

DEFENSE, OUR TROOPS, and VETERANS

DeFazio has been a vocal advocate on behalf of our men and women serving in the military, including the hundreds of Oregon National Guard members deployed overseas. When DeFazio received reports about inadequate supplies and training of Oregon Guard members at Ft. Hood, Texas, he traveled to the base in December 2003 to see the problems for himself. After the visit, DeFazio wrote to Secretary Rumsfeld and Army Secretary Schoomaker about what he'd seen. A number of the problems, including moldy barracks and paying for supplies out-of-pocket, were resolved after DeFazio's visit.

Representative DeFazio has fought to ensure that the United States makes good on the promises that have been made to those people who have given their best years of life and health to the defense of our nation. He has worked to ensure that veterans in his district have access to quality health care. He was instrumental in getting the necessary funding for the Eugene, Bandon, and Brookings veterans medical clinics, and much needed improvements to the Roseburg VA Hospital.

In addition, he has consistently fought for cost-of-living adjustments for all veterans, supported extended G.I. educational benefits and service-connected disability benefits. The Congressman has devoted a full-time member of his staff for the sole purpose of helping veterans who are having trouble getting benefits from the federal government.

Congressman DeFazio served in the United States Air Force Reserve from June 1967 until his honorable discharge with the rank of 2nd Lt. on March 30, 1971.

DeFazio has been a long-time critic of Pentagon weapons programs that are over-budget, behind schedule and irrelevant to fighting today's threats. He successfully fought to have the Army's over-budget, under-performing Comanche Helicopter program cancelled. DeFazio continues to fight for fiscal responsibility and accountability at the Pentagon so that scarce funds can better be spent on the basic needs of our troops, obligations to veterans of past wars and other domestic priorities.

U.S. Rep. Peter DeFazio, is a recognized expert on Congress' constitutional prerogative to declare war. Since his first term in Congress, DeFazio has, in an effort to restore Congress' role in the decision to go to war, introduced legislation to substantially revise the War Powers Resolution, placing statutory limits on the President's power to initiate hostilities and giving members of Congress legal standing to bring suit against the President for his failure to comply with the Resolution.

In the late 1980s DeFazio applied his War Powers legislation to President Reagan's use of US Naval forces to escort reflagged Kuwaiti tankers in the Persian Gulf. He also filed suit with Rep. Mike Lowry and 100 Members of Congress against President Reagan. At the time, it was the largest lawsuit ever brought by Members of Congress against a sitting president.

In 1990 on the eve of the Gulf War, DeFazio spearheaded an effort to keep Congress in session through the month of December, so that the body would be able to vote on an authorization for war, if necessary. He was one of the very first members to insist that Congress must vote on a formal authorization before the President could commit troops to combat in the Persian Gulf.

Most recently, DeFazio, was one of the first to raise concerns about the unprecedented scope of the draft authorization of force resolution offered by the House Republican leadership in the wake of the September 11 attacks. DeFazio worked with Minority Leader Gephardt and other Democratic negotiators to get language in the final version of the authorization of force resolution (H.J.Res. 64/S.J.Res. 23) allowing the President to fully respond to the September 11th attacks while protecting Congress' authority to determine when to send U.S. troops into battle in the future.

And again, DeFazio showed leadership by coordinating a letter to President Bush in December 2001 challenging the president's assertion that he had the authority to attack nations unrelated to the September 11 terrorist attacks—including Iraq—without further authorization from Congress.

"DeFazio, in Iraq, says troops underequipped"
Bend Bulletin, 1/27/04

"[DeFazio] says troops still lack effective body armor"
The Daily Courier, 1/30/04

"DeFazio gets WMD unit for Oregon"
The Associated Press, 3/10/04
The Bulletin, 3/11/04
Daily Astorian, 3/10/04

"DeFazio gets state a WMD team"
Mail Tribune, 3/11/04

"Peter DeFazio [has] been [an] outspoken critic of treatment of Oregon reservists."
Tri-County News, 4/1/04

"DeFazio bill would raise soldiers' pay"
The Register-Guard, 4/2/04

"DeFazio urges pay for troops kept long"
Gazette-Times, 4/2/04

"DeFazio goes to bat vs. Pentagon"
Springfield News, 5/21/04

"Some were sent to battle with Vietnam-era body armor and outmoded equipment. After Reps.

