



November 18, 2021

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[See our vote alert for the underlying NDAA legislation here](#)

[See our first vote alert on NDAA amendments here](#)

**As lawmakers prepare to consider Senate Amendment 3867 to H.R. 4350, the Senate's version of the fiscal year (FY) 2022 National Defense Authorization Act (NDAA), NTU is encouraging lawmakers to SUPPORT the following amendments<sup>1</sup>:**

**Responsible Budgeting at DoD**

- **S. Amdt. 4552 to S. Amdt. 3867, from Sens. Chuck Grassley (R-IA) and Bernie Sanders (I-VT):** This bipartisan amendment would set up a commission to examine how DoD is handling its financial management at present and in the years ahead. Given the agency cannot pass an audit [31 years after Congress first required all agencies to conduct audits](#), corrective action at DoD is far overdue. This commission could help identify strategies for DoD to improve its financial management and pass an audit sooner than the current projected date of 2028.
- **S. Amdt. 4654 to S. Amdt. 3867, from Sens. Bernie Sanders (I-VT) and Ed Markey (D-MA):** This provision would cut the DoD budget by \$25 billion in FY 2022. While across-the-board cuts are often clunky and inefficient ways to reduce government spending, NTU supports such efforts when lawmakers refuse to contemplate more thoughtful and strategy-driven ways to cut spending. Should Congress wish to pursue realistic and strategy-driven cuts to the defense budget, [NTU](#) and [others](#) have provided roadmaps for such efforts.

**Good Governance**

- **S. Amdt. 4632 to S. Amdt. 3867, from Sen. Mike Lee (R-UT):** This provision, the ARTICLE ONE Act, would reform presidential authority to declare national emergencies and act on them in perpetuity. The legislation would take Congress off the sidelines on the matter of presidentially-declared national emergencies, requiring lawmaker approval to sustain an emergency for longer than 30 days in most cases. NTU recognizes that there are important differences between the ARTICLE ONE Act and similar legislation introduced to reform national emergencies, and we urge lawmakers to work together in a bipartisan fashion to include National Emergencies Act (NEA) reform in the NDAA.

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<sup>1</sup> NTU typically only includes NDAA amendments in our annual scorecard if they receive a standalone roll call vote. Amendments that are included in a manager's package will typically *not* be included in our annual scorecard, since these packages may contain a mix of amendments NTU supports, opposes, and/or does not take a position on.

- **S. Amdt. 4745 to S. Amdt. 3867, from Sens. Chuck Grassley (R-IA) and Rev. Raphael Warnock (D-GA):** This amendment would create a floor on the awards a whistleblower can receive for protected disclosures that lead to monetary sanctions against entities that commit financial crimes. Under [current law](#), whistleblower awards are subject to a ceiling of not more than 30 percent of monetary sanctions imposed and collected by the federal government. This amendment would add a 10 percent floor for whistleblower awards, increasing the incentives for whistleblowers to take the bold and courageous step to disclose alleged wrongdoing. Importantly, this floor would not result in additional burdens for taxpayers; rather, all awards would come from monetary sanctions imposed on wrongdoers.
- **S. Amdt. 4779 to S. Amdt. 3867, from Sens. Gary Peters (D-MI), Rob Portman (R-OH), and Chuck Grassley (R-IA):** This amendment is a more limited version of the legislation cited below (in S. Amdt. 4780). While NTU would prefer for Congress to pass comprehensive legislation that boosts legal protections for inspectors general (IGs), we recognize that S. Amdt. 4779 also includes several important reforms, such as allowing IGs to subpoena witnesses for their investigations and allowing IGs to investigate DOJ attorneys accused of wrongdoing (closing a loophole in the law).
- **S. Amdt. 4780 to S. Amdt. 3867, from Sens. Gary Peters (D-MI), Rob Portman (R-OH), and Chuck Grassley (R-IA):** This bipartisan legislation, the IG Independence and Empowerment Act, would make several [improvements](#) to the current protections IGs are afforded under the law. The amendment would require presidents to report to Congress on their reasons for removing an IG, and require acting IGs “[to be selected from among senior-level employees within the watchdog community.](#)” NTU has long supported increased protections for IGs, who recently have provided a [17:1 return on investment](#) for the \$3.1 billion invested in IGs across government.

NTU is encouraging lawmakers to OPPOSE the following amendments<sup>2</sup>:

**Significant Spending Increases Without Offsets**<sup>3</sup>

- **S. Amdt. 4558 to S. Amdt. 3867, from Sens. Robert Menendez (D-NJ) and Marsha Blackburn (R-TN):** This amendment<sup>4</sup> would create a National Manufacturing Extension Partnership Supply Chain Database, and would authorize \$135 million in funds for the database without any offsets.
- **S. Amdt. 4583 to S. Amdt. 3867, from Sens. Joe Manchin (D-WV), Ben Ray Lujan (D-NM), and Shelley Moore Capito (R-WV):** This provision includes \$176 million in new spending authorizations for next generation radar and radio astronomy, with no apparent offsets.
- **S. Amdt. 4604 to S. Amdt. 3867, from Sens. Rob Portman (R-OH), Sherrod Brown (D-OH), and Chris Coons (D-DE):** This provision, the Otto Warmbier Countering North Korea Censorship and Surveillance Act, includes at least \$50 million in new spending authorizations with no apparent offsets.

