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As Power Shifts in New Congress, Pork May Linger

By **DAVID D. KIRKPATRICK**

WASHINGTON, Nov. 24 — Senators Ted Stevens of Alaska and Daniel K. Inouye of Hawaii are the best of friends in the Senate, so close they call each other brother. Both are decorated veterans of World War II. They have worked together for nearly four decades as senators from the two youngest and farthest-flung states. And they share an almost unrivaled appetite for what some call political pork.

Mr. Stevens, an 83-year-old Republican, and Mr. Inouye, an 82-year-old Democrat, routinely deliver to their states more money per capita in earmarks — the pet projects lawmakers insert into major spending bills — than any other state gets. This year, Alaska received \$1.05 billion in earmarks, or \$1,677.27 per resident, while Hawaii got \$903.9 million, or \$746.05 per resident, according to Taxpayers for Common Sense, a nonpartisan group that tracks such figures.

Representative Nancy Pelosi, the Democratic leader, and many Democratic candidates have railed for months against wasteful “special interest earmarks” inserted into bills “in the dark of night.” Now their party’s electoral victories mean that Mr. Stevens will hand Mr. Inouye the gavel of the Senate defense appropriations subcommittee, which presides over the largest pool of discretionary spending and earmarks. But if the Democratic leaders are talking about “earmark reform,” that may be news to Mr. Inouye.

“I don’t see any monumental changes,” Mr. Inouye said in a recent interview. He plans to continue his subcommittee’s approach to earmarks, he said. “If something is wrong we should clean house,” he said, “but if they can explain it and justify it, I will look at it.”

Meet the new cardinals, as the chairmen of the House and Senate appropriations subcommittees are known on Capitol Hill. Many have a lot in common with the Republicans they will succeed.

All have worked for years to climb to their posts, where the authority to grant earmarks puts them among the most powerful lawmakers in Congress. Like Mr. Inouye and Mr. Stevens,

many have developed unusual bipartisan camaraderie while divvying up projects. By longstanding, informal agreement, the majority typically doles out about 60 percent of the money for earmarks and lets the minority pass out the rest. And they form a united front against limitations on the earmark process.

"What is good for the goose is good for the gander," Senator Patty Murray, the Washington Democrat who is set to become chairwoman of the transportation subcommittee, said last fall in a speech defending an Alaska Republican's allocation of more than \$200 million in federal money for a bridge to remote Gravina, Alaska, with a population of 50. It became notorious as the "Bridge to Nowhere."

"I tell my colleagues, if we start cutting funding for individual projects, your project may be next," Ms. Murray warned. To anyone who might vote against the bridge, Ms. Murray threatened that her subcommittee would be "taking a long, serious look at their projects." Every Democrat on the Appropriations Committee voted against an amendment to strike the bridge, and after threats from Ms. Murray and Mr. Stevens, only 15 senators voted for the amendment. The bridge's future is unclear.

Earmarks became associated with corruption in Congress because of their role in bribery scandals involving the lobbyist Jack Abramoff and former Representative Randy Cunningham of California. But the number and cost of such projects has soared for years. The Congressional Research Service found that over the last 12 years, the number of earmarks had tripled to 16,000, worth \$64 billion a year. Critics argue that the system fosters waste and cronyism by allowing individual lawmakers to direct federal money to pet projects with little vetting or oversight, often anonymously.

Democratic Congressional leaders have pledged to end the anonymity by requiring disclosure of the lawmakers who sponsor earmarks, and some have proposed ending the practice of "airdropping" items into a bill just before final passage. But the appropriators and their allies often complain that such measures single them out unfairly, and Democratic draft proposals introduced this year left loopholes for many projects.

Some critics argue that the Democrats' proposal to disclose authorship may not do much to curb earmarks. "Transparency would be enough if we had any shame, if you were embarrassed to get an earmark for the National Wild Turkey Federation," said Representative Jeff Flake, Republican of Arizona, referring to a \$234,000 earmark in a recent agricultural bill. "But Republicans and Democrats have shown that is no longer any embarrassment." Mr. Flake recently recommended to Ms. Pelosi a rule change that would make it easier to strip members'

projects out of spending bills, but no one expects either party to take that up anytime soon.

Like their Republican counterparts, many Democratic appropriators consider earmarks a venerable tradition dating to the Constitution, which gives Congress the power of the purse. They argue that lawmakers know their constituents' needs better than bureaucrats do.

"I happen to be a supporter of earmarks, unabashedly," said Senator Tom Harkin of Iowa, the Democrat set to become chairman of the appropriations subcommittee for labor, health and human services. "But I don't call them earmarks. It is 'Congressional directed funding.'"

