



Topic A

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Topic A - Are Earmarks Defensible?

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The Post asked members of Congress and others whether federal budget earmarks are defensible. Below are contributions from The Post's Robert G.

Kaiser, Sen. John McCain, American Enterprise Institute's Norman J. Ornstein, Rep. Ron Paul, the Concord Coalition's Charles S. Konigsberg, Rep. Jeff Flake and former deputy transportation secretary Mortimer L. Downey.

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ROBERT G. KAISER

Associate editor of The Post; author of "So Damn Much Money: The Triumph of Lobbying and the Corrosion of American Government."

Any appropriation by Congress to make a specific purchase or expenditure could be called an earmark, but that's too broad. What has become controversial are line-item appropriations for purposes identified by lawmakers, be they bridges to nowhere, Pentagon contracts for favored companies, or money for hometown museums and colleges.

Advertisement One of the first modern earmarks was won by Tufts University in 1977: \$27 million for a human nutrition research center. This was the idea of Jean Mayer, then president of Tufts. It was packaged as a legislative initiative by the Washington lobbying firm Schlossberg-Cassidy (now Cassidy & Associates). It sailed through Congress with the support of the Democratic House member who represented Tufts, a fellow named Thomas P. (Tip) O'Neill, then majority leader of the House, soon afterward speaker. The center still conducts ongoing research projects on nutrition and aging.

What's so bad about that? Earmarks often appear to be useful contributions to society. But Tufts got \$27 million without its project ever being judged independently by experts. No other university was invited to make a counterproposal or to compete for funding for a nutrition research center. The fix was in, thanks to O'Neill and other Massachusetts legislators who supported the earmark.

That has been the hallmark of earmarks. No experts consider their merits; no competition is held for the money appropriated. Usually, no hearing is held to evaluate the project. This is what lawmakers want, of course -- for them, the project is a fat side of bacon, brought home to demonstrate their effectiveness in Washington.

JOHN MCCAIN

Republican senator from Arizona; 2008 presidential nominee

The signing into law of the flawed omnibus appropriations bill was an expensive missed opportunity, and it represents status quo Washington at its worst. We are in the midst of an unprecedented economic crisis; Americans are losing their jobs, their savings and their homes. We simply must rein in wasteful pork-barrel spending.

Yet while President Obama promised change, it has not been delivered. There were nearly 9,000 earmarks in the \$410 billion appropriations bill. Congress funded projects such as \$1.7 million for pig odor research in Iowa and \$2 million for the promotion of astronomy in Hawaii. Americans should be upset to learn that \$9.4 million is going to clients of the PMA Group, a lobbying firm recently raided by the FBI for suspicious campaign donations and forced to shut down.

Congress had the opportunity -- and the obligation -- to strip these questionable earmarks, but those of us who tried found our efforts defeated, 52 to 43.

The simple answer to preventing corruption is to authorize these projects before appropriating taxpayers' dollars. We owe it to the American people to conduct ourselves in a way that reinforces, rather than diminishes, the public's confidence in those they elect. Instead of signing an earmark-laden bill, the president should have used his greatest power, the veto pen, to demand and institute real reform.

NORMAN J. ORNSTEIN

Resident scholar at the American Enterprise Institute

Earmark is a dirty word, thanks to the famous examples of waste gone wild and the poster children for corruption in the appropriations process (former congressman Randy "Duke" Cunningham, in prison for accepting millions to steer contracts and grants to defense contractors and others; former House speaker Dennis Hastert; current House power broker John Murtha, to name just a few).

But *someone* is going to decide whether to allocate money for projects, contracts or programs. Simply put, who is better capable of making good decisions: bureaucrats with no connection to local areas, preferences or needs, or people whose livelihoods depend on keeping close ties to those areas and the people in them, who will be directly affected by the decisions?

There is a strong case for Congress making such decisions -- with a few qualifications. Congress should limit the amount of the budget subject to earmarks; build in adequate safeguards to prevent waste, fraud, abuse and cronyism; create enough transparency for voters, interest groups and executive-branch agencies to vet every earmark request. It would be preferable if, after the many earmarks are put together and voted on as an up-or-down package, the president could turn the spotlight on any remaining clunkers that escaped the vetting and force Congress to justify them via individual, separate votes. The reform package President Obama put forward takes us much closer to that point, but not all the way there.

