



September 21, 2021

As the House considers H.R. 4350, the National Defense Authorization Act (NDAA) for Fiscal Year 2022, NTU urges all Representatives to support initiatives that reduce wasteful spending, and increase accountability and transparency in the national defense budget.

NTU has urged Members to oppose H.R. 4350 absent significant changes to the bill that improve the fiscal position of the legislation for taxpayers. Our vote alert on the underlying legislation can be found [here](#).

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

Amendment #38 (filed as #289), Reps. John Garamendi (D-CA), Ro Khanna (D-CA), Sara Jacobs (D-CA), Earl Blumenauer (D-OR), and Don Beyer (D-VA): As a coalition of budget and military watchdogs [wrote](#) in March 2021, “[t]he current fleet of intercontinental ballistic missiles (ICBMs) will be operational until 2030 due to a \$7 billion life extension program now underway. Given uncertainty over future force requirements and deterrence needs, development of the ICBM follow on, or ground based strategic deterrent (GBSD), is premature.” This amendment from Reps. Garamendi and Khanna would put, at a minimum, a 10-year pause on efforts to fund GBSD.

Amendment #39 (filed as #48), Rep. Kurt Schrader (D-OR): This provision would repeal some of the current statutory requirements for combatant commands and other parts of the Department of Defense (DoD) to submit unfunded priorities lists to Congress each year. NTU and other organizations have [criticized](#) this ‘wish list’ practice as wasteful, and we have noted that it undermines the principle of civilian control at DoD. Rep. Schrader’s amendment would retain only the unfunded priorities list for service branches and the U.S. Special Operations Command (USSOCOM).

Amendment #40 (filed as #397), Reps. Mark Pocan (D-WI), Barbara Lee (D-CA), and 32 Democratic cosponsors: This provision from Reps. Pocan and Lee would apply 10-percent across-the-board spending reductions to the defense budget, excepting military personnel, civilian workforce, and DoD health spending. Given that the topline authorization level in H.R. 4350 is already five percent higher than it was in FY 2021, and a staggering 14.2 percent higher than the FY 2021 defense spending cap in place for the expiring Budget Control Act (BCA) (according to Congressional Budget Office [data](#)), a 10-percent cut is neither impossible to achieve nor too severe for DoD to absorb.

Amendment #41 (filed as #602), Reps. Barbara Lee (D-CA), Mark Pocan (D-WI), Alexandria Ocasio-Cortez (D-NY), Sara Jacobs (D-CA), Ayanna Pressley (D-MA), and Gwen Moore (D-WI): This amendment would strike the increase the House Armed Services Committee (HASC) recently approved to the defense budget under H.R. 4350, instead returning the defense topline to amounts requested by the Biden administration. Though we believe that even the Biden administration topline request for defense is too high, this amendment would save taxpayers tens of billions of dollars and take the defense topline in the right direction.

Amendment #63 (filed as #261), Reps. Earl Blumenauer (D-OR) and John Garamendi (D-CA): This amendment would require the Department of Energy to study the “unexpected increase” in the cost of the W80-4 nuclear warhead life extension program (LEP) and to analyze the projected future costs of the LEP. It is important that lawmakers have visibility into what has gone wrong in the W80-4 LEP that has led to cost overruns, and how officials can prevent such increases in the future.

Amendment #112 (filed as #684), Rep. James Comer (R-KY) and 13 Republican cosponsors: This amendment from Rep. Comer would have the Special Inspector General for Afghanistan Reconstruction (SIGAR) study any potential taxpayer waste occurring as a result of the recent U.S. withdrawal from Afghanistan, including if any taxpayer dollars or taxpayer-funded military equipment ended up in the hands of the Taliban or corrupt Afghan government officials. Such a study could help lawmakers better understand how many taxpayer dollars were wasted during the Afghanistan withdrawal.

