Gimmicks in 2011 federal cuts are affecting budget debate today
Many 2011 budget cuts had little real effect

by David A. Fahrenthold

Late on the night of April 8, 2011, Washington’s leaders announced that they’d just done something extraordinary. They had agreed to cut the federal budget — and cut it big.

“The largest annual spending cut in our history,” President Obama called it in a televised speech. To prevent a government shutdown, the parties had agreed to slash $37.8 billion: more than the budgets of the Labor and Commerce departments, combined.

At the Capitol, Republicans savored a win for austerity. There would be “deep, but responsible, reductions in virtually all areas of government,” House Appropriations Committee Chairman Harold Rogers (R-Ky.) promised a few days later, before the deal passed.

Nearly two years later, however, these landmark budget cuts have fallen far short of their promises.

In some areas, they did bring significant cutbacks in federal spending. Grants for clean water dried up. Cities got less money for affordable housing.

But the bill also turned out to be an epic kind of Washington illusion. It was stuffed with gimmicks that made the cuts seem far bigger — and the politicians far bolder — than they actually were.

In the real world, in fact, many of their “cuts” cut nothing at all. The Transportation Department got credit for “cutting” a $280 million tunnel that had been canceled six months earlier. It also “cut” a $375,000 road project that had been created by a legislative typo, on a road that did not exist.

At the Census Bureau, officials got credit for a whopping $6 billion cut, simply for obeying the calendar. They promised not to hold the expensive 2010 census again in 2011.

Today, an examination of 12 of the largest cuts shows that, thanks in part to these gimmicks, federal agencies absorbed $23 billion in reductions without losing a single employee.

“Many of the cuts we put in were smoke and mirrors,” said Rep. Mick Mulvaney (R-S.C.), a hard-line conservative now in his second term. “That’s the lesson from April 2011: that when Washington says it cuts spending, it doesn’t mean the same thing that normal people mean.”

Now the failures of that 2011 bill have come back to haunt the leaders who crafted it. Disillusionment with that bill has persuaded many conservatives to reject a line-by-line, program-by-program approach to cutting the budget.

Instead, many have embraced the sequester, a looming $85 billion across-the-board cut set to take effect March 1. Obama and GOP leaders have said they don’t like the idea: the sequester is a “dumb cut,” in Washington parlance, which would cut the government’s best ideas along with its worst without regard to merit.

But at least, conservatives say, you can trust that this one is for real.

“There has been a shift in resolve. They have been burned in these fictional cuts. And so the sequester is like real cuts,” said Chris Chocola, a former congressman who now heads the Club for Growth, a conservative advocacy group. “So I think that there is a willingness to say, ‘We’ve really got to
cut stuff, and [the cuts] have got to be real."

The April 2011 budget cuts ended the first big battle of Congress's current era. That spring, a new crop of House conservatives — elected with tea party support — was demanding large budget cuts. The legislators would risk a government shutdown to get them.

But in both parties, leaders resisted the idea of a meat-ax cut to government. There was a recession going, after all.

“Given the economic and employment crisis, we tried to limit cuts that would cause major furloughs or layoffs that would put people out of work,” Rogers said in a written statement released this week. He declined to be interviewed on the record, but his statement went on to say that the bill’s “cuts are real, and every dollar we did not provide is a dollar saved for the American taxpayer.”

The leaders found a solution, according to aides on both sides. Among the real cuts, they would mix in others that looked huge on paper but would turn out small in real life.

“The administration offered, and the Republican leadership accepted, cuts in stores of funding that … were unlikely to be used in the future,” said Richard Kogan, a former Obama administration official who is now at the nonpartisan Center on Budget and Policy Priorities. “This was conscious on both sides.”

The final deal itself ran to 176 pages and included more than 250 individual reductions. Some of them certainly caused real-life sacrifice: one cut to the National Oceanic and Atmospheric Administration helped delay a crucial weather-satellite program, according to the Obama administration.

But in other cases, sacrifice was minimal. Congress, for instance, “cut” $14.6 million from its own budget to build the Capitol Visitor Center. That changed nothing. The center was already built.

To sketch the bill’s biggest impacts, The Washington Post focused on the 16 largest individual cuts. Each, in theory, sliced at least $500 million from the federal budget. Together, they accounted for $26.1 billion, two-thirds of the total.

In four of those cases, the real-world impact was difficult to measure. The Department of Homeland Security officially declined to comment about a $557 million reduction. The Department of State, the Department of Agriculture and the Federal Emergency Management Agency — whose cuts totaled $1.9 billion — simply did not answer The Post’s questions despite repeated requests over the past month.

Among the other 12 cases, there were at least seven where the cuts caused only minimal real-world disruptions or none at all.

Often, this was made possible by a little act of Washington magic. Agencies got credit for killing what was, in reality, already dead.

At the Census Bureau, for instance, officials had already said they didn’t need the more than $6 billion they had spent the year before. That money had paid for the once-a-decade 2010 Census. There wasn’t, of course, another census planned in 2011.

But to Congress, that was still a cut. The budget bill formally revoked the “budget authority” needed to spend the $6 billion that the Census Bureau didn’t want. On paper, it looked like a huge reduction. But, at the Census Bureau, no employees were laid off. No projects were finished late.

At the Transportation Department, Congress canceled $630 million in “orphans.” These were the wandering ghosts of the highway budget: pots of money assigned for specific road projects, which were still sitting unspent years and years later.

Often, this money seemed unlikely to ever be spent. Many projects had been canceled. In one case, the funds were earmarked for a road that did not even exist.

In 1998, Congress had earmarked $375,000 to upgrade “State Road 31” in Columbus, Ind. But there is no State Road 31. It was a mistake. So the money sat. “That was funding that we just couldn’t otherwise use,” said Will Wingfield of the Indiana Department of Transportation.
Phantom cuts in the federal budget

The federal budget in 2011 included an undisclosed amount of money allocated for projects and programs already completed or already cancelled. In some cases, Congress removed these funds and counted them as "cuts" instead of actual reductions in real projects. The Washington Post identified the impact of some of the largest cuts — none resulting in the loss of federal jobs.

