

## September 25, 2008 - Pentagon Would Receive \$488 Billion in Discretionary Funding

CQ Today

[www.cq.com](http://www.cq.com)

### Pentagon Would Receive \$488 Billion in Discretionary Funding

By Josh Rogin, CQ Staff

September 25, 2008

The Defense portion of the fiscal 2009 appropriations package passed by the House Wednesday gives generously to weapons programs, soldiers' pay and benefits, and readiness and equipment needs, while leaving major program decisions to the next administration.

The Defense appropriations language includes \$487.7 billion in discretionary spending, \$4 billion less than President Bush's request but 6.2 percent above the fiscal 2008 spending level.

Rep. John P. Murtha, D-Pa., chairman of the Defense Appropriations Subcommittee, said the bill is meant to direct the Pentagon to look past the wars in Iraq and Afghanistan toward urgent needs at home and future threats abroad. "This lack of strategic foresight has left our armed forces in a degraded state of readiness, has left our military facilities in disrepair and has left many Defense acquisition programs broken or badly damaged," Murtha said.

The Defense spending language was approved by House and Senate subcommittees but never formally debated or conferenced. Republicans decried their exclusion from the process of drafting the overall appropriations bill, but they said that the Defense portion was crafted in a bipartisan manner and rarely changed much after the subcommittees weighed in.

"It's a terrible process, there's no excuse for this process, and I totally object," said C.W. Bill Young, R-Fla., ranking Republican on the Defense Appropriations Subcommittee. "But I am satisfied with the Defense appropriations bill; it's a good bill."

### Flexibility for Next President

Unlike in previous years, the bill avoided extensive cuts in large weapons programs, deciding instead to give the next administration flexibility to

decide on those systems.

For example, the bill would give \$1.5 billion of the \$2.6 billion requested for a third new DDG-1000 Zumwalt-class destroyer, after the Navy and the Pentagon went back and forth over whether they wanted to continue building the ships.

Appropriators also included \$200 million for the older but cheaper DDG-51 destroyers, in case the Pentagon decides to continue that line instead. "Next year we'll look into it and try to figure out what they want," Murtha said.

The bill would provide a total of \$14.1 billion for shipbuilding, matching Bush's request but funding eight ships, one more than the administration asked for. Similarly, the Air Force would receive \$2.9 billion to buy 20 F-22 Raptor fighters in fiscal 2009, again equal to Bush's request, as well as \$523 million for advanced production of another 20 Raptors, to keep that line open if the next administration decides to buy more.

Other major procurement programs fared well. For example, the Army's Future Combat Systems programs would get \$3.6 billion, very near the administration's request. The F-35 Joint Strike Fighter program would receive its requested \$6.3 billion. Within that total, only 14 of 16 aircraft would be purchased next year, while \$430 million would be designated to compel the Air Force to continue pursuing a second competitive engine design for the plane.

The legislation also would fully fund the administration's \$467 million request for European missile defense sites, although the bill would shift about \$186 million within that total among accounts. The House bill had recommended no funding for the sites, while the Senate had recommended full funding.

Murtha and Young said new agreements with Poland and the Czech Republic were encouraging, but the bill prevents construction from proceeding until the Polish and Czech parliaments sign off on the missile defense sites. Overall, the bill would give \$8.7 billion out of about \$8.9 billion requested for the Missile Defense Agency.

After the Pentagon announced that it would not try this year to rebid its troubled competition to replace the Air Force's fleet of aerial refueling tankers, appropriators reduced the administration's \$832 million request to only \$23 million in research funds but added \$63 million to help upgrade the existing tankers.

The bill also encourages the Defense Department to pursue a "dual buy" strategy for the tankers when the competition is redone next year, giving contracts to both Boeing Co. and the consortium of Northrop Grumman and the North American division of EADS. Boeing's successful protest of the original contract award precipitated the latest in a string of ongoing delays with the program. "We're not going to have tankers if we don't do that, because even though it will cost more, there will be a protest, no matter who wins the next competition," said Murtha.

## Boosts in Soldiers' Pay and Benefits

Congress added significant funding to the legislation to improve soldiers' pay, health care, benefits and readiness needs.

The bill would increase the pay raise for soldiers for fiscal 2009 from the requested 3.4 percent to 3.9 percent and would add \$1.2 billion to offset administration attempts to increase soldiers' fees to use the military's Tricare health care system.

Under the legislation, soldiers involuntarily held past their discharge dates would receive \$500 per month in extra pay in fiscal 2009, although that benefit would not be retroactive to 2001 as originally planned.

National Guard and Reserve units would get \$750 million in unrequested funds to address equipment shortfalls, as well as another \$750 million to bolster intelligence, reconnaissance and surveillance needs.

Almost no war policy language was included, although the bill does call for a report of options to close the military detention center at Guantánamo Bay, Cuba, and continues a ban on the use of torture during interrogations of terrorism suspects.

The Defense section of the overall legislation contains 2,025 earmarks totaling almost \$4.9 billion, according to a preliminary tally by the watchdog group Taxpayers for Common Sense. "Considering the Defense spending bill never even passed full committee in either chamber, these earmarks have never been exposed to one iota of public scrutiny and now will jam through the House after literally just a few hours of daylight," Steve Ellis, vice president of the group, said before the House vote.