



COMMITTEE ON APPROPRIATIONS

DAVID R. OBEY, CHAIRMAN

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OBEY STATEMENT ON LEGISLATIVE BRANCH APPROPRIATIONS AND CONTINUING RESOLUTION CONFERENCE REPORT

"Our principal obligation on this bill is simply to keep the government open"

WASHINGTON – Dave Obey (D-WI), Chairman of the House Appropriations Committee, made the following statement on the Legislative Branch Appropriations and Continuing Resolution Conference Report on the House Floor today:

"Mr Speaker,

"Our principal obligation on this bill is simply to keep the government open. We've got enough problems in the economy right now without adding to people's uncertainty.

"We had concluded that the least disruptive way to do that – and the way with the least delay – was to attach the Continuing Resolution to the one bill that was ready to be conferenced – the legislative branch appropriations bill.

"This is a relatively straight forward and unadorned CR. As far as funding levels are concerned, we are simply allowing agencies to continue fiscal 2009 levels, with three exceptions:

"First, we are following the House's lead, when it voted 388 to 32, to allow the Postal Service to cover a budget shortfall by postponing a payment intended to prefund its retiree health benefits.

"Second, we are funding the Census at a somewhat higher rate to allow it to ramp-up activities so the 2010 Census can proceed. The Calendar is not going to change to suit Congressional convenience.

"Third, we are providing additional funding for the Veterans Health Administration. The VA expects to treat over six million patients in 2010, including almost 420,000 veterans of Iraq and Afghanistan.

"The CR also extends a number of authorizations that would otherwise expire, transportation programs, child nutrition, stop-loss payments to our troops, and E-verify, and various other programs.

"So, as I said, this is a relatively routine CR which keeps the government open for the next 30 days. Outside of those items we make no policy judgments. We change no existing policy; except that, in accordance with the House vote last week, we also say no more funds for this 30 day period for ACORN.

"There's been some objection by the minority to this process. They claim it is procedurally outrageous because we are attaching the Continuing Resolution to a specific appropriation subcommittee bill. This is certainly not out of the ordinary. In fact, in September 2006, they attached the CR to the Defense Appropriations bill. I have the Roll Call on that if anyone would care to take a look at it. If you do, you would find out there were only 2 parties from the other party who voted against it. And in the Senate the vote was 100 to nothing in support.

“So there is no difference in what we are doing today. But there is a difference in how we do it. We were up front with what we were doing. We included these actions in the conference notes, and voted on it in the conference. That was certainly not the case in 2006, when the action adding the CR was not flagged or noticed in any way during the conference or in the conference notes. The action that was taken then was simply taken after the fact, in contrast to our doing it front and in full view. So I believe that, compared to that, this is certainly totally transparent.

“Now I need to take this opportunity to note one other point. Until last night, we were not in a position to move other appropriations bills because of a dispute between the House and the Senate over how to deal with for-profit earmarks.

“As I think the membership knows, we have put in place significant reforms to the earmark process in the last few years. When we took over control of the Congress in 2007, we put in place a moratorium on earmarks for that year until we could reform the process and make it much less susceptible to wasting taxpayer money.

“Since then, including this year’s bills, we have cut the dollar amount of earmarks by 50%. We require every member to request earmarks publicly – ending the practice of anonymous earmarks in the House – and to certify that they have no financial interest.

“This year, we have gone one step further. Recognizing the potential for abuse in sole-source contracting, we insisted that all House earmarks designated for for-profit entities must undergo a competitive bidding process. We still allow those entities to be named, so we can help, for instance, small business get a foot in the door so that they can be noticed by federal agencies which all too often simply notice people with whom they are familiar in their inside processes – but we none-the-less require that those entities still submit a bid and compete in a fair competition.

“The Senate did not do that this year. And up to last night, was objecting to even allowing the House to follow that policy. Last night we reached an agreement that will allow us to proceed, with House earmarks subject to that new policy.

“There is still one small area of disagreement that remains. There are a small number of for-profit projects (approximately 5%) that have been included in both the House and Senate bills. Until last night, the other body was refusing to allow those to be competed. Under the agreement we’ve reached, this year – and this year only - those projects will be dealt with according to Senate policy. Next year, and thereafter, they will be managed by House policy – so they too will subject to competition next year.

“We reached this agreement because the other body insisted that, because they had proceeded all year under their policies, it was too late to change the rules of the game for them. We recognize that changing policies at this point would have been a procedural problem for the other body. We do appreciate their agreement that starting next year we can all agree on how to handle those for-profit projects and that they will be handled in accordance with the House procedures.

“This will enable us to now proceed to conference on a number of other appropriations bills which have been passed by the Senate. We have had a motion to go to conference on Energy and Water. We expect next week, after 2 small matters are resolved, we will be able to go to conference on the Agricultural Appropriations bill. And we hope that within a week we will be able to resolve the few remaining differences on the Homeland Security bill and also go to conference on that and other bills as the Senate grinds through them in their process.

“So, having reported that to the House, I would urge an aye vote on the legislation before us and to simply note that, given the calendar, a vote against this proposition would be a vote to shut down the government. And with that, I yield back my time.”

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