

Congressman Ron Paul

U.S. House of Representatives

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Madame Speaker, abuses of the earmark process by members of both parties demonstrate the need for reform. However earmarks are hardly the most serious problem facing this country. In fact, many, if not most of the problems with earmarks can be fixed by taking simple steps to bring greater transparency to the appropriations process. While I support reforms designed to shine greater sunlight on the process by which members seek earmarks, I fear that some of my colleagues have forgotten that the abuses of the earmarking process are a symptom of the problems with Washington, not the cause. The root of the problem is an out-of-control federal budget. I am also concerned that some reforms proposed by critics of earmarking undermine the separation of powers by eroding the constitutional role Congress plays in determining how federal funds are spent.

Contrary to popular belief, adding earmarks to a bill does not increase federal spending by even one penny. Spending levels for the appropriation bills are set before Congress adds a single earmark to a bill. The question of whether or not the way the money is spent is determined by earmarks or by another means does not effect the total amount of spending.

Since reforming, limiting, or even eliminating earmarks does nothing to reduce federal spending, I have regarded the battle over earmarks as a distraction from the real issue-- the need to reduce the size of government. Recently, opponents of earmarks have embraced an approach to earmark reform that undermines the constitutional separation of powers by encouraging the president to issue an executive order authorizing federal agencies to disregard congressional earmarks placed in committee reports.

Since the president's executive order would not reduce federal spending, the practical result of such an executive order would be to transfer power over the determination of how federal funds are spent from Congress to unelected federal bureaucrats. Since most earmarks are generated by requests from our constituents, including local elected officials, such as mayors, this executive order has the practical effect of limiting taxpayers' ability to influence the ways the federal government spends tax dollars.

Madame Speaker, the drafters of the Constitution gave Congress the powers of the purse because the drafters feared that allowing the branch of government charged with executing the laws to also write the federal budget would concentrate too much power in one branch of government. The founders correctly viewed the separation of law-making and law-enforcement powers as a vital safeguard of liberty. Whenever the president blatantly disregards orders from Congress as to how federal funds should be spent, he is undermining the constitutional separation of powers.

Congress has already all but ceded its authority to declare war to the executive branch. Now we are giving away our power of the purse. Madame Speaker, the logical conclusion of the arguments that it is somehow illegitimate for members of Congress to control the distribution of federal funds in their district is that Congress should only meet one week a year to appropriate a lump sum to be given to the president for him to allocate to the federal government as he sees fit.

Madame Speaker, all members should support efforts to bring greater transparency to the earmarking process. However, we must not allow earmarking reform to distract us from what should be our main priority--restricting federal spending by returning the government to its constitutional limitations. I also urge my colleagues not to allow the current hysteria over earmarks to justify further erosion of our constitutional authority to control the federal budget.