Darlene Hooley and Peter DeFazio and other leaders visited troops, that began to change."
Springfield News, 6/20/04

OUR TROOPS

In the 108th Congress (2003-2004):

► **After receiving complaints that Oregon National Guard members were subject to poor training conditions and inadequate supplies while stationed at Fort Hood, Texas, waiting to be deployed to Iraq, DeFazio traveled to Fort Hood in December 2003 to investigate for himself.** He found moldy barracks, soldiers having to buy their own basic supplies out-of-pocket like radios and toilet paper, and medical supplies intended for use in Iraq were being raided to take care of sick and injured soldiers in Texas. Shortly after DeFazio's visit, the Pentagon began to clean up the mold, the State of Oregon and the Pentagon provided credit cards to the unit to buy basic supplies, and medical supplies were refreshed.

► **DeFazio voted in July 2002** (eight months before the U.S. invaded Iraq) for legislation, H.R. 4775, the fiscal year 2002 emergency supplemental appropriations act, that included a provision **authorizing Secretary Rumsfeld to use up to \$12.6 billion to purchase body armor and other critical equipment.**

► **DeFazio voted on several occasions for legislation containing hundreds of millions of dollars each to purchase armored Humvees,** including the fiscal year 2002 Department of Defense Appropriations Act (H.R. 3338), which was approved in November 2001, more than a year before the U.S. invaded Iraq. Other bills DeFazio supported with money for armored Humvees include the fiscal year 2004 Department of Defense Appropriations Conference Report (H.R. 2658), and the fiscal year 2005 Department of Defense Appropriations Conference Report (H.R. 4613).

► **DeFazio also voted in favor of H.R. 4200,** the fiscal year 2005 Department of Defense Authorization Act, **which included a number of pay and benefit improvements for our men and women in uniform, including:**

A 3.5 percent across-the-board pay increase for members of the armed forces. This is the sixth consecutive year that military pay raises have outpaced raises in the private sector.

Elimination of out-of-pocket housing costs (final year of five year initiative to eliminate these costs).

A maximum hardship duty pay increase from \$300 per month to \$750.

A Permanent increase for imminent danger pay from \$150 to \$225 per month.

A Permanent increase in the family separation allowance from \$100 to \$250 per month.

Expansion of the numbers and categories of family members and other people who are entitled to transportation at government expense to visit seriously ill or injured service members.

Allowing the Secretary of Defense to accept the donation of frequent flier miles, credits and tickets to be used to facilitate travel for service members (also known as "Operation Hero Miles").

H.R. 4200 is still in a conference committee to resolve the differences between the House and Senate approved bills.

► The FY05 Defense Authorization Bill also included several pay and benefit improvements specifically for National Guard Members including:

The bill requires that mobilized reservists be paid the same bonuses (i.e. enlistment, reenlistment, and retention bonuses) as active duty members.

The bill recommends paying salary supplements to reservists who have a reduction in income while away from their civilian jobs. The bill provides a minimum monthly payment of \$50 and a maximum of \$3,000 per month. To be eligible, a reservists would have to complete 12 months of continuous service on active duty or 18 months on active duty during the previous 60 months, or for any month during a mobilization that occurs within six months of the member's previous active duty service.

Notably, the bill contains a provision that requires the Secretary of Defense, in allocating equipment procured in the bill, to give priority to units that are deployed to, or preparing to deploy to Iraq or Afghanistan, regardless of whether the unit is active, Guard or reserve.

The bill requires that time spent during mobilizations of reservists for training counts against the statutory limits set for involuntary mobilizations (those limits are two years or 270 days, depending upon which authority is used to bring reservists to active duty).

Creates a three-year demonstration project to provide TRICARE to reservists who are ineligible for employer-sponsored health care in their civilian jobs.

