

No earmark beneficiary shall make contributions aggregating more than \$5,000.

The second principle: to eliminate any connection between legislation and campaign contributions. That is the second. The third principle: To increase transparency, Congress should create a new database of all congressional earmarks. And it goes on, and they elaborate and say this is all something you can find, but you can't get your hands on it. It is too complicated. So consequently we put in our bill, in section 4, the following:

The Secretary of the Senate and the Clerk of the House shall post on a public Web site of their respective houses, a link to the earmark database maintained by the Office of Management and Budget.

Every one of these things—and I could go through each and every one—is answered in S. 3939. So if you really want to do something about it, pass that bill and you will have solved the problem and you will have kept our constitutional duties intact.

We did one more thing because it goes one more step. This is very important. There was an oversight, but they all agree with this now. This goes a step further. It says that the administration—President Obama, the bureaucracies—will have the same transparency as senatorial earmarks. So Senator MCCAIN talked about lobbying these bureaucracies. Sure, they are doing it, because if we don't do the spending or the appropriating and authorizing, then the President does it. So the bureaucracy is doing that. So we have a section in this bill that subjects them to the same thing.

Do you remember when Sean Hannity came up with the 102 most egregious earmarks? This is just some of them. There were 102, and I read them all on the floor from this podium, and I did it to make sure people understood what he had found out. I said at

the end of reading all of these earmarks—look at some of these: \$300,000 for helicopter equipment to detect radioactive rabbit droppings—that all 102 have something in common: not one of them was a congressional earmark. They were all bureaucratic Obama earmarks. So that is the reason for that. And if you want reform, that is how to get it.

I know there will be some Members who will not be able to resist the fact that they can have a great opportunity with one vote. They can make people think they are conservative and give President Obama what he wants, and they can be politically correct. But, again, we have a solution to the problem. That solution will come.

Mr. President, in that conference I mentioned about 30 minutes ago, I said that if you want to do something to do away with the earmark and all this, all you have to do is define an earmark as an appropriation that has not been authorized. Authorizing committees are the discipline for appropriations. A lot of our appropriating friends won't like this idea, but that would do it. We heard several of the Senators, including my junior Senator, the author of this amendment, and Senator MCCAIN, saying this is good, we have done away with authorizing. We need to authorize these things.

In the Armed Services Committee, we have experts in every field. One of the experts is a group of people who look at our missile defense system. Right now, we are in very serious problems in this country by taking down the site in Poland that would stop the ground-based interceptor site. That is something we should be doing. We need to have redundancy. We know we can hit a bullet with a bullet, and we should do that. We have the experts who know how to do that.

So I would say we have an opportunity. We can reform this. We can subject the bureaucracy to the same transparency to which we are subjected. We should do away completely with terms such as "earmarks" as people are thinking of them in their minds and go to having them redefined as appropriations that have not been authorized. I know it is a hard concept and one that not many people want to believe, but it is much easier to oversimplify it and say that all earmarks are bad. Well, if you define them properly, I agree they would all be bad. Anything that is appropriated that is not authorized, in my opinion, is bad and should be done away with.

So with that, this one voice in the wilderness, one conservative is saying this is the true story. If you really do want to cede our constitutional authority to President Obama, you can do it by passing this amendment. This allows them to get the authority we have. And if you really believe that is the thing to do, after looking at the Constitution and what Justice Joseph Story and Hamilton and Madison all said we are supposed to be doing here, let's seriously consider that and resolve this problem, put it behind us so we can quit distracting from the big spending going on today that has given us a \$3 trillion deficit in 2 years.

With that, Mr. President, I yield the floor.

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ADJOURNMENT UNTIL 9 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9 a.m. tomorrow.

Thereupon, the Senate, at 10:01 p.m.; adjourned until Tuesday, November 30, 2010, at 9 a.m.