Of $37.8 billion in cuts requested, these agencies trimmed:

$6.2 billion DEPARTMENT OF DEFENSE
Military construction
About $5 billion had been needed the year before for base closing and relocation, but the Pentagon had planned not to spend it. The remaining $1.2 billion came from "cutting" programs that were already canceled. The military canceled one project it wanted to keep, a $29 million building project in Qatar.

$6.2 billion CENSUS BUREAU
The bulk of this cut was money the agency said it didn’t need because it would not perform a census in 2011. (The 2010 census cost $6 million to perform.)

$2.5 billion DEPARTMENT OF TRANSPORTATION
Highway projects
This cut rescinded $2.5 billion in funding previously given to states for highway projects. DOT and the American Association of State Highway and Transportation Officials could not cite a real-world project canceled or delayed.

$680 million
The Federal Transit Administration was able to take credit for "cutting" programs that had already been canceled for other reasons. One was a $280 million project to build a new train tunnel between New York and New Jersey canceled by New Jersey Gov. Chris Christie.

$630 million
These were "orphan earmarks," pots of money that Congress had allocated years earlier for certain highway projects. All remained at least 90 percent unspent, at least 12 years after they had first passed. In many cases, that’s because the projects had been shelved by local authorities.

$638 million DEPARTMENT OF THE ENERGY
Defense Environmental cleanup
The loss of this money was made up by funds that had been appropriated in the stimulus bill. No federal employees lost their jobs.

$529 million DEPARTMENT OF THE INTERIOR
Wildland Fire programs
Congress essentially took back unused money from the Interior Department’s reserve funds. Later, when the Interior Department was forced to dip into those reserve funds, Congress replenished what they had used. The only real-world impact: because of a particular $14 million cut, the department had to delay work including hazard reduction, rural fire assistance and burned area rehabilitation.

In the 2011 budget deal, Congress took that money back. In Indiana, Wingfield said, there was no noticeable difference. The state was already spending its own money to fix the real-life road, U.S. Route 31, that Congress was supposed to help.

"Don’t count that as a cut," said former representative David M. McIntosh (R-Ind.), whose earmark was responsible for the imaginary road. He said the mistake wasn’t his fault: The state got the name wrong when it asked for money in the first place. “It never added, and would never add, to the debt. Your whole goal here is to reduce the amount of public indebtedness.”

Both Democratic and Republican aides, however, defended this process in recent interviews. They argued that, under certain conditions, this "orphan" money could still have been spent by states or the federal government. To cut it was to eliminate that possibility.

"People tended to say, ‘Oh, these will never be used again.’ But while cuts in or-
phan earmarks were sitting on the Hill awaiting enactment, cities and States were spending the money, because they feared it was going to go away. It was real money,” Robert Gordon, an official at the administration’s Office of Management and Budget, said in a statement sent by e-mail.

Anyway, he said, these are the rules Washington has always played by.

“Budget authority is the authority to spend,” Gordon said. “You cut budget authority, you cut the ability to spend.”

But this approach led, in some cases, to situations where large “cuts” on paper translated into relatively small changes in reality.

At the Pentagon, for instance, the April 2011 bill required a whopping $6.2 billion cut to military construction. But through a combination of congressionally installed gimmicks and military ingenuity, the Pentagon escaped nearly unscathed.

It happened like this: First, the Pentagon “cut” $5 billion by doing nothing at all. This was money that had been needed the year before to help close out the Base Relocation and Closure (BRAC) process. The Pentagon had already said it wouldn’t need to spend that much money in 2011.

It didn’t. That counted as a $5 billion “cut.”

Beyond that, defense officials found 94 existing projects where bids had come in lower than expected. They added up those savings: $397 million. Then they looked for the bureaucratic dead: projects that had been nixed for unrelated reasons. There was a sniper range in Louisiana. A headquarters in Djibouti. Air base upgrades in Guam. That was $568 million more.

On and on it went, as Pentagon officials filled out their allotted cut painlessly. In the end, officials said, there was just one instance where the Pentagon “lost scope” purely as a result of the landmark budget cuts. Meaning: where the military had to cut something it actually wanted to keep. That was a project at a base in Qatar — a medical-administration building and two warehouses. Total real-world savings: $25.2 million. Just 0.4 percent of the total that Congress counted as “cut” on paper.

Not all the bill’s cuts were illusory, however. The Post’s analysis found five large cuts that turned out to be very real.

None of them actually caused an agency in Washington to shed federal personnel. Instead, they reduced the money that passed through those agencies to state and local projects.

There was a $997 million decrease in funding for Environmental Protection Agency programs to lend out for water-restitution projects. The result, EPA officials estimated, was that 210 fewer projects received funding.

An additional $942 million was cut from community development funds, shared by 1,200 cities and towns around the country. In Boston, for instance, that translated into a funding cut of $3.7 million from the year before. The money is used, in part, to fix up dilapidated homes. On average, the city needs $27,000 to fix up a home so it’s ready for a tenant in need.

“We just do less volume,” said Sheila Dillon with the city of Boston. “It’s taking us longer to fund good affordable housing projects, and subsequently there’s people who are spending too much money on rent.”

One of the bill’s sharpest impacts was felt in Calexico, Calif., 2,500 miles away from Washington. For years, people there have complained that the local border crossing cannot handle enough cars: Lines back up for hours on the Mexican side, which provides 60 percent of Calexico’s retail shoppers.

To fix that problem, the U.S. General Services Administration had proposed building a new crossing, adding extra inspection lanes to speed travelers through. But after the April 2011 cuts, the GSA “zeroed out” that project, on which it had proposed to spend $84 million in 2011.

Now local officials are hoping for an unorthodox solution: They want a private company to build the border post and then lease it back to the government.

Without that, “we don’t have a breath of hope for another five years at the very least,” said John R. Renison, an Imperial
County, Calif., supervisor whose district includes the Calexico crossing. “It looks like there’s just not the political will [to pay for the crossing], even though they know they need it.”

Even though the April 2011 bill made these real reductions, its legacy has been defined by its illusions. The impressive-sounding “cuts” added in to placate hard-charging conservatives have — upon further review — served to alienate them instead.

Since then, in fact, Congress has tended to eschew the line-by-line approach that guided the April 2011 cuts. Instead, it has simply slashed a percentage off the top of agency budgets. The deal that ended the debt-ceiling debate cut $25 billion this way.

