

“Earmarks Have Turned the Congress into an ATM Machine” The Appropriations chairman wants members to Obey.

National Review
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June 05, 2007

House Appropriations Committee Chairman David Obey (D, Wis.) indicated Monday in an interview with *National Review Online* that he might not include any earmarks in the Fiscal Year 2008 appropriations bills if members get too “greedy” with their requests. The move would effectively extend a moratorium he and his Senate counterpart, Sen. Robert Byrd (D, W.V.), put into place when the Democrats took power in January.

Obey made these remarks in the course of defending his decision not to put any earmarks into the appropriations bills until they go to conference committees with the Senate, most likely some time in September. Critics of this plan, such as anti-pork Rep. Jeff Flake (R, Ariz.), argue that it wouldn’t give members enough time to review earmarks (provisions lawmakers can attach to bills directing agencies to fund specific projects) and offer amendments to strike out especially egregious ones.

But Obey says, “With all due respect, it’s a helluva lot more important that the committee that has jurisdiction” — in this case, Appropriations — “has the time to look at those requests.” Obey says he and his staff need the extra time to evaluate the 36,000-plus earmark requests members have submitted to the Appropriations Committee this year. “I think we have a helluva lot more ability [to root out bad earmarks],” he says, “than the individual working alone.”

Obey says he’s also getting tired of the Bush administration’s criticism of his plan to cut earmarks in half. Office of Management and Budget officials have argued that Obey’s plan doesn’t go far enough, because it defines earmarks in a way that they feel is too narrow.

Obey says, “According to the White House, an earmark is anything Congress changes about their budget. Well that’s bull gravy.” His point is that the administration directs spending to its own priorities in ways similar to those by which lawmakers fund projects through earmarks.

Then Obey alluded to the possibility of not having any earmarks in the 2008 spending bills. “When and if we have earmarks — and I am still skeptical that we will have earmarks in the end, and I am skeptical because people get greedy and they screw up the whole process — but if we have earmarks I hope we can show exactly what kind of spending the executive branch wants alongside what kind of spending the legislature asked for.”

When asked to clarify whether this meant he was considering extending the moratorium on earmarks, Obey said, "I have no idea if there are going to be earmarks in the bills or not. We have made a good faith effort to reinstitute the process, but with two understandings. First, people have to have certificates stating that they have no financial interest in the earmarks they sponsor. And second, that we are going to try to cut earmarks in half, because it is just physically impossible... our staff does not have the time to go through this many earmarks."

Flake says he doubts Obey is seriously considering having an earmark-free 2008. "I sure want to believe it," Flake says, "but I'll be very surprised if that's the case."

Flake says he thinks Obey might just be buying time for his heavily criticized plan to postpone putting in earmarks until conference: "He may dangle [the idea of a moratorium] out there in hopes that people won't pay attention while bills are going through the House and then just dump the earmarks in the bills in conference as he has already said he wants to do. If so, that is a far worse process than the process we had."

Flake disagrees with Obey's position that the Appropriations Committee is best-positioned to evaluate this year's flood of requests. "That just doesn't pass the laugh test. The appropriations committee scrubbing earmarks? The only way to scrub them is to let the public know what's there," Flake says, arguing that the media, bloggers and other concerned groups would bring a kind of scrutiny to bear on the new earmark disclosure forms that the appropriators couldn't or wouldn't. "Keeping them secret until no amendments could even be offered to strip them out is no way to scrub earmarks."

Obey argues that the Democrats did not pass new disclosure requirements to make it easier for Flake and other budget hawks to cut spending. "The process is not supposed to be designed to serve the interests of a handful of members," he says. "It's designed to serve the interests of the institution."

Obey argued that the Republicans are the ones who let earmarking get out of control. According to Citizens Against Government Waste, the number of earmarked projects tripled from 2000 to 2005, before declining slightly in 2006. The amount of money spent on these projects in that period grew from \$18 to \$29 billion, accompanied by historic, across-the-board increases in federal spending. One of the worst scandals to hit the GOP in the last decade, the Randy "Duke" Cunningham affair, involved trading millions of dollars in earmarks for campaign cash and gifts. Earmarks have come to symbolize a congressional culture of incontinent spending and rank favor-trading.

Obey says he agrees. "If I had my way there wouldn't be any damn earmarks. They are a huge nuisance," he says. "I detest the fact that earmarks have turned the Congress into an ATM machine for members' districts."

"Having said that," Obey continues, "I recognize that the Congress has every bit as much ability to make wise decisions as OMB does about spending money on projects that truly

deserve the funding.” Obey says his staff will be putting out a series of reports over the next few weeks on what he calls “executive earmarks.” His point is that the executive branch can be just as guilty as Congress of directing spending based on political calculations.

OMB spokeswoman Christin Baker disagrees, arguing that it all comes down to the power of the purse. “Emblazoned across the top of the House Appropriations Committee website banner, you’ll see this citation: ‘No money shall be drawn from the Treasury, but in consequence of Appropriations made by law,’” Baker writes in e-mail. The quote comes from Article I of the U.S. Constitution.

“That citation isn’t displayed there by accident,” Baker writes. “The actions by Congress determine how federal dollars are spent, and the legislative branch naturally guards this Constitutionally-granted power.”

“Congress asks the Administration to provide detailed documentation showing and justifying how it plans to allocate proposed funding,” she writes. “Showing how funding will be allocated through a competitive or merit-based process is not an earmark.”