

## Executive Branch Agenda 2013

### **Report Earmark Requests from Congress Online**

Executive Order 13457, requiring written earmark requests to be put online, should be enforced by the current administration. In addition, a draft Obama EO calling on agencies to make communications about earmarks public in a searchable format within 30 days of receipt should be adopted.

#### **Background**

Rather than eradicate earmarks, a congressional “ban” has instead moved the practice further off line and out of public view. Members of Congress and their staff informally pressure agency staff to provide funding for specific projects, undermining merit-based criteria for the allocation of federal resources.

In 2008, the Bush administration issued EO 13457 to make the process more transparent. The order prohibits agencies from considering an earmark request unless such a request is in writing. It also requires that communications regarding earmarks “shall be made publicly available on the Internet by the receiving agency, not later than 30 days after receipt.”

The Obama administration appeared ready to enforce and strengthen the Bush EO, floating a draft that would have imposed stronger reporting requirements and searchable online formats. Unfortunately, the Obama draft EO has never been issued and there is no pressure for agencies to post congressional correspondence about spending decisions online.

As long as Congress continues to ban legislative earmarks, the administration should ensure any efforts by legislators to informally acquire earmarks should be transparent.