

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6967

To amend the Congressional Budget and Impoundment Control Act of 1974 to require that, for a fiscal year, the total amount of money dedicated for earmarks may not exceed the estimated budget surplus for that year.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2008

Mrs. McMORRIS RODGERS (for herself and Mr. McCOTTER) introduced the following bill; which was referred to the Committee on Rules, and in addition to the Committee on the Budget, 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 amend the Congressional Budget and Impoundment Control Act of 1974 to require that, for a fiscal year, the total amount of money dedicated for earmarks may not exceed the estimated budget surplus for that year.

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 “Debt Repayment In-  
5 stead of Pork Act of 2008”.

1 **SEC. 2. BUDGETARY ENFORCEMENT TO LIMIT MONEY**  
2 **DEDICATED FOR EARMARKS.**

3 (a) IN GENERAL.—Title III of the Congressional  
4 Budget Act of 1974 is amended by adding at the end the  
5 following new section:

6 “LIMITATION ON TOTAL ANNUAL OUTLAYS FOR  
7 EARMARKS

8 “SEC. 316. (a) LIMITATION.—It shall not be in order  
9 in the House of Representatives or the Senate to consider  
10 any bill, joint resolution, amendment, motion, or con-  
11 ference report providing new budget authority for ear-  
12 marks if—

13 “(1) the enactment of that bill or resolution as  
14 reported;

15 “(2) the adoption and enactment of that  
16 amendment; or

17 “(3) the enactment of that bill or resolution in  
18 the form recommended in that conference report;

19 would cause the level of total outlays for earmarks for any  
20 fiscal year to exceed the amount of the estimated budget  
21 surplus for that fiscal year. For any fiscal year in which  
22 there is no budget surplus, it shall not be in order to con-  
23 sider any such measure that carries an earmark.

24 “(b) ESTIMATES OF SURPLUSES.—By March 1 of  
25 each calendar year, the Director of the Congressional  
26 Budget Office shall prepare an estimate of the surplus or

1 deficit for the fiscal year beginning in that calendar year  
2 and submit that estimate to the Committees on the Budget  
3 et of the House of Representatives and the Senate.

4 “(c) DEFINITION.—As used in this section, the term  
5 ‘earmark’ has the meaning given the term ‘congressional  
6 earmark’ by clause 9(d) of rule XXI of the Rules of the  
7 House of Representatives.”.

8 (b) CONFORMING AMENDMENT.—The table of con-  
9 tents set forth in section 1(b) of the Congressional Budget  
10 and Impoundment Control Act of 1974 is amended by in-  
11 serting after the item relating to section 315 the following  
12 new item:

“Sec. 316. Limitation on total annual outlays for earmarks.”.

13 **SEC. 3. EFFECTIVE DATE.**

14 The amendments made by this Act shall apply to fis-  
15 cal years beginning after its date of enactment.

○