

COMMITTEE ON THE BUDGET

COMMITTEE ON THE JUDICIARY

SUBCOMMITTEE ON
IMMIGRATION AND BORDER SECURITY
SUBCOMMITTEE ON REGULATORY REFORM,
COMMERCIAL, AND ANTITRUST LAW

Congress of the United States
House of Representatives
Washington, DC 20515-4707

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April 3, 2019

The Honorable Adam Smith
Chairman
Committee on Armed Services
HT-2, The Capitol
Washington, DC 20515

Dear Chairman Smith:

Thank you for the opportunity to provide input as you begin crafting the National Defense Authorization Act (NDAA) for fiscal year (FY) 2020. This bill is an important chance to reclaim Congressional oversight of our nation's defense spending budget, especially given that half of the Defense Department's annual budget goes to military contractors. I respectfully request that you give consideration to the following priorities:

- **Reassert Constitutional war powers of Congress.** The Committee should consider a repeal of the 2001 Authorization for Use of Military Force (AUMF) within 240 days and withdraw U.S. forces from Afghanistan. U.S. forces in Syria should also be withdrawn in a prompt, orderly manner unless and until such troop presence is authorized by Congress. The FY2020 NDAA should also terminate all U.S. military participation in the Saudi-led war in Yemen, especially in light of the recent vote demonstrating bipartisan Congressional approval of this priority. Additionally, with President Trump's threats of military action against Venezuela, North Korea and Iran, the Committee should consider prohibiting the unauthorized use of force in these countries. Finally, Congress should prohibit the Defense Department from providing any material support to a country in which battalions exhibit demonstrable Nazi sympathies or allegiances.
- **Maintain respect for U.S. and international law.** Congress should prohibit the Defense Department from using funds to test, procure, or field any missile that would be prohibited under the Intermediate-Range Nuclear Forces (INF) Treaty. The NDAA should also prohibit the use of funds to enforce any economic sanctions that violate international treaties to which the U.S. is a signatory, including the Charter of the United Nations and the Charter of the Organization of American States, or sanctions that implement collective punishments as defined by the Geneva convention.
- **Reduce inefficient and wasteful defense spending.** The Committee should consider including provisions of the Smarter Approach to Nuclear Expenditures (SANE) Act to eliminate \$100 billion of wasteful nuclear weapons expenditures over the next ten years. The FY2020 NDAA should also prohibit the Defense Department from carrying out any operation that runs counter to parameters set by the Joint Comprehensive Plan of Action

(JCPOA). Additionally, it should require reporting from the Government Accountability Office (GAO) on estimated cost savings if a new Base Realignment and Closure process were conducted. Finally, Congress should consider taking action to reduce exorbitant executive pay for defense contractors.

- **Require transparency and accountability at the Department of Defense.** The FY2020 NDAA should prohibit the Department from providing weapons to any forces or governments that have provided material support to Al Qaeda or ISIS, and require that the Defense Department provide Congress with a list of Al Qaeda's "associated forces." Congress should also consider adopting the Berta Caceres Human Rights in Honduras Act, suspending U.S. military aid to Honduras until improvements in human rights are demonstrated. Finally, the Defense Department should improve its sustainability practice, starting with an NDAA-mandated report on greenhouse gas emissions produced by the Pentagon.
- **Hold defense contractors accountable for "high road" labor practices.** At a minimum, contractors who willfully violate federal workplace safety standards, wage and hour laws, and other worker protections should not be rewarded with new contracts at the taxpayers' expense. But in our new House majority, we should go further, ensuring that defense contractors with the best labor practices are rewarded. We should also ban contractors from using anticompetitive practices, including the use of noncompete and no-poach agreements.
- **Recognize the dignity of U.S. service members.** The FY2020 NDAA should adopt the Restore Honor to Service Members Act to help service members who were discharged for no other reason than their sexual orientation correct their military record so that it reflects their honorable service. The NDAA should also require the Defense Department to pay all service members a minimum of \$15 per hour. Finally, Congress should require the prompt clean up of toxic materials at military bases, including PFAS chemicals.
- **Withhold additional funds until the Defense Department has completed its FY2019 audit.** The Department of Defense has ignored Congressional deadlines to become auditable since 1992. The fiscal year (FY) 2018 audit found that only five of the 21 Pentagon agencies received a passing grade. Congress should demand accountability on the FY2018 audit by refusing to expend additional funds to the Defense Department until it has completed its FY2019 audit and demonstrated improvement compared to the prior year.

Thank you for your consideration of these requests.

Sincerely,



PRAMILA JAYAPAL
Member of Congress