

111TH CONGRESS
1ST SESSION

S. RES. 63

To amend the Standing Rules of the Senate to ensure that all congressionally directed spending items in appropriations and authorization legislation fall under the oversight and transparency provisions of S. 1, the Honest Leadership and Open Government Act of 2007.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2009

Mrs. McCASKILL (for herself and Mr. UDALL of Colorado) submitted the following resolution; which was referred to the Committee on Rules and Administration

RESOLUTION

To amend the Standing Rules of the Senate to ensure that all congressionally directed spending items in appropriations and authorization legislation fall under the oversight and transparency provisions of S. 1, the Honest Leadership and Open Government Act of 2007.

1 *Resolved,*

2 **SECTION 1. AMENDMENT TO THE STANDING RULES OF THE**
3 **SENATE.**

4 (a) **FURTHER TRANSPARENCY.**—Rule XLIV of the
5 Standing Rules of the Senate is amended by adding at
6 the end thereof the following:

1 “13.(a) All congressionally directed spending items
2 shall be included in the text of an appropriations or au-
3 thorization bill and any conference report related to that
4 appropriations or authorization bill.

5 “(b) Not later than 48 hours after the request, each
6 request for a congressionally directed spending item for
7 an appropriations or authorization bill made by a Senator
8 shall be posted on the Senator’s web site. The posting of
9 the request for a congressionally directed spending item
10 shall include the name and location of the specifically in-
11 tended recipient, the purpose of the congressionally di-
12 rected spending item, and the dollar amount requested.
13 If there is no specifically intended recipient, the posting
14 shall include the intended location of the activity, the pur-
15 pose of the congressionally directed spending item, and the
16 dollar amount requested.

17 “(c) It shall not be in order to consider an appropria-
18 tions or authorization bill, amendment, or conference re-
19 port if it contains a congressionally directed spending item
20 for a private for-profit or non profit entity.”.

21 (b) CLARIFYING APPLICATION TO CONFERENCE RE-
22 PORTS.—Paragraph 8 of rule XLIV of the Standing Rules
23 of the Senate is amended by—

24 (1) striking subparagraph (a) and inserting the
25 following:

1 “(a) A Senator may raise a point of order against
2 one or more provisions of a conference report if they con-
3 stitute a congressionally directed spending item that was
4 not included in the measure originally committed to the
5 conferees by either House. The Presiding Officer may sus-
6 tain the point of order as to some or all of the congression-
7 ally directed spending items against which the Senator
8 raised the point of order.”; and

9 (2) striking subparagraph (e).

10 (c) REQUIRING FULL SEARCHABILITY.—Paragraph
11 3(a)(2) of rule XLIV of the Standing Rules of the Senate
12 is amended by inserting “in an searchable format” after
13 “available”.

14 (d) SUPERMAJORITY REQUIREMENT.—Paragraph 10
15 of rule XLIV of the Standing Rules of the Senate is
16 amended by striking “or 3” and inserting “3, or 13”.

17 (e) AVAILABILITY BY THE COMMITTEE OF JURISDIC-
18 TION.—Paragraph 6(b) of rule XLIV of the Standing
19 Rules of the Senate is amended to read as follows:

20 “(b) With respect to each congressionally directed
21 spending item requested by a Senator, each committee of
22 jurisdiction shall make available for public inspection on
23 the Internet the written statements and certifications

- 1 under subparagraph (a) not later than 48 hours after re-
- 2 ceipt of such statements and certifications.”.

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