Now Washington is facing the “sequester,” which would cut $85 billion starting March 1. The administration has sought to persuade Republicans to cancel it or replace it with a package of spending cuts and tax increases.

That, at times, has made for an awkward argument. Two years later, it appears that some of the budget cuts from April 2011 turned out to be less painful than originally believed. But the White House says that can’t happen again.

This time, it says, the cuts would be very real and very painful.

“Reductions that were possible in 2011 are not possible in 2013,” said Gordon, of the Office of Management and Budget. “The resources that could be cut, they’ve been cut. The low-hanging fruit is gone.”
The billions in cuts that got away

Glenn Greenwald, in a New York Times column, wrote recently that the Obama administration has been less ambitious in the budget cuts department than had been expected. He quoted one administration official saying, "On most things, it’s been a no-win situation. They need to make cuts but they don’t want to make the cuts they need to make." But the administration might have been hoping for more, or at least for more of a narrative about why cuts were necessary.

The administration has been trying to sell the public on the need for cuts, and it has been doing so with some success. But it has also been forced to make cuts that it didn’t want to make, and it has been doing so with some frequency.

The administration’s efforts to sell the public on the need for cuts have been complicated by the fact that the public is not particularly interested in the topic. According to a recent poll by the Pew Research Center, only 39% of Americans say they think the government is spending too much money.

Still, the administration has been trying to make the case that cuts are necessary, and it has been doing so with some success. For example, the administration has been able to get Congress to pass a number of spending cuts, including cuts to foreign aid and military spending.

Of course, the administration is not the only one to blame for the mess in Washington. Congress has also been reluctant to make cuts, and it has been doing so with some frequency. For example, in the past year, Congress has passed a number of spending cuts, including cuts to domestic programs and programs for the elderly.

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The billions in cuts that got away

Citizens suggested thousands of cost-saving ideas, but most stalled

BY DAVID A. FAHRENTHOld

After President Obama set up a national online suggestion box asking federal workers for new ways to cut the budget, 86,000 ideas came in. Some, inevitably, were a little odd.

One suggested that Transportation Security Administration officers scour airport floors for loose change. Another said Boy Scouts could wash government cars for low pay (and a merit badge). Another: To save on federal weed-control efforts, use “Government Goats.”

But many others were more serious, sent in by people who had seen real government waste close up: Stop the “use it or lose it” budgeting policy, which leads agencies to blow taxpayer money at year’s end; stop giving paper calendars to workers who already have online calendars; stop letting every armed service design its own camouflage.

In the end, none of those things happened. Instead, those suggestions became a little-known part of the maddening story of Washington’s budget wars.

Both parties, it turns out, have made wide-ranging efforts to survey the public about smart ways to cut the budget. The public responded — and then the politicians let most of the good ideas get away.

Obama, for instance, chose 67 suggestions out of those 86,000. While some produced results, many seemed unambitious. Often, the administration picked ideas that applauded what it was already doing, instead of forcing it to start new reforms.

“Identifying good ideas that could be expanded to achieve greater savings for the American taxpayer is, in fact, one of the goals” of the president’s program, said Danny Werfel, controller at the Office of Management and Budget.

At the same time, House Republicans were running their own effort to crowdsource the budget problem. They held online votes, picking 36 line items to cut from the budget. But then the party got distracted, and only two of the ideas became law.

After the Obama and GOP efforts fizzled or faltered, Washington got sequestration: an $85 billion “dumb” cut that slashes the wasteful and the useful in equal mea-
What happened to all those cost-saving suggestions?

Sure. The life cycles of these two programs help explain how smart lost and dumb won.

**Obama’s effort: The SAVE Award**

Obama set up the online suggestion box in 2009. Over time, it became a Wikipedia of Waste: a first-of-its-kind compilation of thousands of complaints and suggestions bubbling up from thousands of government cubicles across the land.

In addition to the budget policies, paper calendars and uniforms, they complained about the mind-bending Paperwork Reduction Act, which requires extra legalese at the end of some forms, often making them one page longer.

“It seems contrary to the reduction of paperwork,” one worker said in 2012.

In all, 16 of those ideas — four per year — have been honored as finalists for a presidential “SAVE Award.” The administration took 51 other ideas and included them in Obama’s annual budget proposals over the past three years.

The Office of Management and Budget, which oversees the SAVE program, could not provide a detailed accounting of what it had saved. But officials were clear that they count it a success. “It’s important as part of a cultural change,” Werfel said, “to make sure that we are focused on every dollar.”

The Washington Post surveyed more than 25 agencies and offices charged with implementing the program’s ideas. It got back details on all but eight of the chosen suggestions.

The review found at least 28 cases in which the program seemed to work as promised: A good idea was submitted, and Obama made it a reality. Those suggestions included reducing mailings of the Federal Register, because workers read it online; that saved $2.9 million. Another highlighted a head-slapping example of waste at the Agriculture Department: Its labs
The purpose of the YouCut program was to change the culture of Washington. Today, as is evident to anyone paying attention, that culture has been changed.

Rory Cooper, a spokesman for House Majority Leader Eric Cantor (R-Va.)
were shipping empty boxes and used gloves across the country at next-day-air rates. That stopped, with savings of $282,000 per year. In all, these 28 changes are saving more than $234 million a year.

But other chosen ideas have had a less impressive impact, or none at all. In 20 cases, the ideas were actually old ones that agencies were already acting on. The administration, for example, credited the SAVE program for an effort to reduce drug costs at the National Institutes of Health. But that actually started in 2008, under President George W. Bush. The White House also cited the SAVE program for an effort to digitize the X-rays of federal prisoners. That began in 2004, during Bush's first term.

In seven other cases, the administration has honored ideas but has not implemented them yet. For instance, an employee at NASA's Goddard Space Flight Center won a SAVE Award in 2011 for suggesting a kind of lending library for space tools.

"Everybody [puts] the same special super-duper space wrench in the same place. So that the next time, you’re not having to reorder this specialized part," Obama enthused, recounting the idea in a teleconference with the finalists that year.

"I don’t know why we didn’t think of it before!” the president said. "We should be doing that.”

But they aren’t.