► **In response to reports that tens of thousands of troops were being forced to stay in the military past their planned separation or retirement dates due to stop-loss orders, DeFazio introduced legislation, H. R. 4111, to provide these soldiers with a \$500 monthly bonus.**

► **In November 2003, DeFazio joined Rep. Hooley in requesting that the DOD IG investigate the disparate treatment of Guard members versus active duty in Iraq. The**

DOD IG responded on January 30, 2004, that they did plan to investigate.

- ▶ **Met with Lt. Gen. Roger Schultz, the head of the Army National Guard, in October 2003 to express concerns about inadequate supplies of protective equipment like body armor and armored Humvees for Oregon Guard members who would be deployed to Iraq.** DeFazio received assurances that all Guard members would be properly outfitted.
- ▶ **When DeFazio received reports from Oregon Guard members in Iraq that they did not have the promised armored Humvees, he contacted the Army in April 2004 demanding an explanation and proposing solutions,** including keeping armored Humvees from units departing Iraq in the country for use by those staying, opening shuttered auto plants to ramp up productions, and increasing funding to do the same.
- ▶ **DeFazio traveled to Iraq in January 2004 to personally visit and thank our troops, learn about the challenges they faced, and any aid Congress could provide.** He also had the opportunity to witness the progress of reconstruction efforts.
- ▶ **DeFazio has supported several bills to improve the pay and benefits for National Guard members** including H.R. 1345, which would help close the pay gap between military and civilian jobs faced by Guard members who are deployed; H.R. 4346, which would improve the pre and post-deployment health exams provided to Guard members; and H.R. 4200, the fiscal year 2005 Department of Defense Authorization Act, which made a number of improvements to Guard pay and benefits such as a 3.5 percent pay raise and extension of TRICARE (the military health care system) to Guard members and their families.
- ▶ **DeFazio voted in favor of H.R. 1307, the Armed Forces Tax Relief Act.** This legislation eases the tax burden on those serving in combat situations in a variety of ways.
- ▶ **DeFazio took the lead in enhancing the weapons of mass destruction response capabilities of the Oregon National Guard.** DeFazio offered an amendment to H.R. 1559, a supplemental spending bill for the invasion and occupation of Iraq, to reduce economic aid for Turkey and transfer the money to establish new National Guard Weapons of Mass Destruction Civil Support Teams (WMD CSTs) in the U.S. These teams provide critical assistance and unique expertise to already overburdened state and local jurisdictions with respect to attacks or suspected attacks involving weapons of mass destruction. The DeFazio amendment failed 113-312 on April 3, 2003. DeFazio then offered an amendment to H.R. 2658, the Fiscal Year 2004 Department of Defense appropriations act, to earmark money for additional National Guard Weapons of Mass Destruction Civil Support Teams (there was no money for teams in the original version). DeFazio agreed to withdraw his amendment in exchange for a commitment from the Chairman and Ranking Member to add teams in the conference bill. **In response to the commitment made to DeFazio, the final version of H.R. 2658 included money for 12 additional WMD CSTs. DeFazio coordinated a letter to the Assistant Secretary of Defense for Homeland Defense from the entire Oregon House delegation requesting that one of the 12 additional teams be provided to Oregon. The Pentagon announced on March 9, 2004, that the Oregon National Guard was awarded a WMD**

CST.

- ▶ As he has since his first term in Congress, **DeFazio was a key leader in protecting Congress' right under the U.S. Constitution to decide issues of war and peace.** DeFazio has fought the erosion of congressional war powers under presidents of both major political parties. On February 5, 2003, he introduced legislation, H. J.Res. 20, along with Representative Ron Paul (R-TX) to repeal the congressional authorization for an invasion of Iraq that was granted in October 2002. DeFazio also offered an amendment, H. Amdt.44 to H.R. 1559, a supplemental spending bill to fund the U.S. invasion and occupation of Iraq, to prohibit any of the money being delivered to the Pentagon from being used to invade other countries without a specific authorization from Congress.
- ▶ Recognized for faithful service to the Oregon National Guard, "Your dedication to soldier care issues has made a tremendous difference." Raymond C Byrne, Jr. Brigadier General Acting Adjunct General, 2004.

