

Congress of the United States
Washington, DC 20515

January 23, 2009

President Barack Obama
The White House
Washington, DC 20500

Dear Mr. President,

I write to commend you for your strong desire to keep the pending economic stimulus package free of pork barrel spending. You recently indicated that you plan to "ban all earmarks in the recovery package" and described earmarking as "the process by which individual members insert pet projects without review." This move is welcomed by taxpayers everywhere.

However, this step forward will quickly be followed by two steps back if a 2009 omnibus spending bill containing thousands of unvetted earmarks is signed into law.

The consolidated fiscal year 2009 spending bill signed late last year contained three of the regular appropriations bills and continuing appropriations for the other nine set to expire in March of this year. It also, unfortunately, included more than 2,100 airdropped homeland security and defense projects worth more than \$5 billion that received no vetting on the House floor. If the future resembles the past, we can expect a similarly marred legislative process in which earmarks are airdropped into the forthcoming legislation funding the remainder of fiscal year 2009, protected from vetting by the likelihood of a closed rule. Based on reports that have been subsequently filed for three appropriations bills and an additional list made available, there are at least 4,000 earmarks worth more than \$4 billion that could be airdropped into forthcoming fiscal year 2009 omnibus.

It may be tempting to sign an omnibus spending bill that has bipartisan support. In the context of earmarking, however, each party is generally content to look the other way. Thus, bipartisanship often leads to less transparency and oversight rather than more. Airdropped earmarks are the worst example of an opaque legislative process, preventing members from having the opportunity to evaluate their appropriateness and propriety and shielding costly earmarks from the only Congressional review many would otherwise receive.

With the recent attention being paid to the alleged misconduct involving political contributions and official acts in Illinois and New Mexico, there is a renewed emphasis on political improprieties and pay-to-play politics. We cannot afford to look the other way.

In your inaugural address, you urged those "who manage the public's dollars" to "do our business in the light of day." While banning earmarks in the stimulus is a good start toward applying this standard to earmark spending, the same standard should be applied to earmarks that have been shielded from review in the coming legislation funding the remainder of fiscal year 2009.

Sincerely,


JEFF FLAKE
Member of Congress