

## CHAPTER IX

### THE PORK-BARREL PROBLEM

"We have a crooked creek, that has a crooked name,  
And grabs a crooked million while in a crooked game;  
To make a crooked water power run up a crooked hill,  
It crooks your Uncle Samuel through a crooked river bill."

BUT the greatest legislative problem in connection with the budget is pork. This problem arises from the very make-up of Congress. Five hundred and thirty-one Congressional districts of the United States send five hundred and thirty-one men to Congress. There is no unifying force in Congress, no dominant force. Much of the major appropriation bills is merely the compromises of these local interests to get as much as they can for the people "back home" irrespective of the actual needs of the situation.<sup>1</sup> National interests

<sup>1</sup>The point frequently made that the North is paying the major part of the taxes and getting the minor part of the appropriations and the South is getting the major part of the appropriations and paying a minor part of the taxes is not discussed in the text. It hardly deserves discussion. In February, 1917, in a debate in the United States Senate, Senator Smith of Michigan raised the point, and Senator Sheppard of Texas replied conclusively: "Any criticism of Texas comes with ill grace from the senator . . . because we have sent more money into Michigan for Ford automobiles than Michigan ever contributed to the Federal Government above appropriations received." In other words, the consumers generally distributed over the United States are bearing the burden of taxation, and not the producers localized in certain parts of the country who pay the taxes to the government.

are sacrificed for local, sectional or personal interests. Congress speaks not so much as a national assembly but as a loose aggregation of representations from all parts of the country to secure the best they can at the political bargain counter. These "bargains" secured for the people back home are familiarly referred to as pork. The appropriation bills carrying these appropriations are known as pork-barrels.

It is a common practice to refer to the river and harbor bill as *the* pork-barrel. Sometimes the public buildings bill is used as the best example of the pork-barrel. But the army and navy bills are reeking with pork, and it may be found in many unexpected places, for example, the tariff. The tariff as we know it in this country is merely another scheme for the distribution of favors largely to the manufacturers of this country. A nice sectional balance is maintained. So competent a scholar as Professor Taussig of Harvard says:

"Tariff bills are inevitably dealt with as are river and harbor bills and general appropriation bills. The only way in which a desired result can be brought about has been

Senator Hardwick of Georgia in the same debate said: "If any appropriation that has been made for Georgia is wrong, fight it on its merits, and you will not find me defending it if I think you are right. If any appropriation that is made for Texas is wrong, fight it because it is wrong, not because it is for Texas, and I believe you will find the distinguished and able senators from Texas agreeing with you if they believe you are right. But this proposition — narrow, infinitesimally small, unutterably little — of taking any state in this Union and saying: 'Oh, this State got so much money and paid so much taxes,' is one that will not appeal to the good sense of the American people." (Cf. *Collier's Weekly*, Feb. 10, 1917, and Congressional Record.)

through the influence of individual legislators and in the traditional ways. We cannot escape log rolling, private interviews with influential politicians, settlement of details in quiet committee meetings."

And former Secretary of War, Henry L. Stimson, said:

"Tariff legislation, instead of being the great national instrument for upbuilding the industries of the country, which Alexander Hamilton proposed, has long been carried on as a systematic series of deals between various manufacturing districts, and the hostility of Congress to a more scientific method has been recently illustrated by its abolition of the Tariff Commission, which was seeking to raise tariff-making to a more national standpoint."

#### THE PROCESS OF SECURING IT

One of the greatest national services performed by a Congressman is the exposé of pork-barrel methods begun in 1913 by Mr. James A. Frear of Wisconsin. He has described the pork process in these words:

"Dredgers, contractors, and other beneficiaries want work for private profit. They start things and urge local communities to get something from the Government for nothing. The local commercial or boosters' club, aroused to action, says to Representative Gettum from Grabville, 'Bring home the money or don't come back.' Every Representative is confronted with the utterance of Ellison, secretary of the \$50,000,000 waterway lobby, 'Get what is asked or get out.' So Representative Gettum begs the committee for a local survey. The committee shifts responsibility by putting the project up to Army engineers for approval. The engineers survey and reject. Mr. Gettum shouts for help and reelection while engineers reexamine Mud Creek and again repudiate

the job. Under pressure he then corrals his state delegation, reaching to nine Congressmen and two Senators in the Cumberland River case. Statesmen show Army engineers where to jump off. The board reflects; the board sees new light and somersaults and approves. Then Mr. Gettum presents his approved contract to the River and Harbor Committee. Our committee finally agrees with Gettum—who has nine votes in his pistol pocket with two more in the upper watch pocket—and so we eat persimmons, declaring them good though puckery. Solemnly we are now pointed to the engineer's approval, and all doors to legislative criticism thereafter are forever closed. We pretend to expect that our subordinates, the engineers, will withstand pull, pressure, and power. Constituencies, animated by secret agencies, seek questionable aid from their Representatives, and we pass it on to the engineer. How does he acquit himself?" (Speech of Rep. Frear, Cong. Record, p. 1123, Jan. 10, 1916.)

