

117TH CONGRESS
1ST SESSION

H. R. 3430

To rescind unused earmarks provided for the Department of Transportation and deposit such funds into the Treasury for purposes of deficit reduction, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2021

Mr. NEHLS (for himself, Mr. GOHMERT, Mr. WEBER of Texas, and Mr. BABIN) introduced the following bill; which was referred to the Committee on Appropriations, and in addition to the Committees on Transportation and Infrastructure, and Oversight and Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To rescind unused earmarks provided for the Department of Transportation and deposit such funds into the Treasury for purposes of deficit reduction, 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 “Washington Bureau-
5 crat Accountability Act”.

1 **SEC. 2. UNUSED EARMARKS.**

2 (a) DEFINITIONS.—In this section—

3 (1) the term “agency” has the meaning given
4 the term “Executive agency” under section 105 of
5 title 5, United States Code;

6 (2) the term “earmark” means—

7 (A) a congressionally directed spending
8 item, as defined in rule XLIV of the Standing
9 Rules of the Senate; and

10 (B) a congressional earmark, as defined in
11 rule XXI of the Rules of the House of Rep-
12 resentatives; and

13 (3) the term “unused DOT earmark” means an
14 earmark of funds provided for the Department of
15 Transportation as to which any funds remain avail-
16 able for obligation at the end of the 9th fiscal year
17 following the fiscal year during which the earmark
18 was made available.

19 (b) RESCISSION OF UNUSED DOT EARMARKS.—

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), effective on October 1 of the 10th fiscal
22 year after funds under an unused DOT earmark are
23 made available, all unobligated amounts made avail-
24 able under the unused DOT earmark are rescinded
25 and deposited into the Treasury for purposes of def-
26 icit reduction.

1 (2) EXCEPTION.—The Secretary of Transpor-
2 tation may delay the rescission of amounts made
3 available under an unused DOT earmark for 1 year
4 if the Secretary determines that an additional obli-
5 gation of the earmark is likely to occur during the
6 10th fiscal year after funds under the unused DOT
7 earmark are made available.

8 (c) AGENCY-WIDE IDENTIFICATION AND REPORT.—

9 (1) AGENCY IDENTIFICATION.—Each agency
10 shall identify and submit to the Director of the Of-
11 fice of Management and Budget an annual report
12 regarding every project of the agency for which—

13 (A) amounts are made available under an
14 earmark; and

15 (B) as of the end of a fiscal year, unobli-
16 gated balances remain available.

17 (2) ANNUAL REPORT.—The Director of the Of-
18 fice of Management and Budget shall submit to
19 Congress and publically post on the website of the
20 Office of Management and Budget an annual report
21 that includes—

22 (A) a listing and accounting for earmarks
23 for which unobligated balances remain avail-
24 able, summarized by agency, which shall in-
25 clude, for each earmark—

- 1 (i) the amount of funds made avail-
2 able under the original earmark;
- 3 (ii) the amount of the unobligated bal-
4 ances that remain available;
- 5 (iii) the fiscal year through which the
6 funds are made available, if applicable; and
- 7 (iv) recommendations and justifica-
8 tions for whether the earmark should be
9 rescinded or retained in the next fiscal
10 year;
- 11 (B) the number of rescissions resulting
12 from this section and the annual savings result-
13 ing from this section for the previous fiscal
14 year; and
- 15 (C) a listing and accounting for earmarks
16 provided for the Department of Transportation
17 scheduled to be rescinded under subsection (b)
18 at the end of the fiscal year during which the
19 report is submitted.

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