



July 11, 2022

Dear Members of Congress,

On behalf of Concerned Veterans for America (CVA) and our thousands of activists around the country, we urge you to support the following policy priorities as the House of Representatives begins floor consideration of amendments to the National Defense Authorization Act for Fiscal Year 2023.

Congress should prioritize addressing the greatest threats to our national security while upholding its constitutional oversight obligations over national security decisions. Congress also needs to ensure it effectively leverages our limited defense resources to best position our troops for success while protecting the access to quality health care our veterans have earned when they come home.

**CVA's Key NDAA Amendment Priorities:**

**NO** – [McGovern \(MA\), Amendment #315](#) Eliminates the VA Asset and Infrastructure Review Commission.

**CVA Position:** The average VA facility is 60 years old, more than five times the average age of private sector health care facilities. The AIR Commission's modernization efforts are vital to the success of the VA MISSION Act of 2018, overwhelmingly passed after the infamous Phoenix VA scandal of 2014. The AIR Commission will conduct a comprehensive review of existing supply and demand in the veterans' health care market to ensure the VA can begin upgrades it's needed for decades while protecting access to care, whether in the VA or through community providers. Dismantling the AIR Commission will only hurt veterans by trapping them in an aging, backlogged system that lacks a real plan for improving its health care delivery options.

**YES** – [Lee \(CA\), Amendment #170](#); Repeals the 2002 Authorization for Use of Military Force;

**YES** – [Gosar \(AZ\), Amendment #259](#) Repeals the 2001 and 2002 AUMFs.

**CVA Position:** Leaving outdated Authorizations for Use of Military Force (AUMFs) on the books warps the Constitution and risks strategic blunder. Less than a fifth of the current Congress voted on the 2001 and 2002 AUMFs, which are long-obsolete.

- The 2002 AUMF was intended to authorize operations against Saddam Hussein's now-toppled government in 2003. The 2002 AUMF is not the sole authority for any ongoing military operation and the Biden Administration has publicly supported its repeal.
- The 2001 AUMF was originally drafted to respond to those responsible for the 9/11 attacks. Since then, the authorization has been stretched far beyond its supporters' original intent, invoked at least 41 times authorizing U.S. military action in over 22 countries, often to counter threats that did not exist in 2001.

Now that the United States has ended its war in Afghanistan, it is past time to repeal this obsolete authorization. Leaving either the 2001 or 2002 AUMFs active risks a President using them to take the United States into an ill-considered war without Congressional approval.

**YES** – [Lee \(CA\), Amendment #169](#) Reverses the \$37 billion DoD topline increase made at HASC markup above the President's FY23 request.

**CVA Position:** The President's \$773 billion defense budget request for FY 2023, an increase of \$30.7 from last year, is already higher in real terms than peak U.S. Cold War defense spending--a time when the United States faced much greater threats. America has just ended a major war abroad and faces record inflation and supply chain crises at home. The US should right-size its defense spending overall and better prioritize our limited resources at home and abroad.

**YES** – [Gosar \(AZ\), Amendment #595](#) Requires the Secretaries of Defense and State to report a strategy for U.S. involvement in the war in Ukraine.

**CVA Position:** U.S. goals in Ukraine have publicly shifted multiple times since Russia's February invasion. What was first described as an effort to help Ukraine blunt Russia's immoral aggression has now morphed into efforts to secure outright victory over Russia in the conflict, a goal that is difficult to achieve at best and poses very real risks of NATO-Russia conflict at worst. Proper stewardship of our national interests requires a clearer accounting for U.S. strategy in the conflict, particularly if U.S. taxpayers are going to be called on to supply further aid.

**YES** – [Khanna \(CA\), Amendment #791](#) Requires Congressional approval for security guarantees with Saudi Arabia or the United Arab Emirates.

**CVA Position:** The U.S. is already overstretched and should not be locking itself into new security commitments that could drag America into a major war without Congressional approval. Saudi Arabia and the UAE have been happy to use U.S. spare parts, munitions, and logistical support to recklessly disregard civilian life during the war in Yemen. At the same time, they've balked at cooperating with U.S. sanctions against Russia or increasing oil production to ease western energy shocks. To support our European allies against Russian pressure, the U.S. should remove barriers to higher American energy exports, not make promises to already reckless partners that could drag Americans into more Middle Eastern wars.

**YES** – [Williams \(GA\), Amendment #608](#) Public availability of cost of certain military operations to each United States taxpayer.