Representative Fitzgerald has very aptly described the pork-barrel with reference to public buildings in these words:

"This is what happens on public buildings in the Federal government: Suppose I represent a community or district which has no large city, perhaps the largest town in it may be twenty or fifteen thousand. I may have one or two communities like that. And none of them has a public building; but across the line in some other district, the town of equal size has a public building that cost \$50,000 or \$75,000. Now, I am a candidate for office and I go in that town and in my speech I announce that I propose to have a public building put there. In most of these places, unless you have a good-sized city, a thousand dollars furnishes ample funds for postal facilities, and they have an authorization to buy a site. And they pay New York prices out in the sage brush country for lots, and the government buys post offices. And then, in a community of eight or nine hundred, based

upon the theory that there is a tremendous postal business, they will authorize a building for \$50,000 — nothing less than \$50,000 and up. Then, in order to get a better building, a member of Congress will pass a bill providing that there shall be a term of court held in this town, and maybe the court — the Federal Court — will sit there three terms a year, and maybe it will take two days each term to do all the Federal Court business in the town; and then because a Federal Court is to sit at that town, they need a court room and additional facilities and they increase the amount to be expended in the building and some other governmental activity will be provided, and the result is that you can go all over the United States and find buildings costing from \$75,000 to \$150,000 in communities ranging from one thousand to five thousand people." (Budget Systems, p. 325.)

Perhaps some concrete illustrations will help in understanding the process.

Mr. Jones is sent to Congress from Wyoming. He arrives in Washington with the best intentions in the world. Evanston, Wyoming, wants a post office or a real waterway where the creek is. Local manufacturing concerns are interested and begin writing letters. The local chamber of commerce adds its words of approval. A delegation calls on him. By this time any good intentions he had of not prostituting his high office have "gone to the winds."<sup>1</sup> He gets into the legislative scramble. Smith, under pressure from Kalispell, Missouri, and Brown from Chickasaw, Oklahoma, have done likewise. Let us suppose that this

<sup>1</sup>How great the pressure is indicated by the fact that a Congressman like William Kent of California succumbs even with modifications: "These buildings inculcate a spirit of patriotic pride which is not measurable in dollars and cents. They remind the people of the glory, the majesty and the power of this great republic." (Cf. also *World's Work*, April, 1916, p. 601, ff.)

particular scramble is the public buildings bill. These Congressmen and others engage in the regular legislative "backscratching" process, and the bill is reported in with the following items:

Evanston, Wyoming .....	\$185,000
Chickasaw, Oklahoma.....	150,000
Kalispell, Missouri.....	115,000

To be sure you have never heard of these places, but they may be thriving, throbbing cities in a section of the country very remote from you. But let us briefly find out some information about them. We are told:

"There is Evanston, Wyoming, a town of 2,500 people, with a federal building that cost \$185,000, where court is held two days in the year. Chickasaw, Oklahoma, has in course of construction a \$150,000 postoffice, and Kalispell, Missouri, one that will cost \$115,000. The mail business of both of these places has been carried on in quarters that the department rented for \$1 a year!"

The next step in the game is to be sure that the people back home know of the great service the Congressman rendered to the — no, not country, but to the district. So we find among words sent back to their constituencies such gems as this by Senator Gore:

"I had hoped to see you personally and to account face to face for my stewardship. I was detained in Washington by the Indian Appropriation Bill. As reported by the Committee to the Senate, this bill carried six or seven millions for Oklahoma. I could not get my consent to leave my post of duty until I had made every effort to bring this golden tide into our state.

"I felt that I ought to sacrifice my own interest rather than sacrifice the interest of my people.

"My length of service and committee assignments helped me materially in accomplishing the foregoing results. In the Senate seniority counts."<sup>1</sup>

And this by Senator Ashurst:

"Glad to hear from you. I could name a hundred things, but will give you some of the most important. We have secured \$500,000 for public buildings in Arizona; \$400,000 for the survey of public land; \$200,000 for bridges in Arizona; have shown up how the robber tariff taxes the poor man and lets the rich escape; passed over one thousand pension bills; have secured recognition for the initiative and referendum; helped elect Woodrow Wilson, President, and, last but by no means least, beat Sloan for Federal judge."<sup>2</sup>

And so is the vicious circle completed.