Fourteen years ago, Mr. Harkin recalled, he started the practice of directing millions of dollars in defense spending each year toward breast cancer research. "Now, was that bad?" Mr. Harkin asked. "If you left it to the Defense Department, they never would have done it."

Many of the new Democratic chairmen are among the most experienced purveyors of political bacon. The next chairman of the full Senate Appropriations Committee is Senator Robert C. Byrd, 89, the West Virginia Democrat who may be the foremost master of the art. Dozens of West Virginia bridges, roads and public buildings bear his name. Among his recent appropriations feats was putting the Coast Guard's Operations System Center, its National Vessel Movement Center and, next summer, its National Maritime Center in his landlocked state, according to Taxpayers for Common Sense.

The elevation of Mr. Inouye, who will oversee \$400 billion a year in military spending, is good news for the Hawaiian health care system. He has directed billions in military money to such services, including a \$22-million earmark for the Hawaiian Federal Health Care Network in the fiscal 2006 defense bill. And his rise may spell bad news for the brown tree snake, a nonnative predator that stalks birds. Mr. Inouye has directed several million dollars a year in spending bills to eradicate the snake from the islands, including \$1.7 million in military spending in 2006.

Representative David R. Obey, the Wisconsin Democrat set to become chairman of the full House Appropriations Committee as well as the subcommittee for labor, health and human services, boasts on his Web site of securing for his district a \$300,000 grant to a single dairy in Arpin, \$6 million in military money to develop an airless tire in Medford and \$8 million to research plastic food containers for the military in Rhineland.

Like many members of Congress, Mr. Obey and his Republican predecessor heading the full committee, Representative Jerry Lewis of California, have relatives in government relations. Mr. Lewis's brother John works for Loma Linda University, a Seventh-day Adventist school in

Representative Lewis's district that tops lists of education earmarks, thanks to his influence. A spokesman for Mr. Lewis said his brother did not lobby the federal government.

Mr. Obey's son Craig earns about \$117,000 a year as vice president for government affairs at the nonprofit National Parks Conservation Association, according to its tax filings. In an interview, Mr. Obey said he had been a "zealot" about expanding the national parks since before his son was born and that, unlike some Congressional relatives, his son worked for "a public interest organization."

For his part, Mr. Obey said he had previously proposed a rule requiring lawmakers to certify that they had no financial interest in their earmarks requests. "My problem with earmarks is that it has gotten incredibly out of hand" under the Republicans, he said. With such an explosion, "it is damn near impossible to track them and protect the body."

Representative John P. Murtha, Democrat of Pennsylvania, who is set to take back the gavel of the defense subcommittee, has used his authority over military spending to turn the impoverished former steel town of Johnstown, Pa., into a national hub of military contracting. Mr. Murtha recently said in a news release that he had played a role in "creating at least 7,000 defense jobs in and around the 12th District."

Although Mr. Murtha recently lost a bid to become the second in command for House Democrats, the Democratic takeover will still increase his considerable clout. In addition to delivering projects to his district, he has granted military earmarks to other lawmakers to build a singular power base within the House, and, with the Democratic takeover, three of his close allies will become cardinals as well.

One is Representative Alan B. Mollohan of West Virginia, who resigned as the top Democrat on the ethics committee amid questions about his earmarks to nonprofits he founded and to a real-estate partner. Mr. Mollohan is expected to become chairman of the Science, State, Justice and Commerce Committee. So far, Democratic leaders have given no indication that they might block his ascent at the subcommittee. Another is Representative Peter J. Visclosky of Indiana, who is poised to become chairman of the Energy and Water Committee. The third, Representative Norm Dicks of Washington, a member of the defense panel, is set to be chairman of the Interior and Environment subcommittee.

Several Democratic appropriators, though, sought to tamp down expectations about how much they could spend. Senator Byron L. Dorgan, the North Dakota Democrat who is expected to become chairman of the energy and water subcommittee, said Democrats were limited by the

deficit, the cost of the war in Iraq and their party's pledges of fiscal restraint. "This is going to be a very rough time," Mr. Dorgan said.

Still, he said, he hoped to expand spending on renewable energy sources and, as the senator from a semi-arid state, on water projects.

Ms. Murray, the Washington Democrat, said her party would take a less political approach to earmarks than the Republicans did. She said Republicans had bribed lawmakers with earmarks to persuade them to vote for barebones domestic spending bills. "They stuffed them with earmarks to buy votes," she said. "We are not going to do that."

Still, in an interview with The Honolulu Advertiser the day after the election, Mr. Inouye said he and Mr. Stevens did not plan to rock the boat. "I had a chat with Senator Stevens before the election," Mr. Inouye said. "We pledged to each other that no matter what happens, we will continue with our tested system of bipartisanship, and we've been doing this for the past 25 years, and it's worked."

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