

July 12, 2022

The Honorable Jim McGovern
Chair, House Committee on Rules
H-312, The Capitol
Washington, D.C. 20515

The Honorable Tom Cole
Ranking Member, House Committee on Rules
H-152, The Capitol
Washington, D.C. 20515

Dear Chair McGovern, Ranking Member Cole, and Members of the House Committee on Rules:

On behalf of the undersigned organizations, advocates for taxpayers across the nation, we ask you to make the following proposed amendments to H.R. 7900, the Fiscal Year 2023 National Defense Authorization Act (NDAA), in order so that they may receive a full vote in the U.S. House:

- **Amendment #166 from Reps. Barbara Lee (D-CA), Mark Pocan (D-WI), Peter DeFazio (D-OR), Bonnie Watson Coleman (D-NJ), Jared Huffman (D-CA), Adriano Espaillat (D-NY), Jimmy Gomez (D-CA), and Earl Blumenauer (D-OR):** This amendment would reduce authorization levels in H.R. 7900 by \$100 billion, exempting authorizations for personnel and the Defense Health Program. The NDAA topline has grown much too quickly in recent years, and is currently far too high given the nation's historic levels of debt and deficits. Congress must urgently and comprehensively address debt and deficit reduction, and cuts to defense authorization and appropriation levels are an important component of any comprehensive plan.
- **Amendment #169 from Reps. Barbara Lee (D-CA), Mark Pocan (D-WI), Sara Jacobs (D-CA), Bonnie Watson Coleman (D-NJ), Peter Welch (D-VT), Gwen Moore (D-WI), Adriano Espaillat (D-NY), Jimmy Gomez (D-CA), and Earl Blumenauer (D-OR):** This amendment would reverse the House Armed Services Committee's (HASC) \$37 billion increase to NDAA authorization levels, relative to the Biden administration's original FY 2023 request. While we prefer the robust authorization cuts offered in Amendment #166, this \$37 billion reduction would nonetheless represent a meaningful effort by Congress to reduce defense spending authorization levels – and, by extension, deficits and debt.
- **Amendment #261 from Reps. Abigail Spanberger (D-VA) and Peter Meijer (R-MI):** This amendment would require a Government Accountability Office (GAO) report to Congress on the current “oversight infrastructure” for U.S. emergency spending on Russia's invasion of Ukraine. Though much of America's assistance to Ukraine has reflected urgent needs in the country as they face down an invasion from a larger aggressor, the urgency of the invasion should be no excuse for robust oversight to ensure U.S. taxpayer dollars are not being used for wasteful or fraudulent purposes.
- **Amendment #277 from Rep. David Schweikert (R-AZ):** This amendment would reduce authorization levels by more than \$6 billion, reversing HASC's upward adjustment to the NDAA topline to account for the effects of inflation. While the Department of Defense (DoD) may be facing inflationary pressures for certain goods and services like other federal departments and agencies, HASC did not offset its inflation adjustments with authorization cuts elsewhere in the NDAA. Any inflation adjustments in the NDAA should be offset with cuts to other parts of the authorizing legislation.
- **Amendment #388 from Rep. Stephen Lynch (D-MA):** This amendment would reauthorize and restore the Commission on Wartime Contracting. During just three years of existence, the Commission previously uncovered between \$31 billion and \$60 billion lost to waste, fraud, and abuse through wartime contracting in Iraq and Afghanistan.¹
- **Amendment #400 from Reps. Pramila Jayapal (D-WA), John Garamendi (D-CA), Alan Lowenthal (D-CA), Rashida Tlaib (D-MI), Andy Levin (D-MI), Jimmy Gomez (D-CA), Raúl Grijalva (D-AZ), Steve Cohen (D-TN), and Jan Schakowsky (D-IL):** This amendment would repeal statutory requirements for the military service branches and combatant commands to furnish unfunded priorities lists (UPLs) to Congress each and every year. UPLs put unnecessary upward pressure on defense authorization and appropriation topline and undermine civilian leadership at the Pentagon. UPLs are often difficult for the public to access and understand as well, reducing transparency in the DoD budget process.
- **Amendment #482 from Rep. Warren Davidson (R-OH):** This amendment would reduce the number of two, three, and four star general billets in years when DoD fails to pass an audit. After Congress required federal agencies to complete annual audits in 1990, DoD didn't even complete its first audit

¹ Commission on Wartime Contracting in Iraq and Afghanistan. “Wartime Contracting Commission closes its doors September 30.” September 28, 2011. Retrieved from: <https://cybercemetery.unt.edu/archive/cwc/20110929230444/http://www.wartimecontracting.gov/index.php/pressroom/pressreleases/209-cwc-nr-50> (Accessed July 6, 2022.)

until 2018.² As of November 2021, DoD had completed four audits and failed all four, and the agency does not project it will pass an audit until 2027.³ It is time for Congress to insist on more progress from the sprawling and well-funded agency.