But sometimes the circle isn't completed, as when Congressman Frear writes to the Bronx Board of Trade, New York, in these words:

"I thank you very much for this expression of your board. It emphasizes more strongly than anything I have yet found the willingness of high class men to vote away millions of dollars in money on wasteful projects in order to get a \$200,000 appropriation for Diamond reef in New York harbor.

"This resolution asked me to vote for a bill that includes \$1,750,000 for the Missouri River, which project, when completed, is to cost the government over a million dollars a year for maintenance, without any substantial return.

"You ask me to vote for a bill which contains \$5,500,000 for the Ohio River, although the commerce of that river

<sup>1</sup> Cf. *Collier's Weekly*, Jan. 29, 1916.

<sup>2</sup> *Ibid.*

does not reach 2 per cent. of the commerce carried by New York harbor. . . .

"Your resolution is intended to influence sentiment in favor of that bill, in order to get support for this one item. It is the method pursued by every pork-barrel supporter in the country, and no change in present methods can be reached until your organization and others of equally high standing realize to what base uses such resolutions can be put." (*Chicago Daily Tribune*, March 15, 1916.)

But perhaps more significant than this is Senator Tillman's revulsion at the whole business. He is tired of it and exasperated. He renounces his former saying: "If you are going to steal, let us divide it out and do not go to complaining." Referring to this utterance, he said:

"I do not want my share of stealing in this bill, and while South Carolina has items in it amounting to \$300,000, I shall vote against it and hope it will not become a law. We need the money so much for more important things that to my mind it is criminal to hesitate for one moment to discuss this bill at all." (*Chicago Tribune*, May 21, 1916.)

#### SOME ACTUAL RESULTS OF IT

And what do we find to be the actual results of these waterway improvements, for example? That indefatigable student of the subject, Mr. Frear, has put the facts succinctly for a number of these projects, and his statement is quoted:

With reference to the Mississippi River as a whole:

"Nearly 20 per cent. of the entire \$850,000,000 expended by Uncle Sam for rivers and harbors, or about \$150,000,000 has been thrown into the Mississippi River alone, while actual commerce on the river has dropped to 5 per cent. of the traffic recorded 50 years ago, when Government expendi-



tures on the river were unknown." (Congressional Record, Jan. 13, 1916, p. 1124.)

Of the ten mile stretch from St. Paul to Minneapolis, he says:

"The fact is notorious that after 20 years' improvement and an expenditure of over two and one-half million dollars on this 10 mile stretch of river not one ton of commercial freight has ever been hauled from St. Paul to Minneapolis or from Minneapolis to St. Paul by river, nor has a solitary lonesome passenger ever taken the trip on an excursion boat or otherwise in the recollection of the oldest inhabitant." (Congressional Record, Jan. 13, 1916, p. 1124.)

An illuminating table tells the story of Red River:

	Obstructions removed	Commerce Tons
Upper Red (1912).....	51,492	—
Upper Red (1913).....	51,529	252
Lower Red (1912).....	58,039	—
Lower Red (1913).....	78,982	1,442
Total .....	240,042	1,694

(From Cong. Record, Jan. 13, 1916, p. 1124.)

But why prolong this list of engineering follies produced by a system of "ingratiating humbuggery"? And to list the small towns all over the country that have public buildings which "make the landscape look shabby" would be needless repetition of this lesson of criminal prodigality.

#### ANOTHER RESULT

But this waste of public money for these "humbugs and steals" is not the worst result of a system of "legislative kleptomania." The worst result is the blunting

of legislative sensibilities. If the trading of votes on the single bill were the limit of the pork bill, if we agreed to vote for the bill because I got a post office at A, and you got one at B, and Smith got one at C, the system would be bad enough, but it would be venal. It would be merely a money waste. But when votes on substantive legislation are exchanged for pork-barrel votes, there is introduced a canker into the very heart of the American government. And party manipulators operating in the legislature and in the lobby use the pork-barrel for just such results.

#### THE MOTIVE POWER OF IT

Private interests in the first instance try to get the machinery of the pork-barrel operating. "Private water powers, private land reclamationists, private real estate schemers unite with dredgers, contractors, and other notorious waterway lobbyists in demanding money at the expense of the public purse." (James A. Frear, Cong. Record, Jan. 13, 1916.) But to succeed in their plan, Congressmen are absolutely necessary. And the part of assistance in securing reelection or the threat of opposition is the efficient motive force of the pork-barrel. Reelection is to be the reward, and defeat is to be the punishment of those who do not obey the behests of the pork-barrel lobby. Captain Ellison's ultimatum may be repeated in this connection: "We send Congressmen here to legislate for the Nation, theoretically, but actually to get all they can for us, and if they do not get our share, and then some, we do our best to replace them." (Cong. Record, Jan. 13, 1916, p. 1147.)

