



FOR IMMEDIATE RELEASE:  
July 9, 2015

Contact: Erin Kesler  
202-747-0698 X4  
[ekesler@progressivereform.org](mailto:ekesler@progressivereform.org)

## ***New CPR Issue Alert: Earmarking Away the Public Interest***

### ***House GOP's "Negative Earmarks" in Appropriations Bill Would Undercut Key Protections and Cost Thousands of Lives***

Today, the Center for Progressive Reform [released a new Issue Alert, "Earmarking Away the Public Interest: How Congressional Republicans Use Antiregulatory Appropriations Riders to Benefit Powerful Polluting Industries."](#) The report, by CPR Member Scholars Thomas O. McGarity of the University of Texas School of Law and Richard Murphy of Texas Tech University School of Law and CPR Senior Policy Analyst James Goodwin, examines "negative earmarks" — riders attached to must-pass appropriations bills that block agencies from taking specific actions to protect public health, safety, and the environment.

The report compares this type of attack on public safeguards, attached to legislation without public scrutiny, to the "positive" earmarks like the "Bridge to Nowhere" that Congress has moved in recent years to prevent.

The report focuses in on this week's House consideration of an appropriations bill for Interior, Environment and Related Agencies. Using the agencies' own estimates, the report calculates that just three of the riders attached to this bill [would result](#) in 10,900 premature deaths; 5,000 non-fatal heart attacks; 1,110,000 asthma attacks in children; and 1,690,000 missed school and work days by defunding specific agency rules. Also included in the appropriations bill's damaging toll is the potential emission of [730 metric tons of climate-disrupting carbon dioxide](#) and the [waste of up to \\$572 million in taxpayer money](#).

The Issue Alert highlights the financial ties between members of Congress who sponsored and supported these negative earmarks and the polluting industries that would benefit from them. For example, Rep. Evan Jenkins (R-WV) sponsored a negative earmark to defund a pending EPA rulemaking to strengthen the national ozone air pollution standard. During the past election cycle, [Rep. Jenkins received \\$187,400 from the mining industry, \\$48,666 from the oil and gas industry, and \\$25,950 from the manufacturing industry](#). The report finds that just five of the House and Senate appropriations subcommittees' most influential members had received a total of \$3,600,644 in campaign contributions during their most recent election cycle from affected industrial sectors.

According to the report co-author McGarity, "[Polls demonstrate](#) the overwhelming support of Americans for cleaner air, water, energy efficiency, and other common sense regulations. House Republicans are trying to use an appropriations bill as a backdoor rewrite of critical safeguards. It'll please their corporate sponsors, but it could cost thousands of lives and cause a lot of unnecessary illness. If they want to rewrite the law, they should do it in the open."

Adds Murphy, "The millions of dollars in campaign contributions received by the key members of the appropriations subcommittees from regulated industries raises important questions about who they are actually representing. These riders have precious little impact on the federal budget, but they'll make it more profitable to pollute at the expense of Americans' health and safety."

In response to the overwhelming abuse of the negative earmarks in the appropriations process the report's authors propose a legislative reform based on the "Byrd Rule," which prohibits Senators from including "extraneous provisions" in budget reconciliation bills, and then clearly defines the characteristics that would render a provision to be considered "extraneous." Similar to the Byrd Rule, all members of Congress would be empowered to challenge through a point of order any negative earmark in an appropriations bill, and if the challenge is successful, the provision would be automatically removed from the bill.

To read the entire report, [click here](#).

*The [Center for Progressive Reform](#) is a nonprofit research and educational organization with a network of Member Scholars working to protect health, safety, and the environment through analysis and commentary. Follow us on [Twitter](#). Like us on [Facebook](#)*

# # #