

Huffman votes to advance defense authorization reforms, urges reduction in Pentagon spending

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Last week, Representative Jared Huffman voted to advance the fiscal year 2022 National Defense Authorization Act out of the House. The annual Pentagon funding authorization bill, which passed the House 316-133, now goes to the Senate. Once House and Senate differences are reconciled, the bill is expected to return to the House for final passage later this year.

“The United States spends too much money on defense, and with this bill Congress is once again missing an opportunity to rein-in the Pentagon’s bloated budget,” said Rep. Huffman. “But beneath the disappointing topline numbers, we are achieving some historic and urgent policy reforms such as finally confronting military sexual assault, combatting the growing scourge of extremism in the military, and improving climate resiliency. The House NDAA also ends a wrongheaded federal ban on banking for legal cannabis businesses and permanently protects millions of acres of unique, pristine public lands, including my Northwest California public lands bill which I am happy to see pass the House for the second time this year.

“It may seem unusual to use a defense bill to advance things like public lands protection and cannabis banking reform, but in a Congress dominated by hyper partisanship and a Senate filibuster that is both anti-democratic and anti-Democrat, the reality is you sometimes need to make Faustian deals. I continue to have huge concerns about the bloated Pentagon budget and will continue supporting amendments and other legislation to pare it down. We must prioritize federal spending on critical domestic priorities instead of the machinery and bureaucracy of war making. But this bill is one of the few tickets past the filibuster, so I’m taking the opportunity to legislate on things that are vital to the communities I represent,” he concluded.

As part of the FY 2022 NDAA, the House approved Rep. Huffman’s amendment to permanently protect public lands and waters across the U.S. The amendment includes Rep. Huffman’s Northwest California Wilderness, Recreation, and Working Forests Act, which passed out of the House earlier this year with bipartisan support. This legislation protects more than 300,000 acres as wilderness, designates roughly 480 river miles as wild and scenic, addresses climate change, includes an ambitious restoration plan to improve forest health and promote fire resilience and expands opportunities for outdoor recreation.

During floor consideration, the House adopted an amendment offered by Rep. Ed Perlmutter (CO-07) and supported by Rep. Huffman that would bar federal banking regulators from taking action against banks that serve cannabis businesses operating legally under state law.

The House NDAA authorizes \$768 billion in discretionary spending for U.S. national defense for fiscal year 2022, which is over 3% more than President Biden had requested. Huffman took several unsuccessful actions aimed at reducing this topline spending number. Specifically, he offered an amendment to abolish the Space Force within one year of the defense bill's enactment, but it was declined by the Rules Committee. He also voted for several unsuccessful progressive amendments to reduce and redirect defense spending, including the Ocasio-Cortez/Pocan amendment to cut overall defense spending by 10% while protecting military personnel, the federal civilian workforce and defense health program accounts; and a Jacobs (CA)/Lee (CA) amendment to reduce topline funding levels to President Biden’s budget request. These amendments failed on votes of 86-332 and 142-286, respectively.

Going forward, Huffman urged senators and conference negotiators to continue working on reducing defense spending while retaining the reform and policy victories in the House’s version of the NDAA. He emphasized that his vote on final passage of the NDAA will hinge on that.

“If this bill, after conference with the Senate, drops the reforms and legislative wins that earned my support, then I will not hesitate to vote ‘no’ on final passage,” he said.

Additional details on defense policy reforms in the House version of the NDAA include:

Climate and Energy

Authorizes combatant commander initiative funds to be used for the purpose of enhancing extreme weather resilience of infrastructure.

Requires the Department of Defense to incorporate consideration of the risks of extreme weather into certain existing Department of Defense strategies and planning documents.

Requires the Department of Defense to institute a process for ensuring accurate and effective analytical tools are used to project life-cycle costs and performance potential of energy resilience measures.

Directs the Secretary of Defense to carry out a pilot program to implement mitigating actions to address vulnerabilities in defense critical electric infrastructure.

Making Historic Changes to the Uniform Code of Military Justice (UCMJ) In Order to Better Combat Sexual Assault in the Military

Removes the Commander from decisions related to the prosecution of special victim crimes: creating an Office of Special Victim Prosecutor within each Service and ensuring their independence by requiring they directly report to the Service Secretary. The provision also defines the role of Special Victim Prosecutors and special victim offenses. Special Victim Offenses includes sexual assault, sexual harassment, and all offenses against a child under the age of 18, among others.

Criminalizes sexual harassment and violent extremism under the Uniform Code of Military Justice (UCMJ).

Establishes judge-alone sentencing and sentencing parameters (guidelines) to increase fairness across the system.

Increases the notification for Survivors of Sexual Assault by directing the Services to notify survivors of sexual assault about the outcomes of any administrative action taken against their perpetrator.

Addressing the Scourge of Extremism

Establishes an Office of Countering Extremism responsible for training and education about extremist activities; data collection and analysis; and countering extremism within the Department of Defense.

Directs the Comptroller General of the United States to perform a review of the prevalence of extremist affiliations among members of the Armed Services.

Removes waiver authority to prevent enlistment of an individual who has been convicted of a felony hate crime.

Directs the Secretary of Defense to provide a briefing on all studies regarding efforts of extremist organizations to recruit members of the armed forces; and a strategy to develop and implement training to prevent such recruitment efforts.

Parental Leave for Service Members

Increases the allowable parental leave for primary and secondary caregivers including foster parents.

Contraceptive Coverage Copays

Requires TRICARE to offer similar contraceptive coverage currently provided through the Affordable Care Act (ACA) by removing cost sharing through the mail order and retail pharmacy program for related contraceptive care. Provision provides relief for ONE year.

Mental Health

Directs the Department of Defense to create a program to provide direct assistance for mental health appointment scheduling at military medical treatment facilities and clinics, with a reporting requirement to the Armed Services Committee.

Afghanistan

Afghan Special Immigrant Visas (SIV): Expresses the sense of Congress about the importance of the program and honoring our commitments to those Afghan partners, who at great personal risk, supported the U.S. mission in Afghanistan. Further clarifies legislation with regard to Afghans and their families who supported the U.S. mission in Afghanistan.

Authorizes \$500 million for Department of Defense relocation support for SIVs and at-risk Afghans

Requires the Secretary of Defense to provide in-depth reports and briefings to Congress provide critical information on U.S. ability to counter terrorism, accountability on military equipment left in the country, and the plan to rescue American citizens and Afghan allies who remain in the country, ensuring transparency and ongoing oversight of the security situation in Afghanistan.

Europe and Russia

Expresses the sense of Congress in strong support of the U.S. commitment to the North Atlantic Treaty Organization (NATO) alliance and European partners, along with continued commitment to and robust oversight of investments in Europe.

Requires biennial reporting on Russian influence operations and campaigns targeting U.S. military alliances and partnerships.

Civilian Personnel

Requires the Secretary of Defense to continue the FireGuard program, where the National Guard assists in detecting and monitoring wildfires, for at least the next five years.

PFAS

Requires the Department of Defense to use enforceable state standards for clean-up of PFAS contamination when they are more strict than federal regulations.

Prohibits the Department of Defense from procuring covered PFAS-containing items including food packaging, sunscreen, cleaning products, and certain textiles. Establishes a 2-year deadline for completion of PFAS testing at Department of Defense and National Guard installations.

Requires the Department of Defense to publish and make publicly available results of drinking and ground water testing for PFAS conducted on or near military installations, formerly used defense sites, and national guard sites.

Requires the Department of Defense to report on the status of clean-up at 50 PFAS sites across the country.