The refreshing case of Representative W. Frank James of the twelfth Michigan district is an excellent one: "He has done several things," says the *Chicago Herald* (May 15, 1916), "which violate all the traditional rules of conduct for a Congressman who desires to keep on being one." A Senate bill was introduced providing for a federal building in Mr. James' home town, Hancock. And instead of introducing a similar bill in the house, Mr. James wrote home that he would not introduce such a bill and would not vote for it unless the Treasury Department should certify after due investigation that a federal building was really needed in Hancock. "Whereupon," the news story runs, "a large number of his colleagues of the House told Mr. James that he was a very foolish person." In an interview Mr. James puts the case very well:

"I have made up my mind if I had to be a pork hunter to stay in Congress I would keep my self-respect and not try for a reelection. I have been all through my district, making speeches, declaring my position, asking the people whether they thought I was right or wrong. They seem to think I am right. The result is that I am a candidate for reelection." (*Chicago Herald*, May 15, 1916.)

#### ALL PORK-BARRELS ARE NOT PORK

Of course it is not presumed here that all of the public buildings bill is pork, nor all of the river and harbors bill. Naturally there are some public buildings needed for the purpose of carrying on the public business, whatever might be said of these buildings inculcating "a spirit of patriotic pride which is not

measurable in dollars and cents," and of reminding the people of "the glory, the majesty and the power of this great republic." It is the fact that the pork-barrel is not all pork that makes it possible. Much needed projects are made to carry frauds and steals — and as legislation is possible only on these conditions, honest men accept it, "eating their persimmons, declaring them good though puckery."

We must as a nation have a public building program, a comprehensive public building program. But such a program must not be a hand-to-mouth program. It must not be carried along by patch-work. It must not be a matter of tinkering. It must not be determined as an incident to politics. It must be determined by the legislature in the light of the public building needs of the nation to carry on the work of the nation. It must keep in mind not only this year's need, but next year's and the year after that and twenty years hence.

So with river and harbor improvement, with the inevitable shipping development, after the war, and with the ever present need for bona-fide river improvement as an adjunct of interstate commerce there is need, too, for a comprehensive program, well financed, and carefully planned, for river and harbor improvement for fifty years hence at least. And for this reason there must be taken out of river and harbor bills everything that "smells of pork." The actual industrial and commercial needs of the nation must be determining here, not political considerations. And it is for that reason that pork is here condemned so unreservedly.

It is the débris that must be removed before solid foundations can be laid for comprehensive national programs will be undertaken for river and harbor improvement, for necessary public buildings, and for necessary programs that are now infected with "pork."

#### WHAT IS THE REMEDY?

An indignant correspondent to *Collier's Weekly* suggests that Congress ought to set aside \$20,000,000 "for graft, specifically and without frills."

Senator Ashurst himself suggests that the remedy for the pork-barrel lies in making it unpopular. How this is to be done deponent saith nothing. The fundamental trouble lies in the electorate itself, and a quality of civic education that would destroy the appetite for pork is the surest permanent remedy. A system of direct taxes might help to initiate the educational process. But both of these suggestions would take us too far afield from our present inquiries.

A "pitiless publicity" would do much to do away with the pork-barrel, particularly in these times of disgust and exasperation by some of the Congressmen and of refusal of communities to accept pork projects. The various remedies that will be proposed in this book have all of them important by-products in the way of publicity. These remedies are: the executive veto, local contribution to national public work projects, a system of election that will make Congressmen more representative of definite public opinion than of locality, the substitution of party for individual responsibility, and administrative commissions. An executive can stop the pork-barrel at any time by executive veto

if he has the courage, even though he cannot remove the causes of it. The plan of local decision and local contribution to national public work projects located in communities is a method of making these things subjects of public consideration in the community and affords new material of quite a different emphasis than similar news at present. The system of proportional representation changes the character of the account of stewardship to be rendered by the Congressman for reelection. And this would affect very much the character of the campaign and newspaper publicity in connection therewith. And the substitution of party responsibility for individual lack of responsibility with reference to budgetary matters is certain to increase publicity because of the larger interests involved. But back of this publicity there must go constructive, technical determination in advance of Congressional action and upon which Congressional action must be based if it is to be intelligent.

All of these subjects will be treated in detail in the succeeding chapter.