**CVA Position:** This amendment would ensure that previous legislation requiring reporting of the costs of the wars in Afghanistan, Iraq, and Syria would apply to all post-9/11 and future wars. The United States can make better choices about its engagements abroad when the American people are aware of the tradeoffs involved and prioritize accordingly.

---

#### **Additional CVA NDAA Amendment Priorities:**

**NO** – [Kinzinger \(IL\), Amendment #124](#) Provides \$100 million to train Ukrainian pilots on flying U.S. planes such as the A-10, F-15, F-16, and integrated munitions.

**CVA Position:** The United States should avoid actions which significantly increase the risk of escalating the war in Ukraine to direct NATO-Russia conflict. Training Ukrainian pilots to fly U.S. planes carries an unacceptably high escalation risk and should be rejected.

Despite its heroism, the Ukrainian Air Force is not positioned to match Russia's sortie rate and will be even less impactful in the struggle for the Donbas, whether or not they use US aircraft. Ukrainian personnel are trained on post-Soviet planes and weapons systems—these do not easily integrate with western equipment and will add to the time and expense of any training while limiting the value of any Western aircraft they do fly.

**YES** – [Lee \(CA\), Amendment #166](#) Reduces the DoD topline by \$100 billion, preserving personnel, civilian pay and benefits, and the Defense Health Program. Gives the DoD Secretary discretion for cuts, considering various options for national defense under a reduced defense budget outlined in October 2021 by the CBO.

**CVA Position:** The \$773 billion FY 2023 defense budget proposal is higher in real terms than at any point during the Cold War, despite the comparatively lower threats we face today. After ending our war in Afghanistan, and amid record debt, an energy crisis, and the worst inflation in a generation, the United States should right-size its defense spending to account for its reduced missions and needs at home. This amendment preserves our troop's pay and benefits, while allowing the Secretary of Defense the discretion to continue to protect the most important U.S. national interests under a reduced DoD budget.

**YES** – [Bowman \(NY\), Amendment #202](#) Prohibits U.S. military presence in Syria without Congressional approval within one year of enactment.

**CVA Position:** The U.S. military presence in Syria is Congressionally unauthorized. After the defeat of ISIS' territorial caliphate, keeping troops in Syria does not advance vital national interests but puts our troops at constant risk of attack. Congress needs to reassert its Article I responsibilities and draw down military commitments it is not willing to pass proper authorizations for.

**YES** – [Spanberger \(VA\), Amendment #260](#) Repeals the 1991 AUMF;

**YES** – [Meijer \(MI\), Amendment #696](#) Repeals the 1957 AUMF.

**CVA Position:** The 1957 AUMF was drafted to authorize operations to combat Communism in the Middle East during the Eisenhower Administration. 1991 AUMF was drafted to authorize operations against Saddam Hussein's government during the Gulf War. Both AUMFs are long obsolete, have no relevance to current threats to the United States, and should be repealed as a matter of Congress' institutional hygiene. Keeping these obscure AUMFs active also risks a President using them as future authorities to take the United States into an ill-considered war in the Middle East without Congressional approval.

**YES** – [Spanberger \(VA\), Amendment #261](#) Requires the Comptroller General to submit a report on oversight for U.S. aid to Ukraine and its current gaps;

**YES** – [Clyde \(GA\), Amendment #1109](#) Establishes a Special Inspector General for Ukrainian Military Aid.

**CVA Position:** The United States has offered Ukraine over \$55 billion in assistance this year, including the largest amount of military aid America has given any country in a single year in two decades. Congress authorized the aid hastily, without real debate about the strategic goals it furthers, and did so without a dedicated Inspector General in place at either the State Department or Department of Defense to oversee its delivery. These oversight gaps are unacceptable given Ukraine's unfortunate history of endemic corruption and its past reputation as an international arms-trafficking hub. The fact that US assistance to Ukraine this year alone is as large as a quarter of the country's pre-war GDP makes the aid all the more likely to fuel corruption without meaningful oversight. Identifying and closing these oversight gaps is imperative to do right by American taxpayers and the Ukrainian people.

**NO** – [Rutherford \(FL\), Amendment #273](#) Prohibits funds for retirement or inactivation of any Littoral Combat Ship (LCS);

**YES** – [Smith \(WA\), Amendment #569](#) Allows the Navy to retire 9 LCS's;

**CVA Position:** The United States should maintain a strong, modern military, second-to-none and capable of protecting our national interests. Unfortunately, Littoral Combat Ships (LCS's) have proved an ineffective, problem-ridden acquisitions disaster that do not position the U.S. Navy for success against a near-peer competitor like China. The Navy recognizes this and has called to decommission LCS's as a result.

