, NOV. 18, 2021 64 CLOUDS

DOVER DOWNLOAD

About Dover Business in Dover City Government City Services

What are you looking for?

Contact Us

City Services > Online Services > Recent News and Announcements

Billing And Payment

Dover Download

DoverNet Public Wireless

Maps And Property Record Cards

Recent News And Announcements

Video On Demand And Live Streaming

Code Red

## REP. PAPPAS SEEKS COMMENTS ON DOVER PROJECTS COMPETING FOR FEDERAL FUNDING

posted on 4/8/2021

New Hampshire First Congressional District Congressman Chris Pappas is soliciting comments for federal Community Project Funding that will allow local governments and qualified non-profits to receive a one-time, small to medium-sized allocation to complete projects of local importance and priority. Public comments are due to Pappas' Office by the end of the business tomorrow, Friday, April 9.

The City of Dover has submitted planned projects, many of which are shovel-ready, that demonstrate a clear need and that will have a positive impact on the community. The projects proposed by the City of Dover are listed below. The full-slate of submitted projects seeking Community Project Funding throughout New Hampshire's First Congressional District is available at <http://pappas.house.gov/sites/pappas.house.gov/files/CPF%20for%20Website.docx.pdf>.

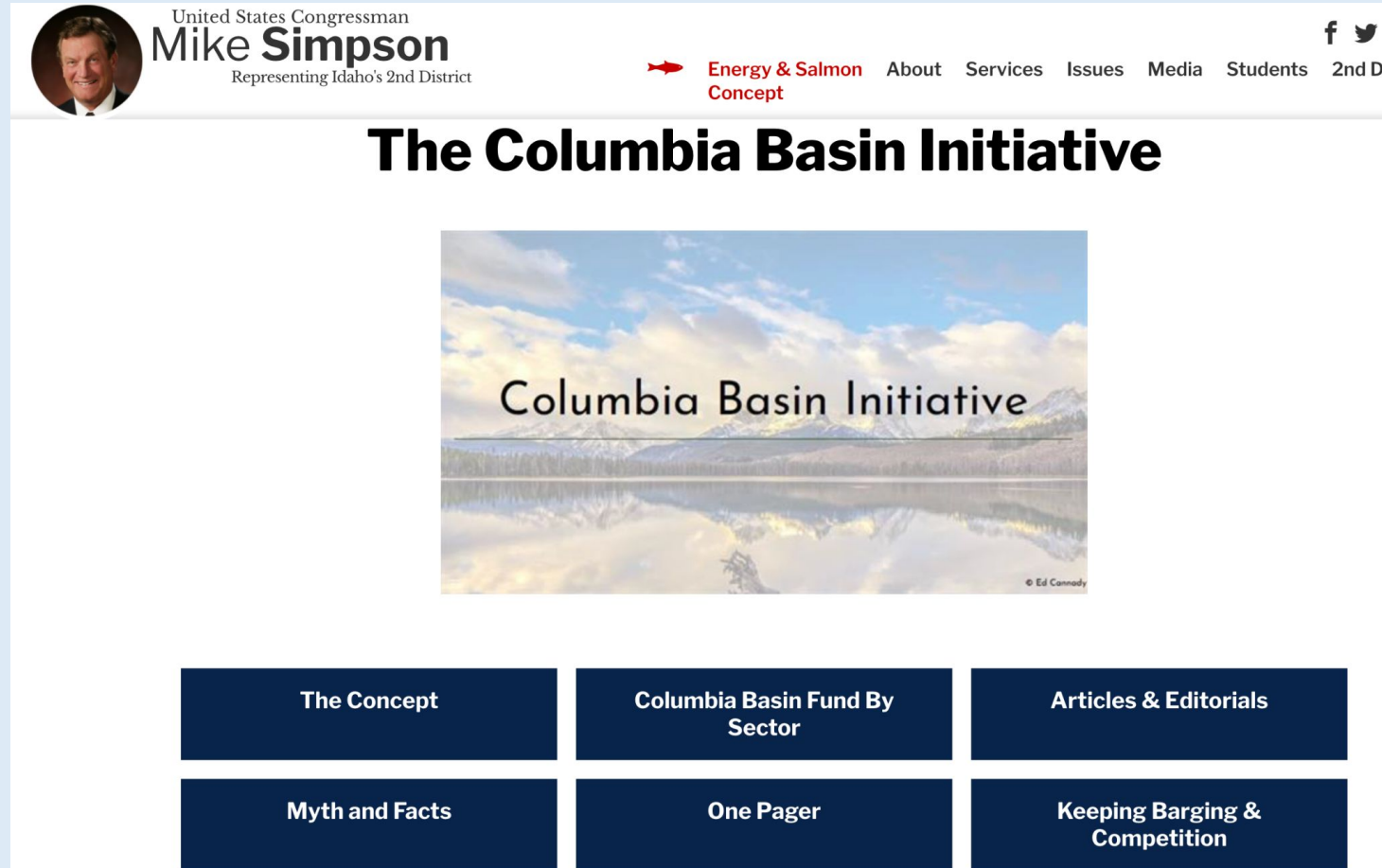
To comment on any project [click this link](#), and enter in the project name and comment related to the project. After the submittal period, a Community Advisory Board with members appointed by Pappas will hold a meeting to review and vet project requests. A Community Advisory Board set up by Congressman Pappas that will evaluate the submitted projects and provide recommendations to Congressman Pappas for ones to include for federal funding.

