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Washington Office
OF NORTH AMERICA

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February 28, 2021

Dear Friends –

A few more positive details have come to light, suggesting that earmarks are on track for a return this session in some format and that nonprofit human services projects will be welcome requests. House Democratic Appropriations leaders/Caucuses are working together to iron out a plan and the following are a number of new details that have emerged (Senate counterparts are collaborating):

- The House plans to cap the total amount of money that can be spent on earmarks to 1 percent of total discretionary spending.
- For-profit entities will not be eligible for earmarks.
- Members will be capped at submitting 10 earmark requests per fiscal year, though members are not guaranteed to get those earmarks approved.
- Member submitting requests must post them online at the same time they submit their proposals to the Appropriations Committee.
- The House is planning on adopting a “one-stop” online portal for all House members' earmark requests.
- The House will continue to require previously developed oversight and transparency restrictions for earmarks. Members making publicize their requests and explain their justifications and must certify neither they nor their spouses or immediate family members have any financial interest in a particular earmark.
- Appropriations Committee will be required to release a list of “community project funding” 24 hours before Committee consideration of the respective spending bills.
- The Government Accountability Office will audit the process by looking at a “sample” of enacted earmarks and submitting a report to Congress.

House and Senate Republican Appropriations leaders/Caucuses have no firm plans and seem unsure of how they intend to respond. Much of the details that have emerged track past practices and scope. Still, how the process will ultimately work in both chambers is still TBD. I suspect details to continue to roll out over the next few weeks and I will continue to update as relevant.

As I have mentioned in my previous guidance, **making strong public policy justification is key to success**: As the requests will be published and scrutinized publicly, Members will want to be proud and confident of the requests they will be sponsoring. The requests should past muster as good policy, locally and nationally, would be welcome and beneficial especially as the country continues to grapple with the health and economic fallout of the COVID-19 pandemic, and are forward thinking in terms of long-term impacts for the community (including advancing green economy/infrastructure, racial equity).

Best,

Rob