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(Original Signature of Member)

118TH CONGRESS  
2D SESSION

# H. R.

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To prohibit the consideration in the House of Representatives of any  
legislation containing an earmark.

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## IN THE HOUSE OF REPRESENTATIVES

Mr. NORMAN introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

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# A BILL

To prohibit the consideration in the House of Representatives  
of any legislation containing an earmark.

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 “Earmark Elimination  
5 Act of 2024”.

6 **SEC. 2. PROHIBITING CONSIDERATION OF LEGISLATION**

7 **CONTAINING EARMARKS.**

8 (a) PROHIBITION.—

1           (1) IN GENERAL.—It shall not be in order in  
2           the House of Representatives to consider any bill,  
3           joint resolution, amendment, or conference report if  
4           the bill, joint resolution, amendment, or conference  
5           report, or any accompanying report or joint explana-  
6           tory statement of managers, includes a congressional  
7           earmark, limited tax benefit, or limited tariff benefit.

8           (2) PROCEDURE.—If a point of order is raised  
9           under paragraph (1) with respect to a congressional  
10          earmark, limited tax benefit, or limited tariff benefit  
11          and the point of order is sustained, the congressional  
12          earmark, limited tax benefit, or limited tariff benefit  
13          shall be deemed to be stricken from the measure in-  
14          volved.

15          (3) SPECIAL PROCEDURE FOR CONFERENCE  
16          REPORT AND AMENDMENTS BETWEEN THE  
17          HOUSES.—

18                (A) IN GENERAL.—If a point of order is  
19                raised and sustained under paragraph (1) with  
20                respect to a conference report or a motion that  
21                the House recede from its disagreement to a  
22                Senate amendment and concur therein, with or  
23                without amendment, then after disposition of all  
24                such points of order the conference report or  
25                motion, as the case may be, shall be considered

1 as rejected and the matter remaining in dis-  
2 agreement shall be disposed of under subpara-  
3 graph (B) or (C), as the case may be.

4 (B) CONFERENCE REPORTS.—After the  
5 House has sustained one or more points of  
6 order under paragraph (1) with respect to a  
7 conference report—

8 (i) if the conference report accom-  
9 panied a House measure amended by the  
10 Senate, the pending question shall be  
11 whether the House shall recede and concur  
12 in the Senate amendment with an amend-  
13 ment consisting of so much of the con-  
14 ference report as was not rejected; and

15 (ii) if the conference report accom-  
16 panied a Senate measure amended by the  
17 House, the pending question shall be  
18 whether the House shall insist further on  
19 the House amendment.

20 (C) MOTIONS.—After the House has sus-  
21 tained one or more points of order under para-  
22 graph (1) with respect to a motion that the  
23 House recede and concur in a Senate amend-  
24 ment, with or without amendment, the following

1 motions shall be privileged and shall have prece-  
2 dence in the order stated:

3 (i) A motion that the House recede  
4 and concur in the Senate amendment with  
5 an amendment in writing then available on  
6 the floor.

7 (ii) A motion that the House insist on  
8 its disagreement to the Senate amendment  
9 and request a further conference with the  
10 Senate.

11 (iii) A motion that the House insist  
12 on its disagreement to the Senate amend-  
13 ment.

14 (b) DETERMINATION BY HOUSE.—If a point of order  
15 is raised under this section and the Chair is unable to as-  
16 certain whether a provision constitutes a congressional  
17 earmark, limited tax benefit, or limited tariff benefit, the  
18 Chair shall put the question to the House and the question  
19 shall be decided without debate or intervening motion.

20 (c) CONFORMING AMENDMENT.—Rule XXI of the  
21 Rules of the House of Representatives is amended by  
22 striking clause 9.

23 **SEC. 3. DEFINITIONS.**

24 In this Act—

1           (1) the term “congressional earmark” means a  
2           provision or report language included primarily at  
3           the request of a Member, Delegate, Resident Com-  
4           missioner, or Senator providing, authorizing or rec-  
5           ommending a specific amount of discretionary budg-  
6           et authority, credit authority, or other spending au-  
7           thority for a contract, loan, loan guarantee, grant,  
8           loan authority, or other expenditure with or to an  
9           entity, or targeted to a specific State, locality or con-  
10          gressional district, other than through a statutory or  
11          administrative formula-driven or competitive award  
12          process;

13           (2) the term “limited tax benefit” means—  
14           (A) any revenue-losing provision that—  
15           (i) provides a Federal tax deduction,  
16           credit, exclusion, or preference to 10 or  
17           fewer beneficiaries under the Internal Rev-  
18           enue Code of 1986; and  
19           (ii) contains eligibility criteria that are  
20           not uniform in application with respect to  
21           potential beneficiaries of such provision; or  
22           (B) any Federal tax provision which pro-  
23           vides one beneficiary temporary or permanent  
24           transition relief from a change to the Internal  
25           Revenue Code of 1986; and

1           (3) the term “limited tariff benefit” means a  
2           provision modifying the Harmonized Tariff Schedule  
3           of the United States in a manner that benefits 10  
4           or fewer entities.