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Post-Veto War Supplemental Must Eliminate Pork and Support Troops

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President George W. Bush was right to veto the war supplemental funding bill. In his second veto since taking office, the President rejected a bill that contained an unconstitutional usurpation of presidential authority as commander in chief¹ and, by adding billions of dollars in pork and pet programs, made a mockery of the new Congress's pledges to return to fiscal discipline.²

Yet as Members of Congress consider what their next legislative steps will be, the President might want to keep the cap off his veto pen. Members are reportedly considering a series of supplementals that would provide funding for two months instead of the remainder of the fiscal year. Such patchwork legislation would be a mistake. A short-term supplemental would place continued strain on the military and inevitably lead to even more special-interest pork-barrel spending.

Congress owes the troops and the American people a clean emergency supplemental bill that does not violate the Constitution and contains funding for the entire fiscal year. Further, Congress should make good on its vows of fiscal discipline and strip out all the non-defense special-interest spending.

Provide Financial Support for the Troops. The purpose of the supplemental appropriations bill is to provide the military with the resources it needs to conduct operations in Afghanistan and Iraq, and these operations require a reliable and steady stream of funding. A series of very short-term supplemental appropriations will not provide military leaders with the kind of reliable funding they need to man-

age these operations and other military activities effectively.

A series of short-term supplemental appropriations will require the Department of Defense to shift funds from established accounts to accounts related to the operations in Afghanistan and Iraq in order to make ends meet. This constant juggling of funds between accounts is both disruptive and wasteful. Valuable training exercises will be delayed, and it will be necessary to rob the Air Force and Navy to pay the Army and Marine Corps, imposing incalculable costs on Air Force and Navy readiness.

Finally, one-month or two-month supplemental appropriations bills are inconsistent with an orderly legislative process, and this could have damaging effects on the military. Congress's history of inefficiency suggests that it is all but certain that Members will fail to enact a series of short-term supplemental appropriations bills in a timely fashion. This failure could cause significant funding gaps that, at some point, would become large enough to preclude the Department of Defense from shifting funds between accounts in the way described above, leaving troops in Afghanistan, Iraq, and elsewhere forced to "stand down" for lack of funding. Congress's responsibility to legislate in an orderly

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fashion is a serious one because the consequences of failing to do so can be so damaging. When the stakes involved are the lives and well-being of U.S. troops, Congress needs to do better.

Don't Make Fiscal Discipline a Casualty. A series of short-term supplemental bills would also destroy any hope of Members' exercising the fiscal discipline that this Congress has promised to provide. In the vetoed supplemental, Congress stuffed in an extra \$20 billion of non-emergency spending, much of which likely would not survive outside of "must pass" legislation. Although some special-interest spending was taken out in the conference committee, there was still plenty to beef about: \$1.4 billion to the livestock industry, hundreds of millions for dairy producers, \$60 million for salmon fisheries, a \$650 million SCHIP bailout to states that irresponsibly expanded their programs,³ plus billions more for programs whose value could be debated—all told, \$21 billion more than President's original request.

As Charlie Rangel openly admitted on *Meet the Press*, most of that pork added to the supplemental was used to buy votes. Increasing the number of short-term supplemental appropriations will only serve to increase the extent to which the leadership will need to grease the skids with more pork projects in order to buy more votes to pass the series of supplementals. This two-month strategy would make it all the more vital for the President to require fiscal responsibility by eliminating special-interest projects and parochial spending.

As a final threat to fiscal restraint, piecemeal supplemental appropriations would enable Congress to subvert budget discipline. Every non-defense, non-emergency dollar stuffed into an emergency supplemental is a dollar that does not have to be spent in regular appropriations bills, which count against the limits that will be set in the budget resolution once it is passed. Non-emergency spending in sup-

plementals would allow Congress to spend freely, creating a back door for Congress to exceed limits in the budget resolution. Congress should live within reasonable means by declining multiple bites at the spending apple with one supplemental that will last the entire fiscal year. If Congress fails to meet this test, the President should take a firm stand against any legislation—short-term or otherwise—that makes funding for the troops contingent on salmon fisheries, state bailouts, or routine non-defense spending and exercise his veto power again.

Conclusion. The supplemental was not vetoed because the time horizon for the appropriation was too short. It was vetoed because of unconstitutional congressional usurpation of the President's authority as commander in chief. It was also vetoed because the supplemental held troop funding hostage to special-interest spending that evaded budget rules. With American lives on the line, this was both unconscionable and unacceptable. Congress must take its legislative responsibilities seriously and not create a sloppy series of short-term supplementals crammed with extra spending goodies. Instead, it should do what it has failed to do so far: send the President a clean appropriations bill that simply funds the operations in Afghanistan and Iraq for the rest of the fiscal year.

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3. Nina Owcharenko, "The Truth About SCHIP Shortfalls," Heritage Foundation *WebMemo* No. 1381, March 5, 2007, at www.heritage.org/Research/HealthCare/wm1381.cfm.