VETERANS

----- In the 108th Congress (2003-2004):

- ▶ **DeFazio has been a vocal supporter of increased funding for veterans programs.** He voted against the House Republican budget, which largely mirrored the budget submitted by President Bush, because of inadequate funding for veterans.

The budget proposed by President Bush in February did not adequately provide for veterans needs. It included only a 1.8% increase in veterans medical spending. That increase barely keeps pace with inflation and current services. The funding level would certainly not allow for improved services or adequate care for an increasing number of veterans, including those returning from Iraq and Afghanistan. Bush also proposed to double the prescription drug co-payment to \$15 and impose a \$250 annual enrollment fee on Category 7 and 8 veterans. The VFW Commander-in-Chief issued a scathing press release in opposition to the President's budget. He called the budget "a disgrace and a sham," and said, "it is further evident that veterans are no longer a priority with this administration."

The House Republicans did not significantly improve on the President's inadequate budget for veterans when drafting their own budget resolution. The Republican budget provided \$1.3 billion less for veterans programs in 2005 than what the House Committee on Veterans Affairs recommended on a bipartisan basis. It provided \$2 billion less for veterans programs than what veterans themselves requested in their Independent Budget proposal, which is why DeFazio voted against it. Veterans' organizations, including Veterans of Foreign Wars, Disabled American Veterans, AMVETS, and the Paralyzed Veterans of America have called the Republican budget "half-hearted" and "ill-advised". They urged a vote against it and said the Republican budget "would be a disservice to those men and women who have served this country and who are currently serving in Iraq, Afghanistan, and around the world in our fight

against terrorism. "

► **In June 2004, DeFazio voted in favor of a budget amendment by Representative David Obey (D-WI), H. Res. 685. The Obey amendment would have added \$1.3 billion for veterans' health care.** The amendment was defeated 184-230.

► **As he has in previous Congresses, DeFazio actively supported one of the top priorities of veterans activists: repealing the VA disability compensation offset.** Despite the fact that a veteran may earn both military retired pay and VA disability compensation, current law requires that military retired pay be reduced by the amount of any disability compensation received. DeFazio cosponsored legislation, H.R. 303, to repeal this offset. He also signed a discharge petition that would force the House Republican leadership to schedule a vote on the bill. A discharge petition needs 218 signatures to force a vote. This discharge petition currently has 204 signatures.

► **DeFazio has long fought for increased funding for veterans health care. To permanently address these persistent funding shortfalls, DeFazio is a cosponsor of H. R. 2318, the Assured Funding For Veterans Health Care Act.** H.R. 2318 would end the annual ramping up or down of this vital funding by making veterans health care spending a mandatory part of the federal budget with increases automatically provided based on the number of veterans eligible for care.

► **DeFazio continued to be an advocate for improving benefits to the survivors of deceased military retirees.** Under current law, when a widow or widower who is receiving money under the Survivor's Benefit Plan turns 62, a Social Security offset reduces benefits from 55 percent to 35 percent of the spouse's military retiree pay. DeFazio is a cosponsor of two bills (H.R. 548 and H.R. 3763, which phases in repeal of the offset more slowly to keep the cost down) to increase the SBP to 55 percent of retired pay. DeFazio has also signed the discharge petition to force a vote on the House floor on H.R. 548. Thankfully, improvements to the SBP were included in the House version of the FY05 DOD Authorization Act (H.R. 4200). DeFazio voted in favor of the bill. H.R. 4200 phases in an increase in the SBP back to 55 percent over the next four years.

