

111TH CONGRESS  
1ST SESSION

# H. R. 2512

To amend the Congressional Budget Act of 1974 to prohibit the consideration in the House of Representatives or the Senate of measures that appropriate funds for earmarks to private, for-profit entities.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 20, 2009

Mr. FLAKE (for himself, Mr. KIND, Mr. CAMPBELL, Mr. WALZ, Mr. HENSARLING, Mr. COOPER, Mr. KIRK, and Mr. SMITH of Washington) 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

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## A BILL

To amend the Congressional Budget Act of 1974 to prohibit the consideration in the House of Representatives or the Senate of measures that appropriate funds for earmarks to private, for-profit entities.

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. EARMARK POINT OF ORDER.**

4 Section 312 of the Congressional Budget Act of 1974  
5 is amended by adding at the end the following new sub-  
6 section:

1       “(g) EARMARK POINT OF ORDER.—(1) It shall not  
2 be in order in the House of Representatives or the Senate  
3 to consider any bill or joint resolution, or amendment  
4 thereto or conference report thereon, if that measure or  
5 any accompanying report or joint explanatory statement  
6 of managers contains any earmark for which the intended  
7 recipient is a private, for-profit entity.

8       “(2) As used in this subsection, the term ‘earmark’  
9 has the meaning given to the term ‘congressional earmark’  
10 in clause 9 of rule XXI of the Rules of the House of Rep-  
11 resentatives.”.

12 **SEC. 2. SUPER MAJORITY POINT OF ORDER IN THE SEN-**  
13 **ATE.**

14       Subsections (c)(1) and (d)(2) of section 904 of the  
15 Congressional Budget Act of 1974 are amended by insert-  
16 ing “312(g),” after “310(d)(2),”.

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