

# WebMemo



Published by The Heritage Foundation

No. 1760

December 21, 2007

## Omnibusted: The Top 10 Worst Problems with the Omnibus Spending Bill

*Nicola Moore*

In the final hours of 2007, Congress rushed to pass a budget bill that has been pending for three months. It rolled 11 appropriations bills plus supplemental war funds into one bill, creating a massive vehicle loaded with pork, gimmicks, excessive spending, and bad policy. Congress barely took the time to contemplate the consequences of this bill before voting and leaving town. Although some questionable provisions were removed, including several policy riders such as expansion of the Davis-Bacon Act, the biggest spending bill of all time still passed with major problems.

**1. No one read the bill.** The text of the omnibus was 3,417 pages—three times the length of the Bible and nearly the same length as the second edition of Webster's Dictionary. The House passed the bill less than 22 hours after the text was first made available, while the Senate had 46 hours and 8 minutes for its analysis. For Members of Congress to have read this bill, they would have had to read the bill at a rate of 2½ pages per minute for Representatives and 1¼ pages per minute for Senators, without stopping to sleep or eat. No one could have read this bill before voting on it.

**2. Non-emergency emergencies drove up spending.** Because money designated as “emergency spending” is not counted against total spending numbers in the budget, Congress classified over \$11 billion as “emergency” spending in order to avoid budget constraints. However, almost none of this spending is in response to true sudden, unforeseen, and urgent emergencies. For instance, the bill includes as emergency spending:

- \$100 million for security at the upcoming political conventions even though it is widely known that presidential elections happen every four years; and
- \$602 million for crop disaster assistance and livestock assistance despite the fact that farmers had record incomes last year.

**3. Border security is threatened.** While superficially providing additional funding for a border fence, the omnibus threatens border security by making a fence more difficult to build. The bill creates 15 bureaucratic hurdles that must be overcome prior to construction, including a requirement that interest groups and environmental groups be consulted about the impact the fence would have on “quality of life.” In so doing, the omnibus makes securing the border more difficult.

**4. Energy production is threatened.** The bill prohibits funding for development of oil shale regulations by federal agencies, which makes commercial production of the United States' 2 trillion barrels of oil shale resources impossible. By restricting the supply of domestic oil, this bill increases dependence on other nations to meet domestic energy needs.<sup>1</sup>

This paper, in its entirety, can be found at:  
[www.heritage.org/Research/Budget/wm1760.cfm](http://www.heritage.org/Research/Budget/wm1760.cfm)

Produced by the Thomas A. Roe Institute  
for Economic Policy Studies

Published by The Heritage Foundation  
214 Massachusetts Avenue, NE  
Washington, DC 20002-4999  
(202) 546-4400 • [heritage.org](http://heritage.org)

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### 5. Excessive regulation burdens chemical plants.

The omnibus grants authority for state and local governments to pass laws regulating security at chemical plants that go beyond federal codes. Though these measures were added under the guise of national security, they will likely result in over-regulation of the chemical industry. A 2006 law is already in place to secure high-risk plants, making this rider an excessive burden that will hinder the economy more than it will help security.<sup>2</sup>

**6. The omnibus is larded with pork.** In passing this bill, Congress officially broke its pledge to cut the number of earmarks, or pork projects, in half from the 2005 peak of 13,492. Before considering the omnibus, Congress had already passed 2,161 earmarks in the defense appropriations bill, and the omnibus added more than 9,000 earmarks totaling more than \$23 billion. Examples of egregious earmarks include:

- The Charles Rangel “Monument to Me” (\$1.95 million),
- Rodent control in Alaska (\$113,000),
- Olive fruit fly research in France (\$213,000), and
- A river walk in Massachusetts (\$1 million).

The President has indicated that he will work with Office of Management and Budget Director Jim Nussle to identify options for the Administration to address earmarks and help Congress meet its pledge to cut the number of earmarks in half. This is an important and encouraging step, and there are several options that should be considered in this process.<sup>3</sup>

**7. The omnibus funds corporate welfare.** The Advanced Technology Program, which provides research grants to mostly *Fortune* 500 companies

including IBM, 3M, and General Electric, received \$65 million in the omnibus. This funding was awarded despite the fact that Congress actually de-authorized the program earlier this year.