► **DeFazio was a leading advocate for protecting VA facilities in the Northwest from closure.** The Bush Administration created the Capital Assets Realignment for Enhanced Services Commission (CARES Commission). Early drafts of the CARES report indicated that at least three VA facilities in the Northwest, including the White City domiciliary, could be targeted for closure. DeFazio wrote to VA Secretary Principi and the CARES Commission in opposition to the closure of facilities in the Northwest. DeFazio also cosponsored legislation, H.R. 2808 that would give Congress the right to veto decisions by the CARES Commission and the VA Secretary to close facilities. **The CARES Commission ultimately agreed and did not recommend closing these facilities.**

► **As he has in past Congresses, DeFazio also cosponsored legislation that was the top priority of military retirees, H.R. 3474, the Keep Our Promises to Military Retirees.** This

legislation would allow military retirees to qualify for the Federal Employees Health Benefit Plan, which is the same health care available to Members of Congress.

PENTAGON SPENDING

In the 108th Congress (2003-2004):

▸ **Successfully fought to get the Army's Comanche helicopter program cancelled.** DeFazio requested GAO reports in 1999 and 2001 that were critical of the Comanche. In addition, DeFazio offered amendments to the FY03 defense authorization bill, the FY02 authorization bill and the FY03 appropriations bill to reform or cut the Comanche program. **Defense Secretary Donald Rumsfeld finally agreed and cancelled the program in February 2004. By getting the Comanche cancelled, DeFazio helped to save taxpayers \$30 billion over the next decade.**

▸ **Allegations of war profiteering on reconstruction contracts in Iraq led DeFazio to coauthor H.R. 3673, the War Profiteering Prevention Act.** This legislation prohibits fraud and excess profiteering in contracts awarded for relief and reconstruction in Iraq, increases penalties to \$1 million or twice the gross profits or proceeds (whichever is greater), and provides for jail terms of up to 20 years.

▸ **H.R. 4613, the fiscal year 2005 defense spending bill included \$2 million requested by DeFazio for a software program to more efficiently schedule U.S. Navy ship construction. DeFazio also secured \$2 million in fiscal year 2004 and \$1.5 million in 2003 for this program. The software, which was developed by On Time Systems, Inc. of Eugene, Oregon, could save the Navy \$200-500 million in annual construction costs.** In addition, when the Navy and Electric Boat (one of the Navy's primary shipbuilders) did not comply with the direction from Congress on the testing of the software. DeFazio and Representative Norm Dicks intervened with the Navy on behalf of On-Time Systems, Inc. to ensure that congressional intent was fulfilled with a full-fledged test and evaluation of the software.

▸ **DeFazio also helped secure the first ever earmark for Hydration Technologies of Albany, Oregon. H.R. 4613 includes \$6.3 million to purchase personal water filtration devices produced by Hydration Technologies for the Army and Air Force.** Water requirements constitute the single largest logistics challenge for the U.S. military. The Albany-based company has found a way to provide low-cost, safe, reliable, simple-to-operate technology to allow the individual soldier to produce drinkable fluids from available contaminated water sources.

In the 107th Congress (2001-2002):

▸ **DeFazio, a recognized expert on Congress' constitutional prerogative to declare war, was one of the first to raise concerns about the unprecedented scope of the draft**

authorization of force resolution offered by the House Republican leadership in the wake of the September 11th attacks. DeFazio worked with Minority Leader Gephardt and other Democratic negotiators to get language in the final version of the authorization of force resolution (H.J.Res. 64/S.J.Res. 23) allowing the President to fully respond to the September 11th attacks while protecting Congress' authority to determine when to send U.S. troops into battle in the future.

▶ **DeFazio continued his leadership on protection congressional war powers under the Constitution by coordinating a letter to President Bush in December 2001 challenging Bush's assertion that he had the authority to attack nations unrelated to the September 11, 2001, terrorist attacks - including Iraq - without further authorization from Congress. During consideration of the fiscal year 2003 Department of Defense Authorization Bill, DeFazio worked with Representative Ron Paul (R-TX) on an amendment to reinforce Congress' war powers. This amendment was blocked from consideration on the floor. In July 2002 DeFazio introduced a bipartisan resolution, H.J. Res. 109, which says the President cannot legally strike against Iraq without congressional approval and calls on Congress to debate the president's war plans for Iraq. In late August 2002, DeFazio drafted a point-by-point rebuttal of the Administration's arguments for unilateral executive war-making authority. In early September 2002, the Bush Administration announced it would seek authorization from Congress for a war with Iraq.**