NASA decided that the original idea was unworkable. Tools used by engineers are huge and complicated, so any new “library” would have to be the size of a warehouse. No go. "Space is at a premium around here," said Barry Green, an official at Goddard, located in Greenbelt.

Instead, NASA is trying a virtual library, a database of tools. But the agency hasn’t found a solution for a crucial problem: How can you tell which tools are in use?

"That’s the next step," Green said. Officials are confident that they will solve the problem this summer.

In four other cases, the Obama administration was less ambitious than the works it asked for help.

For instance, federal lawyer Kevin Korzeniewski suggested that the government stop buying expensive, hard-bound copies of the U.S. legal code. He looked up the stuff online. The books gathered dust.

“This is sort of a no-brainer," Obama said.

But his administration applied the idea just to Korzeniewski’s small agency within the Treasury Department. Not the whole government. Not even the whole department. The savings — which might have been $182,000 per year government-wide — were $16,000.

In a telephone interview, Korzeniewski was asked: Wasn’t your idea meant to be applied much more broadly?

There was a pause. He was sitting with a government public relations official.

Then, a whisper in the background: “You can’t speak for other agencies.”

Korzeniewski said he could not speak for other agencies.

The GOP’s effort: YouCut

The Republican effort was led by House Majority Leader Eric Cantor (Va.). It was a three-step process, to be repeated weekly: The GOP would suggest three cost-saving ideas. The public would choose one. Then the House would vote on it.

“We will ... put onto the floor, each and every week, bills that cut spending and reduce the federal deficit," Cantor told reporters in January 2011.

After Republicans took control of the House that month, the program worked as advertised. Six votes. Six winners. One of the chosen ideas was defeated by the House. The other five passed. Some of the ideas had an obvious partisan bent: cuts to programs in Obama’s health-care law, cuts to funds for community organizing and cuts to programs to save energy.

But the voters also chose budget-cutting ideas that Obama had endorsed: defund the much-criticized Christopher Columbus Fellowship Foundation; kill a redundant program to support educational TV; stop sending abandoned-mine-cleanup
payments to states that are no longer cleaning up abandoned mines.

They added up: Altogether, the GOP projected that its 36 winning ideas could save the government $253 billion over 10 years.

But as time passed, the House fell behind. The seventh YouCut bill, for instance, got out of committee but never got a vote on the House floor. Nine winning ideas — with a potential savings of $10.7 billion — disappeared without being written up as legislation.

Rep. Mike Kelly (R-Pa.) was assigned to write legislation that would cut $380 million in loan guarantees to clean-energy companies. But nothing happened with that idea, because Kelly never wrote a bill. He got distracted.

“It was a priority, and it remains an issue of interest. But Mike’s efforts shifted when he chose to focus more on holding the administration accountable with regards to [Operation] Fast and Furious. And then when the Benghazi tragedy occurred, that took the cake,” said Kelly’s spokesman, Tom Qualtere. Now that Congress is in a new session, Qualtere said, Kelly might introduce the bill at last.

Or maybe not.

“Now there are even more priorities and actions that he’s personally leading — such as the march against the U.N. Arms Trade Treaty,” Qualtere said. “So it’s up in the air.”

Two YouCut ideas have become law — both wrapped up in larger bills. One of those cut money that was intended for high-speed rail lines; the GOP estimated that it would save $3.8 billion. The other cut back those payments for mine cleanup, saving an estimated $702 million over 10 years.

The rest died when the last Congress ended. Ten of them made it to the Democratic-led Senate. The other 24 did not get out of the Republican House.

“The purpose of the YouCut program was to change the culture of Washington,” Rory Cooper, a spokesman for Cantor, said in an e-mail. “Today, as is evident to anyone paying attention, that culture has been changed.”

Now YouCut appears to be dead. No new votes have been held in the current Congress. Cantor’s spokespeople did not respond to questions about the program’s status this week.

And the YouCut Web site still offers viewers a vote from the last Congress. One choice would cut contributions to the United Nations. One would end purchases of high-end chairs for federal offices. And one would terminate Environmental Protection Agency grants for community organizing.

Together, the site says, these ideas could save the country $15 billion.
In 2002, the U.S. military had just two kinds of camouflage uniforms. One was green, for the woods. The other was brown, for the desert.

Then things got strange.

Today, there is one camouflage pattern just for Marines in the desert. There is another just for Navy personnel in the desert. The Army has its own “universal” camouflage pattern, which is designed to work anywhere. It also has another one just for Afghanistan, where the first one doesn’t work.

Even the Air Force has its own unique camouflage, used in a new “airman battle uniform.” But it has flaws. So in Afghanistan, airmen are told not to wear it in battle.

In just 11 years, two kinds of camouflage have turned into 10. And a simple aspect of the U.S. government has emerged as a complicated and expensive case study in federal duplication.

Duplication is one of Washington’s most expensive traditions: Multiple agencies do the same job at the same time, and taxpayers pay billions for the government to repeat itself.

The habit remains stubbornly hard to break, even in an era of austerity. There are, for instance, at least 209 federal programs to improve science and math skills. There are 16 programs that teach personal finance.

At the Pentagon, the story of the multiplying uniforms has provided a step-by-step illustration of how duplication blooms in government — and why it’s usually not good.

“If you have 10 patterns, some of them are going to be good. Some of them are going to be bad. Some of them are going to be in the middle,” said Timothy O’Neill, a retired Army lieutenant colonel who studied camouflage patterns as a West Point professor. “Who wants to have the second-best pattern?”

The duplication problem grows out of three qualities that are deeply rooted in Washington. Good intentions. Little patience. And a lust for new turf.

When a bureaucrat or lawmaker sees someone else doing a job poorly, those qualities stir an itch to take over the job.

“You don’t have empirical information on what’s working and what’s not working” in the profusion of new programs, said Gene Dodaro, who heads the Government Accountability Office. He hopes the country will finally decide it can’t afford this.

“The fiscal situation … will begin to force that kind of decision to be made,” he said.

President Obama and congressional Republicans say they’re trying to prune...
The U.S. military's changing camouflage

In 2002, U.S. military forces wore only two camouflage patterns. Today there are many versions.

