



March 11, 2020

To: Members of the Senate Committee on Homeland Security and Governmental Affairs

From: National Taxpayers Union

Re: NTU's views on March 11, 2020 Committee Markup

On behalf of the National Taxpayers Union (NTU), the nation's oldest taxpayer advocacy organization, I write to express our views on several measures slated for consideration before the Senate Committee on Homeland Security and Governmental Affairs on March 11, 2020. NTU applauds the Committee for your continued efforts to advance legislation that improves government and spends taxpayer dollars more effectively.

S. 3332, No CORRUPTION Act. This bipartisan legislation introduced by Senators Rosen and Rick Scott closes a loophole that permits members of Congress convicted of a crime to still collect a taxpayer-funded pension. Currently under federal law, members of Congress who are convicted of a crime are still entitled to collect a taxpayer-funded pension up until their day of sentencing. This means that after a lawful conviction for corruption, members can go on to receive their taxpayer-funded pensions for years, even while in prison, by filing one appeal after another.

Thankfully, S. 3332 would close this loophole. It would update the law to immediately halt any federal pension payment to a member of Congress following a lawful conviction. If their conviction is overturned on appeal, the member would continue to receive their pension as normal and would also be eligible to receive any retroactive payments for which they would have been eligible. Enacting this legislation will send a clear message that no individual, regardless of their position of power, is above the law and immune from consequences. *NTU strongly supports S. 3332*

S. 3412, Guidance Clarity Act. This legislation introduced by Senator Lankford would require all federal agencies to include a guidance clarity statement that states the guidance is not issued in accordance with the rule-making process and therefore is not legally binding. While guidance documents are solely intended to clarify an agency's policy or interpretation of a regulation, agencies have recently used guidance to issue new policy as if it were a binding regulation. Since guidance is not subject to the same public process as formal rules, which are required to be shared with the public for comments and input prior to finalization, regulatory guidance documents can be used to circumvent public input. *NTU supports S. 3412*

S. 2722, Stop Wasteful Advertising by the Government Act. This legislation introduced by Senators Ernst and Paul would prohibit tax dollars from being spent on federal agencies' mascots, advertising, and other promotional spending. Federal agencies spend \$1.4 billion in taxpayer money on advertising and public relations campaigns - a significant sum during a time of record debt and skyrocketing deficits. Thankfully, this legislation would prohibit agencies from purchasing and distributing swag, like coloring books, koozies, fidget

spinners, and of course, creating their own mascots. Additionally, the SWAG Act will increase transparency by requiring agencies to disclose spending on public relations and advertising. *NTU supports S. 2722*