

As Housing Slumps, Renters' Grins Soar

It's victory time for those who rejected the common wisdom

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DOWJONES
Newswires

Sectarian Land Grab: Iraqi Families Lose Homes in Baghdad

As Owners Flee, Their Houses Are Taken Over Rent Free; A Broker's Secret Plan

By PHILIP SHISHKIN

BAGHDAD, Iraq—Khattab al-Juboori, a Sunni Muslim, was preparing to move from his longtime home to escape the threat of sectarian violence in his largely Shiite Muslim neighborhood. Then, with a phone call from the wife of the man to whom Mr. al-Juboori was planning to rent the home, the situation got even worse.

"The wife told us he has no intention of paying the rent and wants to take the house for free," recalls Mr. al-Juboori. She was warning him because she had been friends with Mr. al-Juboori's mother for years.

Panicked moves—from mixed Sunni and Shiite neighborhoods to sharply divided ones—are on the rise across Baghdad as both Sunnis and Shiites flee their homes for safer areas where their sect is in the majority. As this shapes the city's sectarian landscape, it is also fueling a now-common real-estate scam: expropriating the newly vacated property. Shrewd defensive measures against such takeovers, along with the occasional brave act of cross-sectarian kindness, are appearing too.

Most refugees have to leave in a hurry, often after a family member has been murdered, so they have little time to sell or rent the house or even move their belongings. Gen. Jalil Khalaf of the Iraqi army was going over some paperwork one recent morning when an elderly Shiite man in baggy pants was ushered into his office, complaining about assailants trying to take over his house.

Strings Attached

As Earmarked Funding Swells, Some Recipients Don't Want It

Money for Wildlife Bridge Vexes Colorado Officials; A Debate Over Priorities

Roadkill Problem at Vail Pass

By BRODY MULLINS

VAIL PASS, Colo.—More than 10,000 feet up in the Rocky Mountains, planning is under way for a multimillion-dollar bridge that will be as wide as a football field and covered with grass and shrubs. Dirt berms along its edges will reduce noise and lights from vehicles whizzing below on Interstate 70.

The overpass isn't for cars or people. It's designed to help elk, coyote and other wildlife cross the four-lane highway over the Continental Divide without becoming roadkill.

Colorado Republican Sen. Wayne Allard and Democratic Rep. Mark Udall snagged the first chunk of funding for the bridge using a popular tactic for home-state projects: the congressional spending earmark. They got a stipulation tacked onto last year's federal transportation-spending bill directing \$500,000 of federal money to the project, delighting the local environmental group that had championed it.

But the reaction at the Colorado Department of Transportation, the direct recipient of the federal money, was far different. "Earmarks make my life miserable," says Tom Norton, the agency's head. And in fact, many federal and state officials whose agencies receive earmarked money say they don't want it.



Tom Norton

Growing Commitment

Earmarks in all federal spending bills:

FISCAL YEAR	VALUE OF EARMARKS (In billions)	NUMBER OF EARMARKS
1994	\$20.4	4,146
1996	\$13.9	3,034
1998	\$22.5	4,238
2000	\$29.6	6,086
2002	\$37.8	10,603
2004	\$41.5	14,107
2005	\$40.8	15,818

Source: Congressional Research Service

The problem, they say, is that most earmarks don't come with extra money from Washington. They merely dictate how agencies must spend federal money they were already counting on. Mr. Norton says the wildlife bridge is a waste of money that could divert federal funds from more pressing highway projects. His department never agreed to fund it. Earmarks, he complains, force him to use limited federal money to pay for lawmakers' pet projects.

The head of the National Aeronautics and Space Administration recently told Congress that earmarks are "eroding NASA's ability to carry out its mission." The governor of South Carolina doesn't want a \$150 million earmark for a bridge over a lake in his state.

This summer, the Bush administration said a \$340 million earmark to build a backup engine for a new fighter jet "would hamper" the Pentagon's ability to deliver the jet on time. The White House called on Congress to "eliminate unjustified earmarks for lower priority items and restore requests funded for priority programs."

Continued From First Page
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Traditionally, annual funding bills passed by Congress set broad spending priorities, but left it to the executive branch and to states to decide how to meet those goals. When earmarks were tacked onto those bills, they came primarily from committee chairmen or veteran lawmakers with clout.

Some congressmen have called for abolishing earmarks altogether.

