

# WebMemo



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## Congress Should Pass a 2009 Defense Authorization Bill This Year

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August is typically the month professional committee staffers on the Hill confer prior to a formal conference of the annual defense authorization bill by members of Congress. These late summer meetings are a crucial component of the legislative process that must be completed before the authorization bill may be signed into law by the President. Congress has recessed for the month of August, but the Senate has not yet passed an FY 2009 authorization bill and the prospects for passage in September remain cloudy.

Congressional leaders have indicated their commitment to passing the FY 2009 defense appropriations bill, yet the authorization bill remains at risk for shelving. Senate leaders should agree to Senator Carl Levin's (D-MI) proposed unanimous consent agreement to limit debate and ensure floor time for this critical legislation in September. Congress should follow its tradition of ensuring the defense authorization bill is signed into law as quickly as possible, because it is the responsibility of Congress to provide for the country's common defense. Furthermore, swift action would constitute good governance while providing necessary oversight.

**The Clock Is Ticking.** The House Armed Services Committee passed its version of this year's defense authorization bill in May, followed shortly thereafter by the full House of Representatives. The Senate Armed Services Committee passed its own version in April but is still competing for floor time this September before Congress adjourns. While the Senate typically devotes anywhere from two to five weeks debating this sweeping policy bill, because of

this bill's importance to the country, such lengthy debate is both appropriate and necessary.

The 2009 defense bill passed by the Senate Armed Services Committee authorizes the appropriation of \$542.5 billion for the core defense budget and \$70 billion for major combat operations overseas. Critical new funding authority resides in the Senate's bill for major programs such as the Army's Future Combat Systems, Navy shipbuilding programs, the potential continuance of the Air Force's F-22 fighter, and continued development of an alternate engine for the F-35 Joint Strike fighter.

**Policy Matters at Risk: A Sample.** Were the Senate not to take up this defense authorization bill, the Committee on Armed Services and the full Senate would not weigh in on critical policy matters, including:

- **Bigger Military Pay Raise:** One of the highest priority policies enacted in the annual defense authorization bill includes approval of a military-wide pay raise that is typically higher than the President's budget request. This year, the Senate has authorized an annual pay raise of 3.9 percent instead of the 3.4 percent increase proposed in the budget request.

This paper, in its entirety, can be found at:  
[www.heritage.org/Research/NationalSecurity/wm2018.cfm](http://www.heritage.org/Research/NationalSecurity/wm2018.cfm)

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- **TRICARE Fee Increases Waived:** Recent defense budget requests by the Administration have repeatedly proposed fee and co-payment increases for certain retirees and their dependents in the military health care system (TRICARE) to offset rising costs. Each time Congress rejects such increases, and this year is no different. The Senate authorization bill includes funding for \$26 billion in the Defense Health Program. The amount authorized is over \$1 billion higher than the President's budget request to avoid TRICARE fee increases for service members and their families.
- **Continue Growing the Ground Forces:** End-strength levels for the services must be approved annually by the authorizing committees. This year's defense authorization bill funds the President's request for approximately \$20 billion to grow America's active duty ground forces by 12,000 personnel in 2009. This year's funds will continue the accelerated plan to increase the U.S. Army and Marine Corps by a total of 92,000 soldiers and Marines.
- **Aircraft Carrier Waiver and Refueling Overhaul Funding:** Navy leaders sent a proposal to Congress requesting waiver authority to temporarily reduce the current fleet of 11 aircraft carriers to 10 from 2012 through 2015. The House wisely rejected this waiver authority, and now the Senate must weigh in accordingly. Additionally, the Senate's version of the bill authorizes funding for the first installment of money planned for the critical nuclear refueling and complex overhaul of the *USS Theodore Roosevelt* (CVN-71) during FY09.
- **DDG-1000 Debate and Funding:** The Senate legislation has authorized the Administration's request for a third next-generation DDG-1000 at approximately \$2.6 billion. The House has approved entirely different funding, however, that would essentially kill the DDG-1000 program if enacted. Instead, the House bill proposes only a fraction of funds requested to potentially restart an entirely different class of ship, the DDG-51 Arleigh Burke destroyers. In reality, the House does not authorize enough funding to build *any* major surface combatant in 2009. Senate authorizers, and the full Senate, deserve the opportunity to debate this critical shipbuilding decision before the defense appropriations spending bills move in both chambers.
- **Continued Guard and Reserve Forces Empowerment:** The Commission on the National Guard and Reserves released its final report in January. This latest report reiterates the necessity for reforming the military's compensation structure to better align the tangible forms of cash and in-kind compensation with the intangible benefits of military service. The Pentagon has moved quickly to implement many changes by Executive Order, and Congress proposed many of its own recommendations in last year's defense authorization bill. This year's Senate bill builds on these efforts by directing the secretary of defense to develop a strategic plan to enhance the role of the National Guard and Reserves, which should be commended.
- **Train and Equip Authorities:** The Senate defense authorization bill also extends and broadens the Pentagon's authority to train and equip foreign militaries and counterterrorism forces. Additionally, the legislation grants authorization to the Special Operations Command to train forces that are supporting special operations forces in current military operations. Building partner capacity has reaped dividends in the past several years and helps prevent emerging challenges from becoming future conflicts.
- **Strategic Posture Commission Extension:** Last year's defense authorization bill created the Congressional Commission on the Strategic Posture of the United States. The commission is charged with reviewing the strategic posture of the United States, including a strategic threat assessment and a detailed review of nuclear weapons policy, strategy, and force structure. Congress mandated a report to itself, the President, and various federal agencies by the end of this year. The commission only recently stood up, however, and needs more time to complete its work. The 2009 authorization bill allows for an interim report on the commission's initial findings, conclusions, and recommendations to be submitted with a final version next year.

**Good Governance.** The legislative calendar is quickly running out on the 110th Congress, and many competing priorities await the U.S. Senate upon return from recess. However, the 2009 defense authorization bill should be given due time on the floor for debate—and approval—of many essential defense policies. Finally, Congress should seek to conference this important defense policy bill

quickly so that it may be signed into law by the end of the year.

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