111TH CONGRESS
2D SESSION

S.

To require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

IN THE SENATE OF THE UNITED STATES

Mr. COBURN (for himself, Mr. MCCAIN, Mr. FEINGOLD, and Mrs. GILLIBRAND) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To require Congress to establish a unified and searchable database on a public website for congressional earmarks as called for by the President in his 2010 State of the Union Address to Congress.

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Earmark Trans-
parency Act”.

SEC. 2. DEFINITIONS.

In this Act:
(1) Congressionally directed spending item.—The term “congressionally directed spending item” shall have the same meaning as given the term in section 521 of the Honest Leadership and Open Government Act of 2007 (Public Law 110–81).

(2) Request.—The term “request” means a formal communication, most commonly in writing, from a Member of Congress to a committee of Congress or a chairman or ranking member of such a committee requesting a congressionally directed spending item.

(3) Requestor.—The term “requestor” means the Member or Members of Congress that submits a request.

(4) Searchable website.—The term “searchable website” means a website that allows the public to—

(A) search and aggregate congressionally directed spending items by any element required under section 3;

(B) ascertain through a single search the total number and dollar value of congressionally directed spending items requested by an individual Member of Congress;
(C) download data included in subparagraph (A) included in the outcome from searches;

(D) programmatically search and access all data in a serialized machine readable format via a web-services application programming interface;

(E) access a public facing interface that can be queried across multiple fields from a single search, or through an advanced search that allows users to query for information in specific fields; and

(F) access the website address and link on the front page of the websites of the Secretary of the Senate and Clerk of the House of Representatives.

SEC. 3. CONGRESSIONAL EARMARK DATABASE.

(a) Website.—Not later than 6 months after the date of enactment of this Act, the Clerk of the House of Representatives, in coordination with the Secretary of the Senate, shall ensure the existence of a single searchable website, available to the public at no cost to access, that includes for each request—

(1) the fiscal year in which the congressionally directed spending item would be funded;
(2) the bill number on which request is made;
(3) the bill section location;
(4) the amount of initial request made by requestor;
(5) the amount approved by the committee of jurisdiction;
(6) the amount approved in final legislation (if approved);
(7) the name of Federal department or agency through which the entity will receive the funding;
(8) if the request was included in the President’s budget for the relevant fiscal year;
(9) if the request is authorized in law and when any such authorization expires;
(10) the name of the requestor or requestors;
(11) the requestor State (for Members of the Senate) or State and District (for Members of the House of Representatives);
(12) the name of any beneficiary designated to receive appropriations, including Federal agencies, municipalities, and States;
(13) the type of organization (public, private non-profit, or private for-profit entity);
(14) the address of each beneficiary identified in paragraph (12);
(15) the project name;
(16) the project description;
(17) the justification, as provided by the requestor or requestors, explaining how congressionally directed spending item would benefit taxpayers;
(18) an indication of whether congressionally directed spending item related to request is a continuing project;
(19) for each congressionally directed spending item identified as a continuing project under paragraph (18), an indication of how long it has received appropriations;
(20) the estimated completion date of the project funded by the congressionally directed spending item;
(21) a description, if applicable, of any Federal or non-Federal sources of funding for the previous 2 fiscal years, including the amount of a State or local matching requirement, for the congressionally directed spending item;
(22) for any non-Federal sources of funding identified under paragraph (21), an identification of the sources and their percentage of the project’s total funding;
(23) a copy of all requests and supplemental
documents submitted to a committee of Congress
relevant to each request; and

(24) the status of the congressionally directed
spending item, including if it was only requested, or
then inserted into a bill passed by either House, and
also noted if it was included in final conference re-
port, including any changes in final dollar amount
awarded for the item.

(b) Scope of Data.—The website created under
subsection (a) shall contain all requests made on or after
the date of enactment of this Act consistent with the provi-
sion of this Act.

(c) Search Requirements.—The website created
under subsection (a) shall—

(1) distinguish between requests that have been
included in authorizing or appropriation legislation
and those that were requested but not included in
any legislation;

(2) provide a permanent and unique identification
number for each request for a congressionally
directed spending item;

(3) provide that all search results return per-
manent weblinks; and
(4) include information from all relevant sources including bills, conference reports, amendments, manager’s amendments, and committee reports.

(d) Availability.—Requests shall be made available on the website created under subsection (a) not later than 5 days after submission by a requestor to a committee of Congress. For items under paragraphs (2), (3), (5), and (6) of subsection (a), information shall be added to the website as soon as it becomes available.

(e) Conference Reports.—The database shall be updated to include congressionally directed spending items included in any conference report.

(f) Committees Responsible.—The burden to provide information in a timely manner and in compliance with this Act to the Secretary of the Senate and the Clerk of the House regarding requests shall be on the committee of Congress to which a request is made.