Instead of forcing the Navy to sink further costs into a failed platform, Congress should allow the Navy to decommission LCS's and invest the maintenance savings into new construction and modernization projects that better protect U.S. interests.

**YES** – [DeFazio \(OR\), Amendment #345](#) Strengthens Congressional role in and oversight of Emergency Declarations and Designations.

**CVA Position:** As currently interpreted, the National Emergencies Act (NEA) gives the President broad authority to declare national emergencies and gain sweeping domestic powers with little ability for Congress to limit them absent a supermajority. This reform of the NEA will ensure that emergency declarations are truly temporary, sunseting existing emergencies and requiring renewal votes for new ones after 20 days, with the option to extend them up to five years through annual votes. There are over 41 national emergencies currently active, some of which are decades old. This amendment is a matter of basic good governance that removes the potential for future Presidential abuse of these powers.

**YES** – [Biggs \(AZ\), Amendment #701](#) Requires the DoD to perform an audit. Departments and agencies that fail to comply receive a 0.5% budget cut.

**CVA Position:** National defense is the federal government's first responsibility to its citizens, and as the largest recipient of the federal discretionary spending budget, the DoD accounting for its spending is essential. While past DoD audits have historically uncovered more opportunities for savings than they have cost, there is no material consequence for defense agencies failing or not completing audits. This amendment improves DoD incentives through real accountability.

**YES** – [Blumenauer \(OR\), Amendment #718](#) Authorizes Department of Veterans Affairs providers to assist veterans in providing recommendations, opinions, and completion of forms reflecting these recommendations or opinions in compliance with state-legal medical cannabis programs.

**CVA Position:** Veterans deserve access to the widest variety of health care choices possible to meet their individual needs. This amendment would allow veterans living in states where medical marijuana is legal to access this treatment option as civilians can by ensuring that VA benefits aren't a barrier to legal access.

**YES** – [Kelly \(MS\), Amendment #899](#) Expands the Veterans Community Care Program to include health care providers at institutions of higher learning to allow student veterans more health care choices.

**CVA Position:** This amendment would reduce barriers to student veterans using their VA benefits with health care providers at their colleges and universities through the VA Mission Act's community care program. This will help reduce student veterans' wait times and driving distances to access the care they've earned.

**YES** – [Cloud \(TX\), Amendment #949](#) Places 2-year sunsets on all future AUMFs. Requires the State and Defense Departments to brief Congress biannually on existing military operations;

**YES** – [Lee \(CA\), Amendment #976](#) Expresses sense of Congress that AUMFs should include sunset provisions.

**CVA Position:** Future Authorizations for Use of Military Force should have automatic two-year sunsets included to ensure that Congress has regular, built-in opportunities to exercise oversight over ongoing military operations and debate whether they remain necessary to protect our national interests. Past AUMFs have not featured sunsets, remaining on the books long after they were obsolete, leading to operations lasting for decades and new deployments occurring under existing AUMFs that have nothing to do with the original circumstances of their passage. Congress should ensure adequate oversight on future AUMFs through built-in sunsets.

**YES – [Baird \(IN\), Amendment #956](#)** Directs the Secretary of Veterans Affairs to ensure veterans are able to schedule treatment at VA medical facilities during their initial phone call requesting an appointment.

**CVA Position:** Scheduling appointments through the VA can be a frustrating and time-consuming process in the best of times. There is no reason why the VA should not be able to schedule veterans' medical appointments during their initial call to request one, as is standard practice in the private sector.

**YES – [Jayapal \(WA\), Amendment #997](#)** Requests a Department of Defense risk assessment report on the likelihood of the use of a nuclear weapon as a result of Russia's invasion of Ukraine, and whether such risk increases as the war continues.

**CVA Position:** As the United States reacts to Russia's immoral war in Ukraine, it should keep its chief interest at the forefront—avoiding escalation to direct NATO-Russia conflict, which could easily result in a nuclear exchange exponentially increasing the suffering of the war. Assessing the risks of nuclear weapons use during the conflict and as it continues should be basic due diligence to ensure that U.S. strategy in the region keeps this risk acceptably low.

---

Concerned Veterans for America believes Congress' role in shaping our nation's defense priorities is essential. Policymakers have an opportunity in the 2023 NDAA to support language refocusing our efforts abroad, restoring Congress' commitment to its constitutional foreign policy obligations, reducing wasteful spending, and protects access to the care our veterans have earned. Protecting these principles will provide a solid footing for our nation's defense in 2023 and beyond.

Sincerely,



Russ Duerstine  
Deputy Director  
Concerned Veterans for America