Amendment #206 (filed as #565), Rep. Pramila Jayapal (D-WA): This amendment would require GAO to study cost reductions the federal government could achieve by “reducing nuclear security programs and modifying force structures.” Given the [significant annual costs](#) of maintaining and bolstering America’s nuclear weapons spending, Rep. Jayapal’s amendment to have GAO study feasible cost reductions is most welcome.

Amendment #216 (filed as #369), Rep. Fred Keller (R-PA): This provision would require a report from DoD on its efforts to reduce duplicative information technology (IT) contracts. Lawmakers should earnestly pursue any efforts to reduce waste and duplication in the sprawling DoD bureaucracy.

Amendment #252 (filed as #79), Rep. Stephen Lynch (D-MA): NTU has [long](#) supported Rep. Lynch’s efforts to reauthorize the Wartime Contracting Commission. During just three years of existence in the 2010s, the Commission [uncovered](#) between \$31 billion and \$60 billion of taxpayer dollars lost to waste, fraud, and abuse through wartime contracting in Iraq and Afghanistan. Reauthorizing the Commission will allow this vital work uncovering waste of American taxpayer dollars to continue.

Amendment #344 (filed as #630), Reps. Katie Porter (D-CA) and Jackie Speier (D-CA): This good-government provision from Reps. Porter and Speier would ensure the general public has access to a running list of reports DoD has delivered to Congress. These reports are funded by taxpayers, and taxpayers have a right to know the timing, nature, and contents of the reports DoD is sharing with Congress (with legitimate exceptions in place for classified and/or sensitive national security information).

Amendment #379 (filed as #46), Reps. Kurt Schrader (D-OR) and Carolyn Bourdeaux (D-GA): This provision would require the nonpartisan Government Accountability Office (GAO) to study how Overseas Contingency Operations (OCO) account funds were obligated and spent in fiscal year (FY) 2010 -- the [peak](#) of OCO spending during the wars in Afghanistan and Iraq -- and FY 2019. It is critical that lawmakers obtain detailed information on how OCO funds were spent so that they may guard against future misuse or abuse of off-budget war funding accounts.

NTU urges a “NO” vote on the following amendments:

Amendment #18 (filed as #439), Reps. Andy Kim (D-NJ), August Pfluger (R-TX), John Garamendi (D-CA), and Donald Norcross (D-NJ): This amendment would require DoD to create a preference in military construction contracts for firms that hire a certain proportion of their workforce in areas near the location of the contract. These restrictions will ultimately raise costs for taxpayers and create inefficiencies for the government. DoD should be selecting contractors based on their qualifications and cost effectiveness, not on where their employees reside within the U.S.

Amendment #34 (filed as #741), Reps. Alma Adams (D-NC) and Al Green (D-TX): This provision would require private student loan providers to forebear required payments on student loans through January 31, 2022 (at the borrower’s request) and suspend any and all involuntary collection of loan amounts due. This is an unreasonable interference with private sector providers at a [relatively healthy time](#) in the nation’s economic recovery, and amounts to a significant unfunded mandate that could lead certain providers to falter or fail as a result of uncollected payments.

Amendment #104 (filed as #392), Reps. David Cicilline (D-RI) and nine Democratic cosponsors: This amendment would establish a Southern New England Regional Commission designed to “[assist in the development of defense manufacturing in Southern New England](#).” The defense industrial base in New England does not require the support of a federal-state regional body, such as the one proposed in this amendment, in order to achieve financial success.

Amendment #427 (filed as #598), Reps. Bennie Thompson (D-MS) and John Katko (R-NY): This lengthy provision would add a Department of Homeland Security (DHS) Measures title to the NDAA, and includes authorizations of \$2.5 billion for a State and Local Cybersecurity Grant Program that does not include commensurate offsets and/or spending reductions.

Roll call votes on the above amendments will be included in NTU’s annual Rating of Congress. Amendments that are included as part of an en bloc amendment will be evaluated in NTU’s Rating of Congress based on the fiscal, regulatory, and policy impacts of the entire en bloc.

If you have any questions, please contact NTU Director of Federal Policy Andrew Lautz at alautz@ntu.org.