▶ **Continuing his efforts to combat wasteful spending at the Pentagon, DeFazio requested that the General Accounting Office (GAO) investigate the Army's Comanche helicopter program. The GAO report revisited the concerns originally raised in a DeFazio-requested report in 1999. The June 2001 GAO report confirmed that the Comanche program is behind schedule, over budget, and unlikely to meet performance requirements. During the debate on the FY03 Department of Defense Authorization Act, DeFazio offered several amendments to limit the F-22 fighter jet, the Comanche helicopter, and the Crusader artillery system. While the DeFazio amendments were blocked from being debated on the floor, Secretary of Defense Donald Rumsfeld agreed with critics of the Crusader and cancelled the program in mid-2002. Further, Rumsfeld is also considering scaling-back the F-22.**

▶ DeFazio joined 30 Members of the House in filing a lawsuit in federal district court challenging the President's authority to withdraw from the 1972 Anti-Ballistic Missile (ABM) Treaty without congressional consent. A Federal Court ruled against the Members of Congress

In the 106th Congress (1999-2000)

▶ Continuing his efforts to combat corporate welfare, DeFazio and Senator Tom Harkin asked the General Accounting Office to compile a list of procurement fraud cases among the top 100 defense contractors from January 1995 through September 1999. DeFazio offered an amendment to the 2000 Department of Defense Authorization bill to prohibit the DOD from entering into contracts with companies that violate the law more than three times and has

introduced a bill, H.R.5439, to end taxpayer support of federal contractors that violate the law more than three times.

- ▶ Author of H.J.Res. 42, a bill to substantially revise the War Powers Resolution, reasserting Congress' constitutional power to declare war by placing statutory limits on the President's power to initiate hostilities and by giving members of Congress legal standing to bring suit against the President for his failure to comply with the Resolution. DeFazio has introduced this bill in every Congress and remains a leader in the effort to restore the congressional role in the decision to go to war.

- ▶ Received the Friends Committee on National Legislation "Giraffe" Award, for his leadership in efforts to combat military waste, fraud and abuse.

In the 105th Congress (1997-1998)

- ▶ Author of H.R. 1973, a bill to reduce the number of military operational support aircraft. After introducing the bill, DeFazio then offered a successful amendment on the floor of the House to the Defense Appropriations bill to cut \$50 million from the account supporting operational support aircraft, the "general's jets" used to transport high ranking military officials around the world. DeFazio and Iowa Republican Senator Charles Grassley had earlier requested a GAO report on the subject. The report concluded that the OSA fleet was far in excess of military requirements.

In the 104th Congress (1995-1996)

- ▶ DeFazio and Rep Bernie Sanders, I-Vt., offered a number of successful floor amendments, including one prohibiting the use of taxpayer funds to subsidize merger and downsizing bonuses for executives at the defense firm Lockheed-Martin, one that more broadly prohibits the Department of Defense from subsidizing costs associated with job-killing defense mergers and an amendment offered to the fiscal year 1996 Treasury Department appropriations bill prohibiting the use of further U.S. funding for the purpose of bailing out the Mexican peso.

- ▶ DeFazio has gained a solid reputation as Pentagon watchdog. For instance, he worked closely with Taxpayers for Common Sense to produce a report called "Pentagon Follies." the report, which garnered national press attention, documented \$29 billion in military waste

In the 100th Congress (1987-1988)

- ▶ Author of H.J. Res. 310, declaring that the requirements of the War Powers Resolution applied to President Reagan's use of U.S. Naval forces to escort reflagged Kuwaiti tankers in the Persian Gulf. **DeFazio and then-Rep. Mike Lowry subsequently organized a lawsuit against President Reagan that included more than 100 Members of Congress as plaintiffs.**

It was the largest lawsuit ever brought by Members of Congress against a sitting President.