

## **S. 162, the Fiscal Discipline, Earmark Reform, and Accountability Act**

Sponsored by Senators Feingold, McCain, McCaskill, Graham and Coburn

### Key Provisions:

- **Seeks to eliminate unauthorized earmarks and wasteful spending in appropriations bills and conference reports—**

It would amend the Senate Rules to allow points of order to be raised against unauthorized appropriations (earmarks), and policy riders in appropriations bills and conference reports in an effort to rein in wasteful pork barrel spending.

Under the proposal, unless a point of order is waived by the affirmative vote of 60, the unauthorized provision would be extracted from the measure and the overall cost of the bill would be reduced by the corresponding amount.

If a point of order is sustained against a provision in a conference report, that provision also would be stricken, but under the new rule, the legislative process could continue in a manner whereby the conference report would revert to a non-amendable Senate amendment (which would be the conference agreement without the objectionable material), and the measure could then be sent back to the House.

The proposal would retain three exemptions that currently apply to amendments under Senate Rule XVI:

1. It would allow appropriations measures to include an appropriation that had been made to carry out the specific provisions of an existing law, or treaty stipulation.
  2. It would allow an appropriation to be included if it is in the President's budget request (this ensures that any unauthorized programs could continue to be funded if requested).
  3. It would allow an appropriation to be included if such an appropriation is authorized in a bill passed by the Senate during that session of Congress.
- **Requires all appropriations and authorization conference reports to be electronically searchable at least 48 hours before full Senate consideration.**
  - **Requires the recipients of federal dollars to disclose any amounts that they expend on registered lobbyists.**