



July 13, 2022

The House is about to consider amendments to and final passage of H.R. 7900, the fiscal year (FY) 2023 National Defense Authorization Act (NDAA). See our key vote alert on the underlying legislation [here](#). NTU is encouraging lawmakers to SUPPORT the following amendments to H.R. 7900:¹

Amendments to Reduce Authorization Levels or Push Down Future Spending

- **Amendment #13 (filed as #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 Espallat (D-NY), Jimmy Gomez (D-CA), Earl Blumenauer (D-OR), and Danny K. Davis (D-IL):** 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. **This amendment will be significantly weighted in NTU’s annual scorecard.**
- **Amendment #14 (filed as #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 Espallat (D-NY), Jimmy Gomez (D-CA), Earl Blumenauer (D-OR), and Danny K. Davis (D-IL):** 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. **This amendment will be significantly weighted in NTU’s annual scorecard.**
- **Amendment #16 (filed as #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.

¹ NTU typically only includes NDAA amendments in our annual scorecard if they receive a standalone roll call vote. Amendments that are included in an en bloc 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.

- **Amendment #19 (filed as #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.”² This amendment from Reps. Garamendi and colleagues would put, at a minimum, a 10-year pause on efforts to fund GBSD.
- **Amendment #20 (filed as #645) from Reps. Rashida Tlaib (D-MI) and Sara Jacobs (D-CA):** 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.

Amendments to Improve Congressional and Government Oversight of Spending

- **Amendment #15 (filed as #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), Jan Schakowsky (D-IL), and Seth Moulton (D-MA):** 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 toplines 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 #130 (filed as #647) from Reps. Ed Case (D-HI), Kaiuli’i Kahele (D-HI), Derek Kilmer (D-WA), and Rob Wittman (R-VA):** This amendment would require additional layers of oversight on military construction projects with overhead costing more than \$500 million. Congressional and independent oversight is particularly important for the military’s most expensive projects.
- **Amendment #236 (filed as #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.³
- **Amendment #335 (filed as #261) from Reps. Abigail Spanberger (D-VA), Peter Meijer (R-MI), and Young Kim (R-CA):** 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.

² 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>

³ 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.)

- **Amendment #376 (filed as #608) from Reps. Nikema Williams (D-GA), Peter Meijer (R-MI), Sara Jacobs (D-CA), Victoria Spartz (R-IN), Barbara Lee (D-CA), Peter Welch (D-VT), Earl Blumenauer (D-OR), Marie Newman (D-IL), Andre Carson (D-IN), Gwen Moore (D-WI), Raúl Grijalva (D-AZ), Andy Levin (D-MI), Rashida Tlaib (D-MI), and Del. Eleanor Holmes Norton (D-DC):** 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 #512 (filed as #467) from Reps. Virginia Foxx (R-NC) and Beth Van Duyne (R-TX):** This amendment would establish the first-ever Inspector General (IG) at the Office of Management and Budget (OMB). OMB is an increasingly powerful government agency with significant influence over how the federal government spends taxpayer dollars appropriated by Congress. Independent oversight would be welcome at the agency.

General Good Government and Pro-Taxpayer Provisions

- **Amendment #408 (filed as #107) from Reps. Ed Perlmutter (D-CO), Nydia Velázquez (D-NY), Warren Davidson (R-OH), Earl Blumenauer (D-OR), David Joyce (R-OH), Barbara Lee (D-CA), Lou Correa (D-CA), and Charlie Crist (D-FL):** This amendment, the bipartisan SAFE Banking Act, would allow access to banking services for legitimate hemp and cannabis businesses in states where these products have been legalized.
- **Amendment #453 (filed as #18) from Reps. Carolyn Maloney (D-NY), John Sarbanes (D-MD), and Gerald Connolly (D-VA), and Del. Eleanor Holmes Norton (D-DC):** This amendment, the Periodically Listing Updates to Management (PLUM) Act, would codify certain information about the positions and pay of executive branch employees. Just as Americans can currently access basic information about the taxpayer-funded positions of Congressional staff, the general public deserves access to basic information – regularly updated – about individuals serving in taxpayer-funded positions in the executive branch.
- **Amendment #603 (filed as #165) from Reps. Deborah Ross (D-NC) and Darrell Issa (R-CA):** This amendment, the Inspector General (IG) Access Act, would correct a flaw in current law that prevents the Department of Justice (DOJ) IG from investigating misconduct by certain DOJ personnel.

NTU is encouraging lawmakers to OPPOSE the following amendments:⁴

Amendments That Authorize New Spending Without Full Offsets

- **Amendment #420 (filed as #249) from Reps. Bennie Thompson (D-MS) and John Katko (R-NY):** This amendment would authorize \$2.44 billion for various Department of Homeland Security initiatives and operations, and does not appear to contain offsets.
- **Amendment #444 (filed as #377) from Reps. Mike Quigley (D-IL) and Grace Meng (D-NY):** This amendment would authorize \$1.5 billion to help prevent the spread of zoonotic diseases and disrupt wildlife trafficking. There appear to be no spending offsets.
- **Amendment #459 (filed as #317) from Reps. Jim McGovern (D-MA) and Ayanna Pressley (D-MA):** This amendment would authorize \$100 million to create a new grant program for intergenerational housing, and does not appear to contain offsets.