These days, their use is mushrooming. Congressional leaders are using them to help vulnerable junior colleagues curry favor with home-state constitu-

ents to boost re-election efforts. Earmarks grease the skids for important legislation—bills loaded with spending provisions that benefit numerous congressional districts tend to garner more votes. In recent years, Republican leaders have offered lessons for newly elected lawmakers in how to get earmarks.

In the 1980s, President Reagan vetoed a transportation authorization bill because it contained a few hundred earmarks. Last year's version included more than 6,000, including \$225 million for a bridge to a sparsely populated Alaskan island—the oft-cited "Bridge to Nowhere." In the fiscal year ended Sept. 30, 2005, there were 15,818 earmarks in all federal spending bills, up from about 3,034 in fiscal 1996, according to the research arm of Congress, the Congressional Research Service.

Rewards for Lawmakers

Leaders in both parties use earmarks to reward lawmakers. For example, Pennsylvania Democratic Rep. John Murtha, who will be chairman of the defense spending panel, won't allow members to add earmarks to the defense-spending bill unless they agree to support it, according to aides on the appropriations committee. This year's defense bill, which included nearly 3,000 earmarks, took a mere 20 minutes to pass the House in October.

Megan Grote, a spokeswoman for Mr. Murtha, says that "members of Congress who appreciate the synergy between local communities and the [Department of Defense] are much more likely to support the bill, and that is the essential goal—to get members to support the defense bill."

Earmarks made up about \$40.8 billion, or 4%, of the roughly \$1 trillion that Congress allocated in the 2005 fis-

cal year. Federal prosecutors in Washington, Los Angeles and San Diego are looking into potential abuses, including whether lawmakers have added earmarks to benefit political contributors, former staffers and friendly lobbyists. At least four congressmen, including Rep. Jerry Lewis, the current chairman of the House Appropriations Committee, are being investigated for their roles in earmarking or their ties to lobbyists specializing in earmarks.

Some congressmen have called for abolishing earmarks altogether, but there is widespread doubt that major change will occur. Rep. Alan Mollohan, a West Virginia Democrat, is under federal investigation for steering hundreds of millions of dollars in earmarks to nonprofit groups run by friends, former staffers and business partners. He will take charge of the appropriations subcommittee that oversees law-enforcement agencies. Mr. Murtha, who opposes changes to the system, will take over the powerful defense appropriations subcommittee.

Ten years ago, there were almost no earmarks in transportation funds sent to Colorado. State officials were able to set priorities knowing they would have almost complete discretion of how to use the money. By 2000, federal lawmakers had earmarked 2% of Colorado's federal transportation funds. Today, 13% of those funds are earmarked.

Interest groups have discovered that earmarks can be a quick way to get

funding without having to deal with the normal bureaucratic process. The Southern Rockies Ecosystem Project, an environmental advocacy organization with offices throughout the state, is one such group.

Earlier this month, near mile-marker 185 on Interstate 70 outside Vail, Monique DiGiorgio, the group's director of development and communication, strapped on snowshoes and trudged into the nearby woods in search of one of four motion-triggered cameras the group has set up to monitor animal activity close to the road.

The highway already has several underpasses, called spanned bridges, which allow animals to pass under the highway. Ms. DiGiorgio says different types of animals like to cross the road in different ways. "An overpass has an openness factor that deer and elk prefer, while mountain lions and black bears prefer the underpass," she says. "If you have multiple crossing structure types, you are increasing the chances that a greater diversity of species will find safe passage."

The 2.3-million-acre White River National Forest here is home to black bears, mountain lions, deer, coyotes, wolves, moose, herds of bighorn sheep and the nation's largest population of elk. The threatened Canadian lynx was reintroduced in 2000, and more than 200 now live in the state's mountains.

Ms. DiGiorgio and other environmentalists refer to I-70 as the "Berlin Wall" for Colorado's wildlife. When winter approaches, snow forces deer and elk to lower altitudes to graze. Predators follow. To travel down the valley, the animals must cross the highway.

Many don't make it. From 1993 to 2003, more than 80 animals were killed by motorists on a 14-mile stretch of the highway outside Vail, including elk, deer, moose, mountain lions and black bears, according to state records. Among the victims were two of the threatened lynx, one of which was found by the side of the road with its radio collar around its neck.