<sup>2</sup> See footnote 1.

<sup>3</sup> NTU settled on a few criteria for amendments to be included in this portion of the vote alert. First, since dozens of proposed amendments provide for increases in authorizations of appropriations, NTU decided to focus only on amendments that authorize new spending of \$50 million or more (over any time period). Second, NTU did not include amendments that provide for authorizations of appropriations in “such sums as necessary” (or similar language), since at this time we cannot determine the budget impact of those proposals. Third, NTU’s team reviewed hundreds of amendments proposed for the NDAA; although we believe we have identified each amendment that would provide for significant new spending without corresponding budget offsets, it is possible that we missed an amendment that provides for significant new spending. If you have any questions, please do not hesitate to reach out to Andrew Lautz at [alautz@ntu.org](mailto:alautz@ntu.org).

<sup>4</sup> NTU does not take a position on the merits of proposed new spending in this or any of the following amendments; however, we believe that all new proposed spending in the NDAA should be offset with commensurate reductions to the NDAA topline or to other spending in the federal government.

- **S. Amdt. 4630 to S. Amdt. 3867, from Sen. Tammy Baldwin (D-WI)**: This amendment would create an Office of Supply Chain Resiliency and would authorize \$25 billion in funding for the Office. This is a deeply irresponsible amendment from a fiscal perspective. *Note: Any roll call votes on this amendment will be assigned a higher weight on NTU's scorecard than most other amendments listed here, given the high level of new funding proposed in the amendment.*
- **S. Amdt. 4639 to S. Amdt. 3867, from Sen. James Risch (R-ID)**: This provision, the Ukraine Security Partnership Act of 2021, would authorize new funding of nearly \$1.8 billion with no spending offsets.
- **S. Amdt. 4644 to S. Amdt. 3867, from Sens. James Risch (R-ID) and Robert Menendez (D-NJ)**: This amendment, the International Pandemic Preparedness and COVID-19 Response Act, would authorize funding of \$5 billion without any apparent spending offsets.
- **S. Amdt. 4649 to S. Amdt. 3867, from Sen. Roger Wicker (R-MS)**: This provision would create a Telecommunications Workforce Training Grant Program, and would fund the program at \$100 million without any apparent offsets.
- **S. Amdt. 4653 to S. Amdt. 3867, from Sen. Roger Wicker (R-MS)**: This amendment, the SHIPYARD Act, would authorize a \$25 billion pot of money for the Navy to upgrade public and private shipyards. The legislation comes with little to no effective Congressional oversight for how the Navy spends the money, and seeks to provide a major infusion of funding for the service all at once rather than adhering to a multi-year plan for gradual upgrades to shipyards. For more on the SHIPYARD Act, see [here](#). *Note: Any roll call votes on this amendment will be assigned a higher weight on NTU's scorecard than most other amendments listed here, given the high level of new funding proposed in the amendment.*
- **S. Amdt. 4707 to S. Amdt. 3867, from Sens. Sheldon Whitehouse (D-RI) and Maggie Hassan (D-NH)**: This provision, the NARCO Act, would authorize at least \$400 million in new spending with no apparent offsets.
- **S. Amdt. 4717 to S. Amdt. 3867, from Sen. Sherrod Brown (D-OH)**: This amendment, the STEM Research GAINS Act, would authorize \$3.75 billion in new funding with no apparent offsets.
- **S. Amdt. 4721 to S. Amdt. 3867, from Sen. Rev. Raphael Warnock (D-GA)**: This provision would authorize new maternal health spending at \$75 million with no apparent offsets.
- **S. Amdt. 4733 to S. Amdt. 3867, from Sens. Marco Rubio (R-FL), Maria Cantwell (D-WA), Marsha Blackburn (R-TN), Jacky Rosen (D-NV), Susan Collins (R-ME), Maggie Hassan (D-NH), Mike Crapo (R-ID), Gary Peters (D-MI), and Angus King (I-ME)**: This provision would create a U.S.-Israel Artificial Intelligence Center, and would authorize funding for the center at \$50 million with no apparent spending offsets.
- **S. Amdt. 4738 to S. Amdt. 3867, from Sens. Robert Menendez (D-NJ) and Marco Rubio (R-FL)**: This amendment, the U.S.-Greece Defense and Interparliamentary Partnership Act, includes at least \$125 million in new spending authorizations with no apparent offsets.
- **S. Amdt. 4778 to S. Amdt. 3867, from Sens. Cory Booker (D-NJ), John Cornyn (R-TX), Chris Coons (D-DE), Rob Portman (R-OH), Lindsey Graham (R-SC), and Tom Carper (D-DE)**: This provision, the Preventing Future Pandemics Act, would authorize spending at \$1.85 billion with no apparent offsets.

**Bad Budgeting Practices at DoD**

- **S. Amdt. 4664 to S. Amdt. 3867, from Sen. Richard Blumenthal (D-CT):** This amendment would establish new unfunded priorities lists for the Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) programs. Unfunded priorities lists are a wasteful budgeting practice, and they encourage upward pressure on federal budgets. For more, [read here](#).

*If you have any questions, please contact NTU Director of Federal Policy Andrew Lautz at [alautz@ntu.org](mailto:alautz@ntu.org).*

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