City of Dover submitted projects, descriptions and amount requested :

- **Central Avenue Reconstruction:** Complete street reconstruction of a high-traffic volume downtown gateway between Stark Avenue and Silver Street to tie into construction previously completed on Silver Street. Following "Complete Street" policy guidelines, the project addresses road surface and stormwater

Released all requests → Solicited public comment → Convened Advisory Board to review → CAB weighed in final decision

# Rep. Mike Simpson [R, ID]: context, priorities



FY 22: great explanation of budget process, clear rules  
FY future: model for setting regional priorities

# Going forward

## **Committee/caucus level**

1. Clarify some open questions: e.g. T&I, account mismatch
2. Reconsider format and accessibility of training resources
3. Highlight best practices from offices from FY 22

## **Member Office level**

1. Long-term outreach and education
2. Release clear values and process info early
3. Strategize collaboration (delegation, caucus, staff:staff)

\*and consider  
participatory input

# Staff resources

U.S. HOUSE OF REPRESENTATIVES | 117TH CONGRESS

## COMMUNITY PROJECT FUNDING PROGRAM

- ✓ Each House Member may submit **up to 10** project funding requests.
- ✓ **Limited to 1%** of overall discretionary spending.
- ✓ All requests must be **posted online**.
- ✓ Member must certify **no financial interest** by Member or immediate family.
- ✓ For-profit entities not eligible (**only government and nonprofits**).
- ✓ Priority given to projects with **evidence of community support**.
- ✓ GAO will **audit** sample of enacted requests.

[Want to copy/paste? Get this info in Google Docs](#)

THE COMMUNITY GRANT PROCESS WITHIN CONGRESSIONAL OFFICES:

NOW → APPROXIMATELY SIX WEEKS → SUBMISSION DEADLINE

1	2	3	4	5
<b>OUTREACH</b>	<b>RECEIVE REQUESTS</b>	<b>REVIEW &amp; PRIORITIZE</b>	<b>REFINE REQUESTS</b>	<b>SUBMIT &amp; DISCLOSE</b>
<ul style="list-style-type: none"><li>Reach out to local officials &amp; organizations.</li><li>Alert the local media.</li><li>Hold information sessions.</li></ul>	<ul style="list-style-type: none"><li>Set up an intake form for basic expressions of interest.</li><li>Take meetings from potential recipients.</li></ul>	<ul style="list-style-type: none"><li>Vet applicants — both the project and the requesting entity.</li><li>Check for evidence of community support.</li><li>Member selects up to 10 projects to request.</li></ul>	<ul style="list-style-type: none"><li>Notify applicants Member will recommend to committee.</li><li>Work on answering all supplemental questions, ensuring matching funding (if required).</li></ul>	<ul style="list-style-type: none"><li>Submit through the Appropriations Committee portal.</li><li>Includes statement of no financial interest.</li><li>Post on Member's website.</li></ul>

## COMMUNITY PROJECT FUNDING PROGRAM

### ORGANIZATION VETTING CHECKLIST

- ✓ **BASIC GROUND RULES**
  - ☐ This project is run by a nonprofit, and they have provided evidence of nonprofit status.
  - ☐ The Representative and their immediate family have certified that they do not have any financial interest in this project.
  - ☐ This project meets all restrictions in the Eligible Account it falls under.
  - ☐ [Optional] None of this organization's leadership/major stakeholders/lobbyists are significant donors to the Representative's campaign.
- ✓ **BASIC DUE DILIGENCE**
  - ☐ This organization's 990 shows no significant deficits, unusual spending on off-mission line items, or unusual board/senior executive salaries.
  - ☐ If this organization has a rating on Charity Navigator, GuideStar, or other rating aggregator, that rating is satisfactory.
  - ☐ None of this organization's leadership/major stakeholders are registered as Foreign Agents or appear on the Treasury's SDN list.
  - ☐ None of this organization's leadership/major stakeholders have unusual donations listed on their FEC profile.
  - ☐ This organization's website and social media are updated and raise no red flags.
  - ☐ There is no concerning local or national media coverage of this organization.
  - ☐ There are no odd reviews of this organization online.
  - ☐ This organization provides easy access to its financial audits, human resources policy, staff code of conduct, or other values and mission statements.

U.S. SENATE | 117TH CONGRESS

## CONGRESSIONALLY DIRECTED SPENDING REQUESTS

# QUICK GUIDE

<https://bpcaction.org/earmarks-guidance-for-the-117th-congress/>

<https://www.popvox.org/blog>