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<tr>
<th>Pattern</th>
<th>Development costs</th>
<th>Background</th>
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<tbody>
<tr>
<td>Battle Dress Uniform (BDU), left; Marine Corps Combat Utility Uniform (ACU)</td>
<td>$319,000</td>
<td>Before 2002, all U.S. military branches used the same two camouflage patterns: a predominantly green one for woodlands and predominantly brown one for the desert. The Marine Corps produced new and markedly better camouflage patterns. But the Marines took steps to make sure they weren't copied or used by other services. One such measure: The Marines inserted small Marine Corps logos into the pattern.</td>
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<tr>
<td>Army Combat Uniform (ACU)</td>
<td>$2.63 million</td>
<td>The Army unveiled its own &quot;universal&quot; camouflage pattern, intended for use in all environments. But that choice was marred with short-cuts and mistakes. The Army commissioned a study of which pattern worked best, but the brass chose this pattern before that study was finished.</td>
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<td>Airman Battle Uniform (ABU)</td>
<td>$3.1 million</td>
<td>Most Air Force personnel work far from the front lines. But that force has its own &quot;tiger stripe&quot; uniform. Now, Air Force personnel in Afghanistan are told to wear Army Operation Enduring Freedom Pattern camouflage instead. The Airman Battle Uniform is new prohibited for use in battle.</td>
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<td>Operation Enduring Freedom Camouflage Pattern (OCP)</td>
<td>$2.9 million</td>
<td>For troops in Afghanistan, the Army scrapped the pattern it had introduced in 2005 and replaced it with a new one. Now, the Army is working to replace this replacement. It is expected to present another camouflage pattern later this year. The Army estimated that switching out the uniforms cost more than $38.8 million.</td>
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<tr>
<td>Navy Working Uniform Type I</td>
<td>$435,000 combined</td>
<td>The Navy designed this camouflage-style uniform for settings where camouflage is not usually necessary, as Navy bases and ships. Sailors call them &quot;aquacamouflage&quot; or &quot;blueberries.&quot;</td>
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<tr>
<td>Navy Working Uniform Type II (woodland)</td>
<td>$4.2 million</td>
<td>In the mid-2000s, the Navy decided it needed its own distinct uniform for fighting on land. But the Marine Corps objected, because the pattern was similar to the Marine one. Now, the Navy limits the use of this pattern. It is worn only by Special Operations troops and Navy personnel supporting them.</td>
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Sources: U.S. Government Accountability Office, wire photos

At some point this year, the Army is expected to announce a new camouflage pattern for troops in Afghanistan.
back decades of redundant programs. Obama, for example, is seeking to kill or consolidate more than 100 of those science and math programs. But the problem lives on in many other places.

The Consumer Financial Protection Bureau, for instance, has a new congressionally mandated Office of Financial Education. It costs $7.87 million a year and is authorized to employ 14 people.

It is, by the GAO's count, the 16th government program aimed at teaching the public better money management. And that shows.

The new office's Web site offers answers to common consumer questions such as “How do I dispute an error on my credit report?” In that case, however, the Federal Reserve answered a similar question on its site: “How can I correct errors found in my credit report?” The Federal Trade Commission also offers advice on “Disputing Errors on Credit Reports.”

At the Pentagon, a GAO study commissioned by the Senate Armed Services Committee found that the military services have spent more than $12 million on designing new camouflage patterns. The cost of buying, stocking and shipping 10 different types of camouflage uniforms is believed to be millions more.

Is anybody trying to fix this?

“The Department of Defense continues to look for ways to streamline processes and implement better business practices,” a Pentagon spokesman said this week. He gave no details.

Uniform, but unique

This, in brief, is how two camouflage patterns became 10.

The Marine Corps started it. The branch spent two years and $319,000 testing patterns to replace the green and brown ones. In the end, the Marines settled on a digital design, which used small pixels to help troops blend in.

There was a desert version and a woodland version — camouflage pattern Nos. 3 and 4.

The Marines did not intend to share them.

“The people who saw this uniform in a combat area would know [the wearers] were United States Marines, for whatever that might mean,” said retired Marine Gen. James L. Jones, who initiated the uniform design and later became Obama’s national security adviser.

After that, the Army set out to duplicate what the Marines had done, spending at least $2.63 million on its own camouflage research. The Army produced what it called a “universal” camouflage, in shades of green, gray and tan. Pattern No. 5.

It was not as universal as they said.

After complaints that the pattern didn’t work in Afghanistan, the Army had to spend $2.9 million to design a camouflage specific to that country. The GAO found that the Army then spent more than $30 million to outfit troops with the new design, called Operation Enduring Freedom Camouflage. Pattern No. 6.

Now, the Army is working to replace that replacement, with a new camouflage-design effort that has cost at least $4.2 million so far. The branch has given up on “universal.”

“A uniform that is specific to the desert and one that is specific to a woodland environment … outperform a single pattern, a universal camouflage pattern,” Brig. Gen. Paul A. Ostrowski, who oversees the Army’s uniform and equipment research, said in testimony before Congress last month. “We’ve learned that.”

Pattern No. 7 came from the Air Force. On the surface, that did not make a whole lot of sense: Only a subset of Air Force personnel fight on the ground, including rescuers of downed pilots and battlefield air controllers. But the branch still spent $3.1 million to come up with its own ground combat uniform. It was a “tiger stripe” pattern, a throwback to camouflage used in the Vietnam War.

But it was not well suited to Afghanistan.

“They were not designed to hide any-
body. They were designed to look cool,” said O’Neill, the West Point camouflage expert, giving his outside appraisal of the Air Force design. “It’s what we call ‘CDI Factor.’ Which is ‘Chicks dig it.’”

Finally, in 2010, the Air Force ordered its personnel in Afghanistan to ditch the airman battle uniform and wear Army camouflage instead. The Army pattern “provides the higher level of protection and functionality our airmen need,” an Air Force spokeswoman said this week.

Lost in the camouflage

The next three camouflage patterns arrived in 2011, from another unlikely source: the Navy.

“The Marine Corps, Air Force and Army had either all shifted, or were shifting. Which meant that if we wanted to continue using [the two original patterns], the Navy was going to have to pick up the entire contract,” said Terry Scott, who was the service’s top enlisted man at the time, the master chief petty officer of the Navy. “We knew we had to change.”

