

HC-1

Jim DeMint
S.L.C.

AMENDMENT NO. _____ Calendar No. _____

Purpose: To implement President Obama's earmark reforms.

IN THE SENATE OF THE UNITED STATES—111th Cong., 1st Sess.

S. Con. Res. 13

	AMENDMENT NO 967	
By	<i>DEMINT</i>	
To:		
Refer	<i>S. CON. RES. 13</i>	id
	<i>3</i>	
	Page(s)	
AME:		GPO: 2008 45-608 (mat)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ____ . EARMARK POINT OF ORDER.**

3 (a) IN GENERAL.—It shall not be in order in the Sen-
4 ate to consider a bill, resolution, amendment, or con-
5 ference report that includes—

6 (1) a congressional earmark to a private for

7 profit entity, *that is not subject to the same*
competitive bidding requirements as other Federal contracts;
8 (2) a congressional earmark which has not been

9 the subject of a public hearing in the committee of

10 jurisdiction where the member requesting the ear-

11 mark has testified on its behalf; or

1 (3) a congressional earmark which has not been
2 posted on the Member sponsor's website at least 72
3 hours before consideration of the legislation.

4 (b) TRADING EARMARKS.—A Senator may not trade
5 a congressional earmark for any political favor, including
6 a campaign contribution.

7 (c) SUPERMAJORITY WAIVER AND APPEALS.—

8 (1) WAIVER.—Subsection (a) may be waived or
9 suspended in the Senate only by the affirmative vote
10 of three-fifths of the Members, duly chosen and
11 sworn.

12 (2) APPEALS.—Appeals in the Senate from the
13 decisions of the Chair relating to any provision of
14 subsection (a) shall be limited to 1 hour, to be
15 equally divided between, and controlled by, the ap-
16 pellant and the manager of the bill or joint resolu-
17 tion. An affirmative vote of three-fifths of the Mem-
18 bers of the Senate, duly chosen and sworn, shall be
19 required to sustain an appeal of the ruling of the
20 Chair on a point of order raised under subsection
21 (a).

22 (d) DEFINITION.—In this section, the term “congres-
23 sional earmark” means a provision or report language in-
24 cluded primarily at the request of a Member, Delegate,
25 Resident Commissioner, or Senator providing, authorizing

1 or recommending a specific amount of discretionary budg-
2 et authority, credit authority, or other spending authority
3 for a contract, loan, loan guarantee, grant, loan authority,
4 or other expenditure with or to an entity, or targeted to
5 a specific State, locality or Congressional district, other
6 than through a statutory or administrative formula-driven
7 or competitive award process.