



## COMMITTEE *on* APPROPRIATIONS

### **LEAHY ANNOUNCES RESTORATION OF THE POWER OF THE PURSE: REFORMS FOR A RETURN TO CONGRESSIONALLY DIRECTED SPENDING IN FISCAL YEAR 2022**

WASHINGTON (MONDAY, April 26, 2021) – Senate Appropriations Committee Chairman Patrick Leahy (D-Vt.) announced Monday his intent to restore one of Congress’ constitutional powers, the power to approve congressionally-directed spending items, and to do so with enhanced transparency and accountability. The Senate Appropriations Committee will, on a bipartisan basis, accept requests for congressionally directed spending items for appropriations bills for the fiscal year that begins October 1, 2021.

As early as 1790, Congress used its authority to allocate taxpayer funding to specific projects. Senators know the needs of their states better than unelected agency officials. They know what projects will have the greatest impacts on the lives of the people they represent. To unelected agency officials, a new community center or a critical flood protection project is nothing more than a line item on a spreadsheet. Senators know the potential of such a community center or flood control project for revitalizing communities and unlocking economic growth. Permitting direct funding for these projects will allow Congress to put that knowledge to work for the American people.

**“The Constitution vests the power of the purse in Congress.” Chairman Leahy said, “In recent years, Congress has ceded too much of its Constitutional authority over spending to the Executive Branch to make decisions about how and where to invest Federal taxpayer dollars. A rebalanced process will allow Members to better utilize their knowledge and experience to thoughtfully direct federal funds, and do so with transparency and accountability.”**

Chairman Leahy is committed to following the existing requirements for congressionally directed spending items in Rule XLIV of the Standing Rules of the Senate and will implement additional reforms that will require even greater transparency and accountability.

Existing Requirements: In reviewing member requests for congressionally directed spending items, the Senate Appropriations Committee will implement Rule XLIV of the Standing Rules of the Senate. Rule XLIV, requires rigorous procedures for accountability and transparency, such as:

- No Member Financial Interest: The rules forbid any member from pursuing a congressionally directed spending item to further his or her financial interest, or that of his or her immediate family. Each member requesting a congressionally directed spending item must certify in writing that there is no such interest and make that certification available to the public.

- Request in Writing: Any member requesting a congressionally directed spending item must do so in writing, including the Member's name, the name and location of the intended recipient, and the purpose of the spending item.
- Committee Consideration: When reporting legislation containing congressionally directed spending items, the Committee is required to make each item publicly available online in a searchable format as soon as practicable after the mark up (including the name of each Member requesting the item).
- Disclosure Before Floor Consideration: The rules prohibit a vote on a motion to proceed to a bill or a vote on adoption of a conference report, unless the chair of the committee, certifies that a complete list of congressionally directed spending items has been publicly available for at least 48 hours.
- Point of Order Against New Projects in Conference Reports: A point of order may be raised against a provision of the conference report if it includes a congressionally directed spending item that was not included in either the House or Senate bills.

Reforms: In addition to these important requirements, Chairman Leahy will enhance the existing Senate procedures for congressionally directed spending items with reforms as follows:

- Institute a 1 percent cap on discretionary spending for congressionally directed spending items;
- Ban congressionally directed spending items to for-profit entities;
- Require Senators to post online their congressionally directed spending item requests, as well as their financial certification disclosures attesting that they do not have any financial interest in any of the items requested; and
- The Committee will require the Government Accountability Office to audit a sample of enacted congressionally directed spending items and report its findings to Congress.

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