



Sponsors of 700 bills in Congress didn't put price tags on their proposals

By Luke Rosiak

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Almost half of the bills introduced in the last Congress authorized spending tax dollars, but not specifically how many dollars. Instead, the proposals simply provided that "such sums as necessary" should be spent.

All 20 congressmen who most frequently used the "such sums as necessary" formulation are liberals and among the most ardent proponents of expanding the federal government. House Republicans were advised by their leaders not to use the phrase, but some of them ignored the advice.

Vermont Sen. Bernie Sanders, a self-proclaimed "Democratic socialist," led the list as the sponsor of 19 such bills.

His 10 Million Solar Roofs Act of 2014, for example, would require "the Department of Energy (DOE) to establish a program to provide rebates for the purchase and installation of photovoltaic systems with the goal to install 10 million systems."

The Sanders bill provided specific instructions for what the government would need to do, and the cost of the solar panels would be known to his staff. The goal of the bill — increasing alternative energy sources — has significant public support. But Sanders didn't include how much his proposal would cost, thus depriving his congressional colleagues and taxpayers of the means to weigh benefits versus costs.

Nowhere in the bill is there a cost figure. It simply says "there are authorized to be appropriated such sums as are necessary to carry out this Act."

Florida Democrat Rep. Alan Grayson's Fiscal Sanity Act for Appropriations bill is another whose cost is simply as much "as necessary."

“It shows they aren’t serious fiscal stewards — they aren’t concerned with how much it costs, often-times. If they were, they could write in offsets saying 'this fund over here will be decreased by the amount necessary,’” said Demian Brady, who tracks individual congressmen's spending propensities for the National Taxpayers Union.

“It could also be a way to avoid accountability. If they did say \$20 million for a gun buyback program, media and everyone would say she wants to spend \$20 million. If you leave it blank, it’s a shield you can hide behind, even if they know how much it’s going to cost,” he said.

Like the majority of bills introduced in Congress, most of the 700 "such sums as necessary" bills introduced in the 113th Congress and reviewed by the Washington Examiner never became law.

Some were token efforts that sponsors never expected to go anywhere — they were introduced only so their sponsors could tell campaign backers that they tried. But occasionally those proposals wind up becoming policy anyway.

“They say, 'we didn’t bother to get an estimate because we didn’t expect it to go anywhere,' but then soon we’ll find it as part of bigger legislation,” Brady said.

When Rep. Maxine Waters wanted a "minority diabetes initiative," the California Democrat didn't care how much it cost, and didn't attempt to measure it, craft a budget estimate or find a way to fund it. Instead, she asked colleagues to essentially vote for a blank check.

Pennsylvania Democratic Sen. Bob Casey's Caregiver Corps Act of 2014 would require the Department of Health and Human Services to "contract with a nonprofit" and "[a]llows the Secretary to award grants for the operation of local Corps programs."

Yet there is no mention of cost anywhere. At the very end of the description of the proposed program, it says simply, "There is authorized to be appropriated to carry out this section, such sums as may be necessary."

“It’s very bad practice to put these things in place because they also lead to bloated appropriations. The authorizers have kind of punted,” said a senior Senate Republican aide. “We’d like to have all the authorizers be more accountable to things.”

Congress must first pass a bill "authorizing" money to be spent, and then another, separate appropriation bill officially funds it — generally one of a few major bills passed by the appropriations committee.

The handful of powerful congressional "appropriators" who meet in back rooms and until recently were able to dole out earmarks as favors have been the subject of significant ire as poster children for what is wrong with Washington.

But when lawmakers write bills that "authorize" funding without specifying amounts, they are ceding authority to the appropriations committees, who will have to fill in an amount, even though they're much less acquainted with the purpose.

The Examiner analyzed legislation from the two-year congressional session that ended last month. Dollar amounts — or lack thereof — were extracted from the bill text by the Cato Institute as part of the libertarian think tank's Deepbills project.

One reason for the Democratic dominance of the "such sums as necessary" list is that Democrats introduce more bills in general than Republicans. But another is that House Republican leadership cautioned its members not to use "such sums as necessary" at the beginning of last Congress, as one of nine "legislative protocols."

"Any bill or joint resolution authorizing discretionary appropriations shall specify the actual amount of funds being authorized," the protocol says. "This protocol is designed to improve transparency and accountability in the authorization of discretionary programs."

But it only discourages, not forbids, House Republicans from using the technique. The House Select Committee on Benghazi, formed to investigate Hillary Clinton's State Department, was funded by "such sums as necessary," leading Democrats opposed to the investigation to protest that it is irresponsible to allocate open-ended amounts of money with no end date.

And it doesn't bind senators, who lead the list in bills introduced.

Sanders and Sen. Bob Menendez, D-NJ. the most frequent users, didn't respond to the Examiner's requests for comment.