**8. The omnibus uses budget gimmicks to obscure spending.** The bill employs \$13.2 billion in gimmicks, such as advanced appropriations and rescissions, to artificially lower its total cost.<sup>4</sup> On top of the spending (and gimmicks) that already passed in the defense appropriations bill, non-war-related discretionary spending will reach an estimated \$952 billion this year, which is nearly as much as what Democrats originally proposed before Bush threatened to veto anything that exceeded his top line of \$932 billion.<sup>5</sup>

**9. Misplaced priorities are rife.** Comparing items that Congress did not fund to those that it did calls into question Congress’s priorities. For instance, funding for security projects such as nuclear weapons modernization (for which \$89 million was requested) was cut, while money was given to such projects as:

- \$20 million increase for the National Endowment of the Arts,
- \$3.7 million in non-competitive grants to the AFL-CIO, and
- \$16 million for a new House office building although the House already has four office buildings and the Capitol Visitors Center has not been completed.

**10. Total spending blows all budget caps.** With all the budget gimmicks, “emergency” spending, and other tricks, this bill exceeds the President’s top line by more than \$20 billion. This is not an insignificant sum: It is equal to the entire federal per-

1. Nicolas Loris, “Omnibus Prohibits Oil Shale Development,” Heritage Foundation *WebMemo* No. 1754, December 18, 2007, at [www.heritage.org/Research/EnergyandEnvironment/wm1754.cfm](http://www.heritage.org/Research/EnergyandEnvironment/wm1754.cfm).
2. James Jay Carafano, “The Omnibus: ‘Stealth’ Security Provision Is Unnecessary,” Heritage Foundation *WebMemo* No. 1753, December 18, 2007, at [www.heritage.org/Research/HomelandSecurity/wm1753.cfm](http://www.heritage.org/Research/HomelandSecurity/wm1753.cfm).
3. Brian M. Riedl, “Omnibus Earmarks Out: President Bush Should Cancel Congress’s Pork Spending,” Heritage Foundation *WebMemo* No. 1757, December 20, 2007, at [www.heritage.org/Research/Budget/wm1757.cfm](http://www.heritage.org/Research/Budget/wm1757.cfm).
4. Ernest Istook, “Watch Out for Budget Gimmicks in the Omnibus Appropriations Bill,” Heritage Foundation *WebMemo* No. 1748, December 14, 2007, at [www.heritage.org/Research/Budget/wm1748.cfm](http://www.heritage.org/Research/Budget/wm1748.cfm).
5. Brian M. Reidl, “Omnibus Spending Bill Busts the Budget to Pay for Pork,” Heritage Foundation *WebMemo* No. 1751, December 17, 2007, at [www.heritage.org/Research/Budget/wm1751.cfm](http://www.heritage.org/Research/Budget/wm1751.cfm).

sonal income tax liability for the states of Iowa, New Hampshire, New Mexico, West Virginia, and Delaware combined. At \$225 per household, families would have to cut a quarter of their Christmas budget to fund it.<sup>6</sup>

**Conclusion.** The President threatened to veto any spending above his budget. Congress's gimmicks enabled the omnibus to superficially meet that target and so he will sign it. But that's not the end of the story—the Administration should vigor-

ously pursue options to rein in the excessive earmarks from the bill. The President has indicated he will take that step. Doing so would be a big improvement upon a bill that is \$20 billion over budget and a serious breach of the new leadership's promise to return to fiscal responsibility.

—Nicola Moore is Research Coordinator for the Thomas A. Roe Institute for Economic Policy Studies at The Heritage Foundation.

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6. Nicola Moore et al., "Five Benchmarks for the Omnibus Spending Bill," Heritage Foundation *WebMemo* No. 1737, December 12, 2007, at [www.heritage.org/Research/Budget/wm1737.cfm](http://www.heritage.org/Research/Budget/wm1737.cfm).