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Critics question big funding

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Critics say the \$41.8 million request to build a permanent detention facility at U.S. Naval Base Guantanamo Bay, Cuba, buried in President Bush's emergency supplemental-spending bill sidesteps an important debate about the government's stance of detaining enemy combatants.

"In policy terms, it begs a lot of important questions," said Rep. Adam B. Schiff, California Democrat.

A makeshift prison was built at Guantanamo by the Defense Department to house about 545 detainees captured during the war on terror. But the evolutionary nature of the base's development is precisely what bothers some of the department's critics, who argue that the request does not belong in an emergency spending bill since it could easily have been anticipated.

"It's not like these people just washed up on the beach yesterday," said one Democratic congressional aide.

Mr. Bush is asking Congress for an additional \$82 billion to fund the war on terror.

According to a Defense Department official, who asked not to be named, approximately \$37 million would be used to build a medium-security facility capable of holding up to 200 inmates, while the remainder of the money would be spent on a security fence for the base.

"The construction is best viewed as evolutionary," the official concluded, pointing out that when the decision was first made to hold detainees there in January 2002, the first arrivals were housed in "tents ... with very limited construction."

But during a Feb. 17 hearing before the Senate Appropriations Committee, Defense Secretary Donald H. Rumsfeld told Sen. Robert C. Byrd, West Virginia Democrat, that the length of the government planning process necessitated the use of emergency supplementals for items like the detention center.

"The problem is that the budget cycle, as you know better than anyone in the room -- [it] takes us a year to develop the budget. It takes the Congress eight, 10 months to pass the budget. It takes a year after that to expend the budget," Mr. Rumsfeld said. "You're talking about 32 months."

"That is totally bogus," responded veteran congressional staff member Winslow Wheeler.

Mr. Wheeler, who worked on national-security budget issues for the Government Accountability Office and senators from both parties for 31 years, said he had heard from those still working in the process that changes were being made to the Defense Department budget request for 2006 in early December. That budget was rolled out Feb. 7, a week before the supplemental request was made.

"You can keep amending it until it goes to the printers," he said of the budget.

Mr. Wheeler said the Guantanamo request was merely a small part of the "bogus emergency" spending in the supplemental, arguing that as much as \$20 billion worth of measures included were "basically indistinguishable" from items in the base budget.

"There's a lot of pressure on the base budget this year," agreed the Democratic congressional aide. "It looks to us like they're putting everything they can in the supplemental, to make the numbers in the base [budget] look better."

But congressional Democrats say the Guantanamo construction request also prompts important policy questions.

"These are policy decisions, not simply pocketbook issues," Mr. Byrd said.

Sen. Dianne Feinstein, California Democrat, added that "recent decisions by the federal courts ... have called into question the legal validity" of the administration's detention strategy.

"In view of that," she asked, "is it not premature to be building a permanent detention facility at Guantanamo?"