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OPINION | COMMENTARY | COMMENTARY (U.S.)

# Repeal the Budget Control Act

The 'sequester' hasn't reduced spending, but it has crippled the military's ability to plan.



U.S. soldiers arrive for training in Australia, July 11. PHOTO: GETTY IMAGES

By *Tom Cotton*

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“We need Congress to do its job,” President Trump said Saturday at the commissioning ceremony for the USS Gerald R. Ford. “Pass the budget that provides for higher, stable and predictable funding levels for our military needs that our fighting men and women deserve.”

The president is right, but what’s standing in the way is the Budget Control Act of 2011. So why don’t we repeal it already?

In retrospect, the Budget Control Act of 2011 was ill-conceived from the start. Rather than attack America’s spending problem at its root, the law only clipped a few stray leaves off the branches. In the early Obama years, the federal deficit spiraled out of control, reaching \$1.4 trillion in 2009 before settling in around \$1.3 trillion for the next two years. Entitlement programs—which, combined with interest payments on the national debt, make up two-thirds of federal spending—are the key driver of our long-term debt challenges.

But President Obama refused to address this problem and instead made a deal with Senate Majority Leader Harry Reid and House Speaker John Boehner —neither of whom is in office today—to squeeze some savings from the remaining one-third of the budget, what’s called “discretionary” spending.

The BCA put budget caps on discretionary spending for 10 years, ending in 2021, and established a 12-member congressional “supercommittee” to find at least \$1.2 trillion in additional savings over that same 10-year window. The law stipulated that should the committee fail, there would be an across-the-board cut, or “sequester,” to keep spending below the caps. Half the savings would come from the defense budget and half from nondefense spending, meaning the military would absorb 50% of the cuts, even though it accounts for only about 16% of all spending.

The BCA proved flawed in execution as well. To everyone’s dismay and no one’s surprise, the supercommittee deadlocked. In 2013, a sequester took effect, though the cuts in overall spending were short-lived.

It’s true that after the BCA became law, there was a modest decline in federal spending: from \$3.6 trillion in 2011 to \$3.5 trillion in 2012 and \$3.4 trillion in 2013. But this diet proved as short-lived as most others. By 2015, federal spending was back to \$3.6 trillion, and it’s been growing ever since.

Why? Because in 2013 and again two years later, Congress raised the BCA’s budget caps. We already know how 2017 will end. In September, Congress will pass what’s known as a continuing resolution, which essentially freezes spending at last year’s levels. Later in the fall, congressional leaders will meet behind closed doors to write a two-year budget deal that again raises the BCA caps. In December, Congress will pass a massive omnibus spending bill with all sorts of not-so-goodies slipped in undetected. Then, in December 2018, there’ll be another omnibus, and the cycle will likely repeat in 2019-20.

How do we know? Because that’s exactly what Congress did in 2013-14 and in 2015-16.

This bust-and-boom budgeting cycle—in which Congress pretends for years to adhere to budget caps until it frantically raises them at the last minute—cripples the military’s long-term planning abilities. Pentagon planners have to buy year by year, when it takes decades to do something as basic as build a Navy ship. It’s inexcusable to keep this charade up when we have only 275 ships—former chief of naval operations Adm. Jonathan Greenert has testified that the Navy needs 450—in a world that’s growing only more dangerous. It’s irresponsible not to write a budget and stick to it based on current needs and needs.

The law’s defenders say repealing the BCA would increase spending, but spending is already increasing. A cap is a cap only if you stick to it. Repealing the BCA in itself wouldn’t increase spending. It would be up to Congress to set spending levels in annual budget and appropriations legislation, as the Constitution envisions. Besides, it’d

be far better to write a budget out in the open—instead of through backroom deals—and repealing the BCA would be the first step toward reviving the long-dormant budget process.

So there's no need for my colleagues to fear a future without the BCA. The 112th Congress wasn't the Constitutional Convention, and the Budget Control Act isn't the Constitution. It's a flawed law whose repeal is overdue. It's time to stop the Kabuki theater, get down to business, and build the military this country needs and the troops deserve.

*Mr. Cotton, a Republican, is a U.S. senator from Arkansas.*

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