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CONGRESSWOMAN SHEILA JACKSON LEE

STATEMENT IN OPPOSITION TO

H.R. 4890

“LEGISLATIVE LINE-ITEM VETO Act”

JUNE 22, 2006

I thank the gentleman for yielding. Mr. Chairman, I rise in opposition to this legislation, H.R. 4890, the “Legislative Line-Item Veto Act of 2006.”

Mr. Chairman, I oppose this bill because the legislative line-item veto it seeks to create is merely a gimmick to divert attention from the majority’s pitiful record when it comes to fiscal management. In addition, and even more important, this so-called line item veto represents a dangerous, and in

my view unconstitutional, transfer of power from the legislative branch to the Chief Executive.

Mr. Chairman, while H.R. 4890 seeks to address an important problem — the massive deficits run up by the majority and the majority’s squandering of the \$5 trillion projected surplus bequeathed it and the Administration by the Clinton Administration — their “solution” to the problem resorts to legislative gimmicks instead of tackling the problem directly.

Since one-party control of the government began in 2001, federal spending has ballooned 42%, an increase of over \$830 billion a year, reflecting the budgets that President Bush has submitted to Congress. During that time, the president has not vetoed a single piece of legislation. In fact, President Bush has used the veto less than any president in the past 175 years.

Yet while the proposed line-item authority would give a big new stick to the executive branch, it would do little to bring fiscal sanity back to the appropriations process. Indeed, it might actually have the opposite effect of encouraging these special-interest handouts. Conservative columnist George Will observes that the president may simply use the authority as a form of

legislative horse-trading, suggesting that the administration could “buy legislators’ support on other large matters in exchange for not vetoing the legislators’ favorite small items.”

Both the Congressional Budget Office and the Congressional Research Service have reached similar conclusions. Indeed, it seems the president’s version of the line-item veto is more about transferring power to the executive branch than actually reigning in federal spending.

That power transfer has already once been **found unconstitutional by the Supreme Court**. The majority decided that "the president's role in the legislative process can be altered only through the cumbersome process of amending the Constitution," and there is no reason to believe that this attempt will be met any more favorably. In fact, the House bill actually gives the executive branch more power than the previous act, allowing the president up to 45 days to exercise the authority (instead of the previous act’s five) and 90 days to withhold funds even after Congress has overridden his veto.

If Congress really wants to get a handle on spending, it should **reform the earmarking process**, instead of resorting to legislative gimmicks. The

president could also do the unthinkable — bring out the old-fashioned veto stamp for the first time in five years.

Thank you Mr. Chairman, and I yield back the balance of my time.