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(Original Signature of Member)

110TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. FLAKE introduced the following bill; which was referred to the Committee
on _____

A BILL

To prohibit Federal agencies from obligating funds for earmarks included only in congressional reports, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Earmark Trans-
5 parency and Accountability Act of 2007”.



1 **SEC. 2. PROHIBITION ON OBLIGATION OF FUNDS FOR EAR-**
2 **MARKS INCLUDED ONLY IN CONGRESSIONAL**
3 **REPORTS.**

4 (a) IN GENERAL.—No Federal agency may obligate
5 any funds made available in an appropriation Act or other
6 Act to implement an earmark that is included in a con-
7 gressional report accompanying the appropriation Act or
8 other Act, unless the earmark is also included in such Act.

9 **SEC. 3. DEFINITIONS.**

10 As used in this Act:

11 (1) The term “congressional report” means a
12 report of a committee of the House of Representa-
13 tives or the Senate, or a joint explanatory statement
14 of a committee of conference.

15 (2) The term “earmark” means a provision in
16 a bill or conference report, or language in an accom-
17 panying committee report or joint statement of man-
18 agers with respect to a general appropriation bill, or
19 conference report thereon, providing or recom-
20 mending an amount of budget authority for a con-
21 tract, loan, loan guarantee, grant, or other expendi-
22 ture with or to any entity, if—

23 (A) such entity is specifically identified in
24 the report or bill; or

25 (B) if the discretionary budget authority is
26 allocated outside of the statutory or administra-



1 tive formula-driven or competitive bidding proc-
2 ess and is targeted or directed to an identifiable
3 entity, specific State, or Congressional district.

4 (3) The term “entity” includes a private busi-
5 ness, State, territory or locality, or Federal entity.

