

SRES 123

A resolution reforming the congressional earmark process.

**Congress:** 110 (2007–2009, Ended)

**Chamber:** Senate

**Policy Area:** Congress

**Introduced:** Mar 26, 2007

**Current Status:** Referred to the Committee on Rules and Administration. (text of measure as introduced: CR S3758-3759

**Latest Action:** Referred to the Committee on Rules and Administration. (text of measure as introduced: CR S3758-3759)  
(Mar 26, 2007)

**Official Text:** <https://www.congress.gov/bill/110th-congress/senate-resolution/123>

Sponsor

**Name:** Sen. DeMint, Jim [R-SC]

**Party:** Republican • **State:** SC • **Chamber:** Senate

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Ensign, John [R-NV]	R · NV		Apr 17, 2007
Sen. Enzi, Michael B. [R-WY]	R · WY		Apr 17, 2007
Sen. Martinez, Mel [R-FL]	R · FL		Apr 17, 2007
Sen. McCain, John [R-AZ]	R · AZ		Apr 17, 2007
Sen. McCaskill, Claire [D-MO]	D · MO		Apr 17, 2007

Committee Activity

Committee	Chamber	Activity	Date
Rules and Administration Committee	Senate	Referred To	Mar 26, 2007

Subjects & Policy Tags

**Policy Area:**

Congress

Related Bills

No related bills are listed.

Adds Rule XLIV (Earmarks) to the Standing Rules of the Senate to make it out of order to consider any Senate bill or joint resolution reported, or not reported, by a committee unless a list of all its congressional earmarks, limited tax or tariff benefits, and the name of the requesting Member is made available to the general public on the Internet for at least 48 hours before its consideration.

Requires, if appropriate, a statement for the Internet, or if the legislation was not reported by a committee, publication in the Congressional Record, that the legislation contains no congressional earmarks or limited tax or tariff benefits.

Makes it out of order to consider a conference report on such legislation if the joint explanatory statement does not include such list or disclaimer.

Defines "limited tax benefit" as any revenue provision that: (1) provides a federal tax deduction, credit, exclusion, or preference to a particular beneficiary or limited group of beneficiaries under the Internal Revenue Code, and contains eligibility criteria that are not uniform in application with respect to potential beneficiaries; or (2) any federal tax provision which provides one beneficiary temporary or permanent transition relief from a change to the Code.

Defines "limited tariff benefit" as a provision modifying the Harmonized Tariff Schedule of the United States in a manner that benefits 10 or fewer entities.

Prohibits a Member from conditioning the inclusion of language to provide funding for a congressional earmark or a limited tax or tariff benefit in any measure (or accompanying report) or in any conference report (including joint explanatory statement) on any vote cast by another Member, Delegate, or Resident Commissioner.

Requires a Member who requests such earmarks or benefits to provide a specified written statement to the chairman and ranking member of the committee of jurisdiction.

Requires the chairman of the committee or subcommittee, as appropriate, to publish such statements in a searchable format on its website within 48 hours after their receipt.

Makes it out of order to consider any bill, resolution, or conference report that contains an earmark included in any classified portion of a report accompanying the measure unless certain conditions are met.

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## **Actions Timeline**

- **Mar 26, 2007:** Introduced in Senate
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