"People coming to Vail don't want to see a lot of mangled animals on the road. It's kind of a downer," says Susan Pollack, a Vail resident who helps monitor the cameras as part of an effort to assemble data about wildlife movement.

The idea for the animal bridge came from Canada. Roadkill along a stretch of the Trans-Canadian Highway declined 80% after the government constructed two wildlife overpasses and nearly two dozen underpasses and erected fencing along the road, according to the government.

Ms. DiGiorgio put together a coalition of environmental groups to support an overpass near Vail, raised \$100,000 from supporters and won backing from Vail and surrounding Eagle County.

But state transportation officials expressed no interest in funding the project. "I think there are more efficient ways to get the animals across the road in that pass that would be much less expensive and still satisfy the wildlife need," says Mr. Norton. There already are plenty of underpasses for the animals, he says. A more feasible idea, he says, would be to put up fences along the road to route animals to the underpasses.

Colorado spends about \$1 billion a year on transportation projects, with about 40% coming from the federal government. By law, Mr. Norton and the state's department of transportation decide how to spend that money. Each year, the state's 271 cities and 64 counties request funding for hundreds of projects worth billions of dollars. Mr. Norton, a Republican appointed by the governor, and his staff sort through the

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Early plans for a wildlife overpass on Interstate 70 near Vail Pass, Colo.



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proposals and develop a list of priorities. That process takes about 18 months.

When Congress sends funds to Colorado from the annual transportation-appropriations bill, Mr. Norton allocates the money, beginning with the top priority, until the funds run out.

The animal bridge has never made the state's list of priorities. At a meeting in late 2004, Ms. DiGiorgio says, she won the support of Mr. Udall, who represents the area in Congress. Mr. Udall agreed to ask the Appropriations Committee for an earmark to get the overpass off the ground. Ms. DiGiorgio later won the backing of the state's two senators, Mr. Allard, a Republican, and Sen. Ken Salazar, a Democrat.

In November 2005, a provision was added to that year's \$66 billion federal transportation-funding bill requiring \$500,000 to be spent conducting a study on building the Colorado wildlife overpass. Mr. Allard took credit in a press release. The project, he said, would "make Vail Pass a safer place for both drivers and wildlife."

Not all members of Colorado's congressional delegation were pleased. Rep. Tom Tancredo, a fiscally conservative Republican, wondered how animals would find the bridge. "Will there be bright arrows pointing the way? Or will we hire Dr. Dolittle to translate directions into bear and deer language?" he asked in a press release.

'We Hate Earmarks'

The earmark was one of dozens worth \$63 million that Colorado's transportation department must implement. "We hate earmarks," says Heather Copp, the department's chief financial officer, who keeps a tally of them in a thick black binder in her office. The bridge earmark, she says, "has now taken money that would have been spent somewhere else."

"Why do we spend 18 months at public hearings, meetings and planning sessions to put together our state-wide plan if Congress is going to earmark projects that displace our priorities?" she asks.

Dedicated Funds

Earmarks in annual Department of Transportation spending bill:

FISCAL YEAR	VALUE OF EARMARKS (In billions)	NUMBER OF EARMARKS
1994	\$0.9	140
1996	\$0.8	167
1998	\$1.2	147
2000	\$1.3	641
2002	\$3.2	1,493
2004	\$3.4	2,282
2005	\$3.3	2,094

Source: Congressional Research Service

State transportation officials have written a memo to Colorado's newly elected governor arguing that earmarks have so undermined the state's transportation planning process that the state needs a new system for allocating funds. They plan to travel to Washington in February to explain to Colorado lawmakers and others in Congress how earmarks disrupt the planning process.

The \$500,000 earmarked for the wildlife-bridge study will come from a special pot of federal money and will not eat into the state's regular allocation of federal transportation dollars. But Mr. Norton worries that if construction of the bridge goes forward, the total cost could reach \$10 million. And unless Congress allocates additional money, the state will have to foot the bill. Mr. Udall's spokesman says there are no current plans to seek additional funding.

"How do we come up with another \$9.5 million?" Mr. Norton asks. The only way, he says, is to "displace a project that went through the normal priority process."

Despite his objections to the project, Mr. Norton feels he has no choice but to spend the \$500,000 on the study. "Once you get money in your hand, you can't give it back," he says. "How do you tell your constituents who are breathing down your back, and the state and local legislators who want the money, that you don't want it and are giving it back? Someone in my position wouldn't be around long."