He said, “I remember saying, ‘Why don’t we just use the exact same thing’ as the Marine Corps? “Well, the Marine Corps had embedded… their symbol in the actual uniform pattern.”

It was true. The Marines had inserted tiny eagles, globes and anchors into the camouflage — betting that no other service would go to war with another branch’s logo on its pants. It worked.

The Navy spent more than $435,000 on three new designs. One was a blue-and-gray pattern, to be worn aboard ships. Pattern No. 8.

Sailors worried that it would hide them at the one time they would want to be found.

“You fall in the damn water and you’re wearing water-colored camouflage. What the hell is that?” said one active-duty petty officer. He asked that his name be withheld because he was criticizing a decision by the brass. “It’s not logical. It’s not logical at all to have water-colored uniforms.”

For the desert, the Navy came up with another design, a tan pattern that resembled the Marines’ desert pattern. Except theirs had a small USS Constitution embedded in the pattern. No. 9.

To the Marines, the Navy pattern was still too close a copy.

“We objected to that. We just said, ‘Look, there are plenty of patterns that are out there that are effective,’” said Gen. James F. Amos, the commandant of the Marine Corps, recounting that complaint during a Senate hearing in 2010. The reason was not battlefield safety, it was Marine pride.

“Even though [the Navy] is not using the patented pattern, I guess that it’s so very, very close,” Amos said. “It’s a point of pride, sir. It’s internal pride.”

That seemed a good enough reason for the Senate committee: “Well, pride and unit elan is certainly an important factor. I appreciate your response,” said then-Sen. Evan Bayh (D-Ind.). The next question was about helicopters.

It was also good enough for the Navy. After the Marines objected, the Navy decreed that its new desert uniform would be given only to a select few: Navy SEALs and other personnel serving with them.

The rest of the Navy personnel who might serve in the desert — more than 50,000 of them — were issued a different camouflage pattern.

This was pattern No. 10. The Pentagon’s long and expensive search for new camouflage uniforms had previously defied logic. Now it would defy camouflage itself.

It ended with U.S. service members wearing green in the desert.
Watch him pull a USDA-mandated rabbit disaster plan out of his hat.

In case of fire, put rabbit in hat, carry down stairs; no elevators.

Penn State cites post-scarndel strides.
Watch him pull a USDA-mandated rabbit disaster plan out of his hat

By David A. Fahrenthold
In Ozark, Mo.

This summer, Marty the Magician got a letter from the U.S. government. It began with six ominous words: “Dear Members of Our Regulated Community …”

Washington had questions about his rabbit. Again.

Marty Hahne, 54, does magic shows for kids in southern Missouri. For his big finale, he pulls a rabbit out of a hat. Or out of a picnic basket. Or out of a tiny library, if he’s doing his routine about reading being magical.

To do that, Hahne has an official U.S. government license. Not for the magic. For the rabbit.

The Agriculture Department requires it, citing a decades-old law that was intended to regulate zoos and circuses. Today, the USDA also uses it to regulate much smaller “animal exhibitors,” even the humble one-bunny magician.

That was what the letter was about. The government had a new rule. To keep his rabbit license, Hahne needed to write a rabbit disaster plan.

“Fire. Flood. Tornado. Air conditioning going out. Ice storm. Power failures,” Hahne said, listing a few of the calamities for which he needed a plan to save the rabbit.

Or maybe not. Late Tuesday, after a Washington Post article on Hahne was posted online, the Agriculture Department announced that the disaster-plan rule would be reexamined.

“Secretary [Tom] Vilsack asked that this be reviewed immediately and common sense be applied,” department spokeswoman Courtney Rowe said in an e-mail message.

Rowe said that Vilsack had ordered the review “earlier this week.” But it was not announced until 9:30 p.m. Tuesday. Just hours before — at 5:50 p.m. — the department had been vigorously defending the rule, with another spokeswoman praising its “flexibility,” saying it was designed to accommodate even a small-time operation such as a magician and a rabbit.

For Hahne, the saga has provided a lesson in one of Washington’s bad old habits — the tendency to pile new rules on top of old ones, with officials using good intentions and vague laws to expand the reach of the federal bureaucracy.

In this case, Washington’s reach extended into a place that — as far as the audience knows — does not exist. That would be the hidden “load chamber” inside ...
Marty the Magician’s hat. Where Casey the licensed rabbit waits for his cue.

“Our country’s broke,” Hahne said. “And yet they have money and time to harass somebody about a rabbit.”

Hahne is a slight man with the stage persona of an exuberant doofus — he seems continually surprised by his own tricks. He has been doing magic shows full time for 27 years, on cruise ships and on land. That means he has experienced most of the troubles a magician can expect: overexcited kids who wet themselves after he brought them onstage. A shipboard drunk who threw up on his props. A rabbit so mean it growled.

But he did not expect the U.S. Department of Agriculture.

“She said, ‘Show me your license.’ And I said, ‘License for . . .’” Hahne recounted. This was after a 2005 show at a library in Monett, Mo. Among the crowd of parents and kids, there was a woman with a badge. A USDA inspector. “She said, ‘For your rabbit.’”

Hahne was busted. He had to get a license or lose the rabbit. He got the license. (The inspector did not respond to a request to tell her side of the story.)

In the past decade, the same thing has happened to other children’s magicians across the country, according to Mark Daniel, president of the trade association KIDabra. (“That’s a play on the word ‘abra-cadabra,’” Daniel said.) He has heard from 10.

They checked and were surprised. It was the law.

“It was on the books 40 years,” Daniel said. “And nobody knew anything.”

The story behind it illustrates the reality of how American laws get made. First Congress passes a bill, laying out the broad strokes. Then bureaucrats write regulations to execute those intentions.

And then, often, they keep on writing them. And writing them.

In this case, the long road to regulated rabbits began in 1965 — when Capitol Hill was captivated with the story of a dog-napped Dalmatian named Pepper.

The dog had been stolen from its family, used in medical research and killed. After an outcry, Congress passed a law that required licenses for laboratories that use dogs and cats in research.

In 1970, Congress passed an amendment that extended the law’s reach. It now covered a variety of other animals. And it covered animal “exhibitors,” in addition to labs. At the time, legislators seemed focused on large facilities with lots of animals: “circuses, zoos, carnivals, roadshows and wholesale pet dealers,” said then-Rep. Tom Foley (D-Wash.), a major backer and later speaker of the House.