- **Amendment #542 from Reps. John Garamendi (D-CA), Pramila Jayapal (D-WA), Don Beyer (D-VA), and Ro Khanna (D-CA):** This amendment would halt funding for the Ground-Based Strategic Deterrent (GBSD) and instead ask DoD to develop a plan for extending the life of the current Minuteman III intercontinental ballistic missile (ICBM). 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.”⁴ This amendment from Reps. Garamendi and colleagues would put, at a minimum, a 10-year pause on efforts to fund GBSD.
- **Amendment #569 from Reps. Adam Smith (D-WA) and Jackie Speier (D-CA):** This amendment would allow the Navy to retire nine Littoral Combat Ships (LCS). Though this amendment would move funding from the LCS program into other programs at the Department of Defense, taxpayers will realize multi-year savings by allowing the Navy to retire these ships.
- **Amendment #608 from Reps. Nikema Williams (D-GA), Peter Meijer (R-MI), Sara Jacobs (D-CA), Ro Khanna (D-CA), Victoria Spartz (R-IN), Barbara Lee (D-CA), and Peter Welch (D-VT):** This amendment would update and modernize Cost of War reporting, which since its enactment in 2017 has been beneficial to American taxpayers seeking to understand the fiscal and financial impacts of war spending.
- **Amendment #645 from Rep. Rashida Tlaib (D-MI):** This amendment would strike the NDAA’s prohibition on reductions in the total number of ICBMs. No portion of the defense budget should be immune or exempt from a robust discussion about cuts or cost savings.
- **Amendment #648 from Rep. Rashida Tlaib (D-MI):** This amendment would strike the NDAA’s prohibition on the retirement of LCS. As one of our organizations recently wrote, “[t]he Navy shouldn’t be forced to throw good money after bad”; it has already done so with the LCS program.⁵
- **Amendment #1213 from Rep. Kurt Schrader (D-OR):** This amendment would strike Section 122, Section 126, and Section 1031 which prohibit the Secretary of the Air Force and the Secretary of the Navy from taking actions to manage their legacy warfighting systems. In particular the underlying bill prohibits the Secretary of the Air Force from managing the inventory of Air Refueling Tankers and C-130s. The underlying bill also prohibits the Secretary of the Navy from retiring certain Littoral Combat Ships. We believe on the rare occasions that military services want to divest of legacy weapon systems, the Congress should not resort to parochial actions to stop those retirements.

Sincerely,



National Taxpayers
Union



R Street Institute



Taxpayers for Common
Sense



Taxpayers Protection
Alliance

CC:The Honorable Norma Torres
The Honorable Ed Perlmutter
The Honorable Jamie Raskin
The Honorable Mary Gay Scanlon

The Honorable Joe Morelle
The Honorable Mark DeSaulnier
The Honorable Deborah K. Ross
The Honorable Joe Neguse

The Honorable Michael Burgess
The Honorable Guy Reschenthaler
The Honorable Michelle Fischbach

² Mehta, Aaron. “Here’s what the Pentagon’s first-ever audit found.” *Defense News*, November 16, 2018. Retrieved from: <https://www.defensenews.com/pentagon/2018/11/15/heres-what-the-pentagons-first-ever-audit-found/> (Accessed July 6, 2022.)

³ Bubl , Courtney. “The Defense Department Fails Its Audit Again, But Officials Have ‘No Doubt’ It Will Eventually Pass.” *Government Executive*, November 16, 2021. Retrieved from: <https://www.govexec.com/management/2021/11/defense-department-fails-its-audit-again-officials-have-no-doubt-it-will-eventually-pass/186865/> (Accessed July 5, 2022.)

⁴ NTU. “Cross-Ideological Coalition IDs \$80B in Possible Pentagon Budget Cuts.” March 24, 2021. Retrieved from: <https://www.ntu.org/publications/detail/cross-ideological-coalition-ids-80b-in-possible-pentagon-budget-cuts>.

⁵ Taxpayers for Common Sense. “Thanks for the Legacies.” Retrieved from: <https://taxpayer.net/national-security/thanks-for-the-legacies/> (Accessed July 6, 2022.)