

September 17, 2021

The Honorable Jim McGovern
Chair, House Committee on Rules
H-312, The Capitol
Washington, D.C. 20510

The Honorable Tom Cole
Ranking Member, House Committee on Rules
H-152, The Capitol
Washington, D.C. 20510

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

On behalf of the undersigned organizations, non-partisan, non-profit government and budget watchdogs, we write in support of several amendments submitted to the Rules Committee for its forthcoming meeting on H.R. 4350, the National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2022. It is our view that each of the following amendments would serve American taxpayers well, by either reducing unnecessary funding in an extremely large and growing defense budget or by requiring additional Congressional oversight of key defense programs and priorities. We hope you will make each of these amendments in order for floor consideration when the House considers H.R. 4350 during the week of September 20.

- **Amendment #46 from Rep. Kurt Schrader (D-OR):** 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.
- **Amendment #47 from Rep. Kurt Schrader (D-OR):** This amendment would prohibit the Space Force from constructing its own military installations, requiring the Space Force to instead use existing military installations (or future military installations for other service branches). This amendment could help contain cost growth at the Space Force, which could see its budget increase as much as 15 percent from FY 2021 to FY 2022 [under H.R. 4350](#).
- **Amendment #48 from 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. Our 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 #69 from Rep. Rashida Tlaib (D-MI):** This proposed amendment would strike Section 1626 and, therefore, allow the potential reduction of nuclear Intercontinental Ballistic Missiles (ICBMs) deployed in the United States. This amendment would allow potential reductions in ICBMs should the Pentagon ask to reduce the inventory at some point in the future. Blanket Congressional prohibitions on reducing weapons inventories force the Pentagon to maintain systems they might otherwise choose to retire or downsize. Potential cost savings as well as Pentagon decisions based on the merit of a program are frustrated by these prohibitions.
- **Amendment #79 from Rep. Stephen Lynch (D-MA):** Several of our organizations have [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 #109 from Reps. Jackie Speier (D-CA) and Nancy Mace (R-SC):** With lawmakers appropriating and proposing record amounts of new federal spending, it is essential that Congress update whistleblower laws that support those who call out abuse or misuse of taxpayer dollars. This bipartisan amendment from Reps. Speier and Mace includes several best-practice improvements to federal whistleblower laws, which have not kept pace with the scale and scope of challenges, and would apply these protections to COVID-19 relief programs.

- **Amendment #261 from Rep. Earl Blumenauer (D-OR):** This amendment would require the Pentagon to contract with a federally funded research and development center (FFRDC) to conduct a study of several aspects of the life extension program for the W80-4 nuclear warhead. Principal among the issues to be studied is the cost of the program, which has unexpectedly increased. Future costs and schedule changes are vital pieces of information for the entire Congress to have before making further decisions related to this program.
- **Amendment #289 from Reps. John Garamendi (D-CA) and Ro Khanna (D-CA):** 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 #397 from Reps. Mark Pocan (D-WI) and Barbara Lee (D-CA):** 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 #585 from 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 #589 from Rep. Pramila Jayapal (D-WA):** As noted above, our groups have long held that unfunded priorities lists -- ‘wish lists’ -- are wasteful. Rep. Jayapal’s amendment goes beyond Amendment #48 from Rep. Schrader, in that it would eliminate almost all major statutory requirements for DoD unfunded priorities lists.
- **Amendment #602 from Reps. Barbara Lee (D-CA), Mark Pocan (D-WI), and Alexandria Ocasio-Cortez (D-NY):** 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 #630 from 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 #632 from Rep. Jared Huffman (D-CA):** This amendment would unwind the Space Force, a boondoggle of a project that is [likely costing taxpayers billions of dollars](#) in new administrative costs and adding to (not reducing) the federal bureaucracy.
- **Amendment #641 from Rep. Glenn Grothman (R-WI):** This provision from Rep. Grothman would have GAO study the fiscal impact of reducing the Navy’s active aircraft carrier fleet by one carrier. Such a study could help lawmakers make more informed decisions about responsible ways to address the defense budget.

- **Amendment #684 from Rep. James Comer (R-KY):** 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 #800 from Rep. Barbara Lee (D-CA):** This provision would reduce spending levels for components of DoD that fail to pass an audit. DoD has failed audits [three times now](#), and projects it will not be able to pass an audit until 2028, despite the first audit requirements for the agency taking effect following [passage of the CFO Act of 1990](#). Taxpayers funding defense at a clip of \$750 billion or more per year deserve better than an agency taking nearly 40 years to fulfill audit requirements, and Rep. Lee's amendment would apply [sticks rather than carrots](#) to DoD's ongoing failures.

Should you have any questions about our recommendations, we are at your service. Thank you for your consideration of our requests.

Sincerely,



National Taxpayers
Union



Project on
Government
Oversight



R Street
Institute



Taxpayers for
Common Sense

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 Ross
The Honorable Joe Neguse
The Honorable Michael Burgess
The Honorable Guy Reschenthaler
The Honorable Michelle Fischbach