But the letter of the law was broad. In theory, it could apply to someone who “exhibited” any animals as part of a show. Apparently, it does.

Hahne has an official USDA license, No. 43-C-0269, for Casey — a three-pound Netherland dwarf rabbit with a look of near-fatal boredom. The rules require Hahne to pay $40 a year, take Casey to the vet and submit to surprise inspections of his home.

Also, if Hahne plans to take the rabbit out of town for an extended period, he must submit an itinerary to the USDA. The 1966 law that started all of this was four pages long. Now, the USDA has 14 pages of regu-
lations just for rabbits.

But not all rabbits. Animals raised for
meat are exempt from these rules.

“You’re telling me I can kill the rabbit
right in front of you,” Hahne says he asked
an inspector, “but I can’t take it across
the street to the birthday party” without a
license? Also, the law applies only to warm-
blooded animals. If Hahne were pulling an
iguana out of his hat — no license required.

Now, he needs both a license and a
disaster plan.

This new rule was first proposed by the
USDA in 2006 under President George W.
Bush.

Its inspiration was Hurricane Katrina,
in which animals from pet dogs to cattle
to lab mice were abandoned in the chaos.
Now, all licensed exhibitors would need to
have a written plan to save their animals.

The government asked for public com-
ments in 2008. It got 997. Just 50 com-
menters were in favor of the rule as written.

But that, apparently, was enough.
After a years-long process, the rule took
effect Jan. 30.

So who, exactly, made the decision
to implement the rule? An Agriculture
Department spokeswoman declined to give
a name.

“There was no one person who pro-
posed the regulation or who determined it
should be a regulation instead of non-bind-
ing guidance,” spokeswoman Tanya Espi-
nosa said by e-mail. She said the agency
sought to address commenters’ concerns.
“Regulations are issued and enforced by the
Agency.”

But then, late Tuesday, the USDA
announced that it will reexamine this rule
that it had spent so many years crafting.

“As soon as this issue was brought to
Secretary Vilsack’s attention, he asked for
it to be reviewed,” said Rowe, the other
department spokeswoman.

The department said its review will
focus on the way the disaster-plan rule is
being applied to small operations such as
Hahne’s. But officials could not provide
details about what the review will involve.
Or how long it will take.

For now, the law still says plans are
supposed to be done by July 29.

Even before the USDA announced its
review, not every magician seemed to be
taking the job seriously.

“I’ll take a piece of paper and put
down, ‘Note: Take rabbit with you when
you leave,’” said Gary Maurer, a magician
with a licensed rabbit in South Carolina.
“That’s my plan.”

But Hahne has obtained professional
help. Kim Morgan, who has written disas-
ter plans for entire federal agencies, heard
about his case and volunteered to help write
the rabbit’s plan for free.

So far, the plan she has written is 28
pages.

“That’s pretty short,” given what the
USDA asked for, Morgan said. She covered
many of the suggested calamities: chemi-
cal leaks, floods, tornadoes, heat waves. But
she was able to skip over some concerns
that might apply to larger animals.

If the rabbit escapes, “it’s not going to
bite people,” Morgan said. There was prob-
ably no need to describe how to subdue
Casey with tranquilizer darts or coax her off
the highway. “It’s not going to stop traffic
and cause car accidents.”

When Hahne’s plan is finally ready, it
will go into the envelope where he keeps
his rabbit license. On one recent day, that
envelope was on the dashboard, as Hahne
drove to a gig at Little Angels Learning
Academy in Battlefield, Mo. Casey was in
the back, inside a travel cage. On the side
were USDA-mandated stickers, to show
which direction was up.

“Do you want to see a magical place
right now?” Hahne later asked the pre-
schoolers, building up to his big finish. “It
says, ‘Library.’ Everybody say, ‘Library!’”

Hahne had already done his warm-
up tricks: The wand that magically falls
apart. The wristbands that link themselves
together. The picture that turns from black-
and-white to color. It was time for the finale.
He had brought out a box labeled “Library,”
one of the 14 tricks that he uses to make a
rabbit appear.

The box appeared empty. Of course.
Then Hahne opened a hidden compartment.
   And there — magically — was Casey.
   “Bunny!” The children squealed and pointed. The rabbit hopped, looking slightly less bored than usual.
   After the show, Hahne put Casey back in her case and drove home. His wife, Brenda, asked how it went. He told her there’d been no disasters.
   “The show went well,” he said. “Nobody peed onstage.”

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An airplane, and political crosswinds

by David A. Fahrenthold

CARTERSVILLE, GA. — At an airfield in rural Georgia, the U.S. government pays a contractor $6,600 a month for a plane that doesn’t fly.

The plane is a 1960s turboprop with an odd array of antennas on its back end and the name of a Cuban national hero painted on its tail. It can fly, but it doesn’t. Government orders.

“The contract now is a ‘non-fly’ contract, said Steve Christopher of Phoenix Air Group, standing next to the plane. “That’s what the customer wants.”

The airplane is called “Aero Martí,” and it is stuck in a kind of federal limbo. After two years of haphazard spending cuts in Washington, it has too little funding to function but too much to die.

The plane was outfitted to fly over the ocean and broadcast an American-run TV station into Cuba. The effort was part of the long-running U.S. campaign to combat communism in Cuba by providing information to the Cuban people uncensored by their government.

But Cuban officials jammed the signal almost immediately, and surveys showed that less than 1 percent of Cubans watched. Still, when Congress started making budget cuts, lawmakers refused to kill the plane.

But then they allowed across-the-board “sequestration” cuts. And there was no more money for the fuel and pilots. So the plane sits in storage at taxpayer expense — a monument to the limits of American austerity. In this case, a push to eliminate long-troubled programs collided with old Washington forces: government inertia, intense lobbying and congressional pride.

The result was a stalemate. And a plane left with just enough money to do nothing.

“It’s hard to state how ridiculous it is” that the plane is still costing taxpayers money, said Philip Peters, an official in two Republican administrations and now the president of the Alexandria-based Cuba Research Center.

