



July 10, 2019

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As the House considers H.R. 2500, the National Defense Authorization Act for Fiscal Year 2020, NTU urges all Representatives to support initiatives that reduce wasteful spending, increase accountability and transparency in the national defense budget, and uphold free market principles.

**To that end, NTU urges a “YES” vote on the following amendments:**

**Amd. 8, (filed as #46) Speier (D-CA):** This bipartisan amendment, the Return Expenses Paid and Yielded (REPAY) Act, would place responsible limits on, and increase congressional oversight of, waivers that the Department of Defense (DOD) issues to foreign governments that are purchasing defense equipment from DOD. The Government Accountability Office (GAO) found in January 2018 that DOD issued \$16 billion in waivers from fiscal years (FYs) 2012-2017. The REPAY Act adds prudent guardrails to DOD’s use of these waivers.

**Amd. 17, (filed as #223) Omar (D-MN):** This amendment would require DOD to report to Congressional committees on the financial costs and security benefits of the military’s overseas infrastructure and contingency operations. More data on the costs of overseas contingency operations (OCO) would help Congress re-examine its continued overreliance on OCO spending that ignores budget caps.

**Amd. 33, (filed as #426) Blumenauer (D-OR):** This amendment would require the Under Secretary for Nuclear Security to explain unexpected cost increases and analyze future costs for the W80-4 Life Extension Program (LEP), and withholds some funding for the W80-4 LEP until such a study is submitted to Congressional committees. A June 2019 GAO report found that the program’s \$12 billion in costs “includes about \$800 million in sunk costs,” and raised concerns about delays in “an already tight design and development schedule.”

**Amd. 42, (filed as #447) Huffman (D-CA):** This amendment would repeal a section of the FY 2019 NDAA that states a preference for domestically sourced fuels for the Rhine Ordnance Barracks Army Medical Center in Germany. This FY 2019 NDAA section served as a modified version of the infamous Kaiserslautern Coal Carve-Out, which NTU and other organizations have successfully opposed before. The amendment represents a repeal of harmful policies that promote protectionism in the U.S. military.

**Amd. 49, (filed as #370) Khanna (D-CA):** This amendment would reduce the OCO Operations and Maintenance account by \$16.9 billion. NTU and others have noted that OCO is a “slush fund” that helps policymakers avoid responsible budget caps.

**Amd. 52, (filed as #242) Aguilar (D-CA):** This amendment would ensure that budgetary concerns are factored into decisions made by the Nuclear Weapons Council, by including several budget officials in meetings of the Council's Standing and Safety Committee meetings.

**Amd. 104, (filed as #249) Cohen (D-TN):** This amendment would require GAO to report to Congressional committees on the cost growth of major defense acquisition programs over the last 15 fiscal years. More data on cost growth would help policymakers make more responsible decisions about defense spending.

**Amd. 143, (filed as #294) Fitzpatrick (R-PA):** This amendment would help DOD identify cost savings by requiring a review of how foreign currency exchange rates impact DOD spending.

**Amd. 172, (filed as #498) Graves (R-LA):** This amendment would require DOD to report to Congressional committees on the management of military commissaries and exchanges, with a goal of reducing costs by \$2 billion over the next five fiscal years.

**Amd. 189, (filed as #626) Horn (D-OK):** This bipartisan amendment requires an audit from the DOD Inspector General, seeking to identify excess profit or cost increases on any sole-source contracts relating to commercial depot maintenance. Such an audit could identify irresponsible spending.

**Amd. 267, (filed as #428) Lynch (D-MA):** This amendment would reestablish the Commission on Wartime Contracting, whose previous mandate was to conduct "a thorough assessment of the systemic problems identified with interagency wartime contracting, [and identify] instances of waste, fraud and abuse." The Commission would be charged with studying contracting funded by OCO and contracting in support of the 2001 or 2002 Authorization for the Use of Military Force (AUMF). The amendment presents an opportunity to more closely examine wasteful wartime spending.

**Amd. 279, (filed as #308) Meadows (R-NC):** This amendment would require federal contractors to disclose when they have unpaid federal tax liabilities, but only after "all judicial and administrative remedies have been exhausted or have lapsed with respect to the Federal tax liability." The amendment represents an important protection of taxpayer funds.

**Amd. 304, (filed as #303) Panetta (D-CA):** This amendment would require DOD to report to Congressional committees on how it will improve information collection and monitoring on the use of intergovernmental support agreements (ISGAs). An October 2018 GAO report found that ISGAs help the government save costs.

**Amd. 320, (filed as #356) Porter (D-CA):** This amendment would extend the requirement for an annual, public report from the Director of Operational Test and Evaluation (DOT&E) at DOD. These reports, in the words of the Director, help "ensure the taxpayers' investment in our nation's security is well spent."

**Amd. 344, (filed as #227) Schrader (D-OR):** This bipartisan amendment would make public cost savings reports that the DOD Chief Management Officer already provides Congress.

**Amd. 347, (filed as #479) Scott (D-VA):** In March 2019, GAO identified 91 open priority recommendations for DOD to improve its operations, including contract management and financial management. This amendment

would require DOD to report to Congress by October 2020: 1) which recommendations have not been implemented, 2) why these recommendations have not been implemented, and 3) if funding is the reason a recommendation has not been implemented, the estimated cost for implementation.

**Amd. 398, (filed as #583) Welch (D-VT):** This amendment would require DOD to report semi-annually on how it monitors and evaluates government-to-government assistance in Afghanistan, specifically to prevent “waste, fraud, or abuse.”

**Amd. 399, (filed as #584) Welch (D-VT):** This amendment would require DOD to report on funding levels to the Government of Afghanistan in FYs 2019 and 2020. If there is an increase in FY 2020 relative to FY 2019, DOD is required to explain why funding has increased.

**Amd. 415, (filed as #654) Porter (D-CA):** This amendment would require GAO to report to Congressional committees on DOD’s progress in improving its financial management practices.

**In addition, NTU urges all Representatives to vote “NO” on the following amendments:**

**Amd. 9, (filed as #133) Brindisi (D-NY):** This amendment adds dinnerware to the list of items covered by the Berry Amendment. This provision of law prohibits DOD from procuring certain items that were not grown, reprocessed, reused, or produced in the U.S., and serves as a form of protectionism in U.S. defense spending.

**Amd. 388, (filed as #571) Velazquez (D-NY):** This amendment permanently authorizes the DOD Mentor-Protege Program. According to the Congressional Research Service (CRS), this program costs taxpayers tens of millions of dollars a year. While the amendment requires DOD to report on the benefits provided to mentor firms under mentor-protege agreements, it includes no spending offsets for permanently reauthorizing the program.

**Amd. 403, (filed as #70) Wittman (R-VA):** This amendment establishes a Cable Security Fleet and authorizes \$10 million a year for the next 15 fiscal years, without any spending offsets.

**Amd. 416, (filed as #451) Tonko (D-NY):** This amendment increases the funding limitation for the Erie Canalway National Heritage Corridor from \$12 million to \$14 million, without any spending offsets.

*If you have any questions, please contact NTU Policy and Government Affairs Associate Andrew Lautz at [alautz@ntu.org](mailto:alautz@ntu.org)*

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