13

AMENDMENT TO H.R. 2857, AS REPORTED

OFFERED BY MR. FLAKE

Page 152, line 15, strike the double quotation mark and the period at the end.

Page 152, after line 15, insert the following new subsection:

1 "(c) PROHIBITION ON CERTAIN ENTITIES.—

2 "(1) IN GENERAL.—No funds appropriated
3 under this section shall be awarded to any entity
4 that receives an earmark under any appropriations
5 or authorizing legislation.

6 "(2) DEFINITION.—For the purposes of this
7 subsection, the term 'earmark' means any legislative
8 provision or report language included primarily at
9 the request of a Member, Delegate, Resident Com-
10 missioner, or Senator providing, authorizing, or rec-
11 ommending a specific amount of discretionary budg-
12 et authority, credit authority, or other spending au-
13 thority for a contract, loan, loan guarantee, grant,
14 loan authority, or other expenditure with or to an
15 entity, or targeted to a specific State, locality, or
16 Congressional district, other than through a statu-

1 tory or administrative formula driven or competitive
2 award process.".

Page 185, after line 5, insert the following new section:

3 **SEC. 2404. PROHIBITION ON CERTAIN ENTITIES.**

4 Title V is amended by adding after section 505 the
5 following:

6 **"SEC. 506. PROHIBITION ON CERTAIN ENTITIES.**

7 "(a) IN GENERAL.—No funds appropriated under
8 this title shall be awarded to any entity that receives an
9 earmark under any appropriations or authorizing legisla-
10 tion.

11 "(b) DEFINITION.—For the purposes of this section,
12 the term 'earmark' means any legislative provision or re-
13 port language included primarily at the request of a Mem-
14 ber, Delegate, Resident Commissioner, or Senator pro-
15 viding, authorizing, or recommending a specific amount of
16 discretionary budget authority, credit authority, or other
17 spending authority for a contract, loan, loan guarantee,
18 grant, loan authority, or other expenditure with or to an
19 entity, or targeted to a specific State, locality, or Congres-
20 sional district, other than through a statutory or adminis-
21 trative formula driven or competitive award process.".