Peters said the plane’s broadcasts had “no audience. They’ve been effectively jammed, ever since their inception. And rather than spend the money on something that benefits the public … it’s turned into a test of manhood on Capitol Hill.”

This plane is a last remnant of a long, weird experiment in television broadcasting across the Straits of Florida. The plan was to broadcast uncensored news and commentary on a station named for Cuban patriot José Martí.

The hope was that something boundless — American disdain for the communist regime of Fidel and Raúl Castro — could overcome something fixed. Which was the laws of physics.

Much of Cuba was simply too far over the horizon to get a strong-enough TV signal from aircraft flying in U.S. airspace. Still, the effort moved ahead.

“I am convinced that TV Martí will succeed,” then-Sen. Ernest “Fritz” Hollings (D-S.C.), a major supporter, said in 1989. “Castro likes to tout his revolutionary credentials,” Hollings said. “But he cannot begin to match the revolutionary potential of television.”

As it turned out, he could.

The first broadcast of TV Martí was March 27, 1990. It came in clear in Havana
for about 20 minutes. Then the American signal — weakened by distance — was jammed by Cuban broadcasts on the same channel.

“La TV que no se ve.” The TV that can’t be seen,” was what Cubans called it, said Fulton Armstrong, a U.S. official in Havana at the time. Another problem: The early broadcasts happened very late at night, to minimize interference with other Cuban programming. What people saw, Armstrong said, was “a moving shadow of an image of … something. At something like 4 a.m.”

The TV signal was first broadcast from a blimp called “Fat Albert,” suspended 10,000 feet over the Florida Keys. But there is weather at 10,000 feet. “Fat Albert” blew off into the Everglades in 1991. It was pulled frequently out of action to dodge high winds.

In 2005, it was torn to bits by Hurricane Dennis, and the government gave up on blimps. Instead, it tried planes.

First, there was a military C-130. It cost too much. Then came “Aero Martí” and a sister aircraft (now retired), smaller planes fitted with broadcasting antennas and flown in a figure-eight pattern in U.S. airspace near Key West.

Since these planes first flew in October 2006, they have cost taxpayers at least $32 million. That’s more than $12,000 a day.
But on Cuban TV sets, they didn’t make much difference.

In 2008, according to the Government Accountability Office, a telephone survey found about the same viewership as had been reported in 2006. And in 2003. And in 1990. Less than 1 percent (after that, the U.S. government stopped taking the survey, declaring it was impossible to get valid data on Cuban TV habits).

But the planes kept flying.

The program was repeatedly protected from Washington budget-cutters by a coalition of Cuban American lawmakers and non-Cuban legislators from Florida. To them, what looked like the program’s worst problems were actually proof that it had to be saved.

For instance: The broadcasts are jammed. Well, wasn’t that the best evidence of their potential, if the jamming stopped or the Castros fell?

“If it wasn’t important, why would they block the signals? So we know that it’s effective,” Rep. Mario Diaz-Balart (R-Fla.) said in an interview last week. Other backers include Rep. Ileana Ros-Lehtinen (R-Fla.) and Sens. Marco Rubio (R-Fla.) and Robert Menendez (D-N.J.).

Diaz-Balart also viewed another common criticism of the plane — the cost of the program — as a strong reason to keep it. After all, he said, the government spent a lot of money to turn an airplane into a flying antenna.

“It would … be a colossal waste of money” to junk the plane now, Diaz-Balart said.

Years went by. Millions poured in. Then, in 2012, the Obama administration officially gave up.

The federal Office of Cuba Broadcasting, which pays for the plane, asked Congress to eliminate it. The savings: about $2 million a year.

“We have evolved from the airplane to distribute our TV content toward means that we know are popular on the island,” said Carlos A. García Pérez, a Cuban American trial lawyer from Puerto Rico who now heads the office. The station, for instance, now broadcasts on DirectTV, to reach Cubans with pirated satellite dishes. And it burns newscasts onto DVDs and sends 1,000 a week to be handed out by Cuban activist groups and churches.

The plane kept flying.

“No one dislikes TV Martí more than the Cuban government,” said Mauricio Claver-Carone, the Washington director of the U.S.-Cuba Democracy PAC, a group that lobbies for stronger measures against the Castro regime. “Do we therefore, essentially, give in to those efforts by the regime and do their job for them?”

Congress preserved the funding. So from October to this May, the administration spent $751,999 to operate a plane it had declared was not worth the money.

But then came sequestration.

This was a broad hack across the budget, which Congress made after it failed to agree on more targeted budget cuts. At the Office of Cuba Broadcasting, officials found their share of the cut was $1.4 million.

They kept the plane. They cut the flying.

Now, the agency still pays $79,500 a year to keep the aircraft in storage, paying money for nothing in a time when sequestration is causing painful cuts in other programs. That cost, for instance, is roughly equal to the average cost of nine children enrolled in Head Start (at a time when Head Start has eliminated services to 57,000 children because of sequestration).

And the plane does not seem likely to get out of limbo anytime soon.

Congress appears unwilling to kill it and too distracted to focus on small-bore budget cuts. The administration seems unwilling to start flying it again. But they’re also unwilling to get rid of it. What if Congress demanded it back?

“If the government thinks they may someday resurrect the program, then it would not be in their best interest to have us scrap the airplane,” said Dent Thompson, an official at Phoenix Air.

In the meantime, the TV Martí operation is adapting to a future without the plane. Under García Pérez, its content has
turned from anti-Castro speeches toward more straight news, including reports about Cuba produced on the island by Cubans themselves. The station reports anecdotal signs of progress: 18,000 daily visits to its Web site. More than 2,600 entries from Cuba to an on-air moped giveaway. Marriage proposals to anchor Karen Cabalero, sent electronically from Havana.

But — after 23 years, a blimp, three planes and millions of taxpayer dollars — the operation faces the same problem it did back in 1990. It is a mass broadcast in search of a mass audience.

“Only recently, they have started to deliver some DVDs into the island … and persons are very eager to watch this,” Orlando Luis Pardo, an independent blogger in Cuba, said in a telephone interview. He also said people listen to a sister broadcast, Radio Martí. Pardo said the end of the airplane-based broadcasts didn’t change the situation at all: For him, the station was as difficult to watch as it was before.

“TV Martí, unfortunately, was born completely blocked,” he said.

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