⁴ See footnote 1.

- **Amendment #488 (filed as #1020) from Rep. Emanuel Cleaver (D-MO):** This amendment would authorize \$250 million to establish a grant program to promote diversity and inclusion in the appraisal profession, with no spending offsets.
- **Amendment #528 (filed as #309) from Reps. Al Green (D-TX) and Joe Courtney (D-CT):** This amendment would authorize \$125 million for a Merchant Mariner Equity Compensation Fund, and does not appear to contain offsets.
- **Amendment #553 (filed as #770) from Reps. Jim Langevin (D-RI) and Mike Gallagher (R-WI):** This amendment would authorize \$221 million for Critical Technology Security Centers to evaluate and test the security of technologies essential to national critical functions. There appear to be no spending offsets.
- **Amendment #584 (filed as #868) from Reps. Gregory Meeks (D-NY), Steve Chabot (R-OH), and Andy Levin (D-MI):** This amendment would authorize \$470 million to combat human rights abuses in Burma, with no spending offsets.

Amendments That Would Put Long-Term, Upward Pressure on the Defense Budget

- **Amendment #3 (filed as #809) from Rep. Jan Schakowsky (D-IL):** This amendment would establish a contract preference at DoD for contractors that engage in collective bargaining with their employees. While the U.S. government should not *punish* contractors that engage in collective bargaining, DoD should not be in the business of providing a preference to contractors based on whether or not their workforce is unionized. Such a preference would likely add to costs borne by America’s taxpayers for goods and services provided by contractors to DoD.
- **Amendment #4 (filed as #13) from Reps. Andy Kim (D-NJ), John Garamendi (D-CA), and Donald Norcross (D-NJ):** This amendment would add a preference to DoD military construction contracts for “firms that certify that at least 51 percent of employees hired to perform the work shall reside in the same state or within a 60-mile radius.” This is a form of local protectionism that could add costs to military construction projects for American taxpayers.
- **Amendment #319 (filed as #407) from Rep. Austin Scott (R-GA):** This amendment would require an annual UPL for the POW/MIA Accounting Agency. NTU is opposed to any proposal that adds UPL requirements to defense-related departments, agencies, or commands.
- **Amendment #378 (filed as #476) from Rep. Rob Wittman (R-VA):** This amendment would prevent the disposal of LCS unless they “are transferred to the military forces of a nation that is an ally or partner of the United States.” The Navy should be able to unconditionally retire LCS; this requirement adds a layer of difficulty to the Navy’s efforts to retire LCS.

Amendments That Would Increase Taxpayer and Consumer Costs

- **Amendment #432 (filed as #681) from Rep. Rashida Tlaib (D-MI):** This amendment attempts a narrower, servicemember-focused version of broad consumer legislation the amendment sponsor has previously advocated for (and failed to pass).⁵ The proposed legislation fails to explain why two years is an appropriate time period to prohibit collection of medical debt, nor does it grapple with the effects that prohibiting collection of medical debt could have on hospitals and providers. NTU is also troubled that the proposed amendment would suppress accurate debt obligations by prohibiting the reporting of medical debt on servicemembers’ credit reports. By proposing to suppress information associated with

⁵ Congresswoman Rashida Tlaib. “Rep. Tlaib Bill to Remove Medically Necessary Debt from Credit Reports Passes House.” May 14, 2021. Retrieved from: <https://tlaib.house.gov/media/press-releases/rep-tlaib-bill-remove-medically-necessary-debt-credit-reports-passes-house> (Accessed July 7, 2022.)

medical debt, credit reports will be incomplete and less predictive of credit scores. Hiding negative information from lenders could also expose taxpayers to potential losses on loans backstopped by the federal government. With less accurate consumer reports and scores, creditors will be inevitably forced to reduce the amount of credit extended and/or raise prices to cover for the additional risk.

Measures That Would Increase the Federal Government’s Role in Prescription Drug Pricing

- **Amendment #37 (filed as #757) from Reps. Pramila Jayapal (D-WA) and Jan Schakowsky (D-IL):** This amendment would require the federal government to “give preference to a Government-owned” manufacturer for any DoD-owned vaccine “or other medical intervention” relating to COVID-19. Should DoD, the U.S. Walter Reed Army Institute for Research, or any other federal entity successfully develop a COVID-19 vaccine or medical intervention, the license to manufacture and distribute the vaccine should go to the safest, most capable, and most cost-effective bidder. Requiring DoD to ‘prefer’ a Government-owned manufacturer makes little sense to taxpayers or to the beneficiaries of any DoD-developed vaccine.
- **Amendment #203 (filed as #961) from Reps. Pramila Jayapal (D-WA) and Jan Schakowsky (D-IL):** This amendment would allow DoD to “select one or more Government-owned” facilities to manufacture insulin. Such a sweeping proposal, which would upend the research and development pipeline for insulin products – including biosimilar competition to brand-name products – and limit future innovations available to consumers should not be considered by Congress in the first place. It should certainly not be included in sweeping, defense policy legislation, when lawmakers are debating thousands of other provisions with multi-billion dollar consequences.

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

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