The process would also be improved by each member of Congress forming a commission of local officials and representatives of business, labor, academia and others to come up with a detailed, public list of local needs in priority order. This would force lawmakers to justify any earmarks they propose that are low or not on the list.

RON PAUL

Republican representative from Texas; candidate for president in 2008

To fight earmarks is to fight for an even more powerful executive branch. It is popular these days to condemn earmarks in the name of fiscal conservatism. The truth is that they account for less than 2 percent of the spending bill just passed. And even if all earmarks were removed from the budget overall, no money would be saved. That money would instead go to the executive branch to spend as it sees fit. Congress has the power of the purse. It is the constitutional responsibility of members to earmark, or designate, where funds should go, rather than to simply deliver a lump sum to the president.

Earmarks actually provide a level of transparency and accountability to federal spending. Consider the \$350 billion that was recently given to the Treasury Department for the Troubled Assets Relief Program. The Treasury has not been forthcoming about where much of that ended up. If every bit of it had been earmarked, at least we would know something about how it was spent.

Instead of fighting earmarks, we should empower Congress to audit the Federal Reserve, which creates and spends trillions of dollars without any real transparency or accountability.

CHARLES S. KONIGSBERG

Chief budget counsel at the Concord Coalition and editor of the Washington Budget

New congressional rules will further increase transparency on the earmarking process, helping to stop some wasteful spending. But it's vital that we not let earmarks distract our attention from the country's far larger fiscal challenges. Earmarks constitute less than 1 percent of the federal budget, and dumb earmarks a small fraction of that.

We should instead focus on the long-term sustainability of federal expenditures on Medicare, Medicaid and Social Security. Because of rapid increases in health-care costs and the retirement of the baby boom generation, those three programs are growing at an unsustainable pace. By 2030, at the current rate of growth, Medicare, Medicaid, Social Security and interest on the debt will consume all federal revenue.

The amount of attention being paid to earmarks is penny-wise and pound-foolish. And in most cases, it's not even about how much money is being spent; it's about who makes the decisions -- bureaucrats or Congress.

JEFF FLAKE

Republican congressman from Arizona

Members of Congress defending the contemporary practice of earmarking usually posit two arguments. First, they try to assign to earmarks some noble, constitutional pedigree. They stand in the House or Senate chamber and indignantly intone that the Constitution authorizes, yea, demands, that legislators exercise the ability to award no-bid contracts. The ultimate straw man, the "faceless bureaucrat," too clueless to see how constructing an indoor rain forest in Iowa is a national priority, is usually conjured up to complete the imagery. It's a rather sad spectacle, really.

When functioning properly, Congress discharges its Article One responsibilities by authorizing programs and projects, appropriating money to fund these priorities, and conducting oversight to ensure that the money is spent in the manner that was prescribed. Earmarking by individual members is a way to circumvent this process, not fulfill it.

The other argument that defenders of earmarks generally retreat to is "earmarks represent just a fraction of the federal budget." In truth, earmarks leverage higher spending everywhere else. Would last week's omnibus spending bill, which increased overall discretionary spending by some 8 percent, have passed without the 8,600 earmarks it contained? Probably not. The same is true for many budget-busting appropriation bills.

And I haven't even addressed the inherently corrupting nature of a process where lawmakers can secure no-bid contracts for their campaign contributors. But with the Justice Department investigating PMA Group, I suspect that this issue will come to the fore soon enough.

MORTIMER L. DOWNEY

Senior adviser at Parsons Brinckerhoff; deputy secretary of transportation from 1993 to 2001

Earmarks have grown to a full-time industry, but few really benefit. Occasionally in my area of expertise, transportation, a well-placed congressman or senator can provide the full funding for a needed improvement, but that is rare. More often, the earmark budget provides nothing more than a down payment on a project's true cost, leaving state and local officials to put up the bulk of the funds, whether or not it was a priority in the local plan. A few states and regions are smart enough to define their top priorities for their delegations, but I suspect that those projects would have moved ahead without earmarks.

The overall impact is negative -- the public gets the view that all investment is pork. But individual participants in the process see only personal benefits as earmarkers, lobbyists or congressional leaders -- and no need for reform. Meanwhile, we all fall behind in the important task of dedicating funds to the real needs of rebuilding and expanding key elements of our infrastructure.

Enforceable congressional rules once prohibited the inclusion of specific projects in a

general bill. Congressional leaders should put such a rule back on the books.

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