

## National Legislative Division Weekly

### GRASSROOTS ALERT: TELL THE SENATE TO REPEAL THE IRAQ WAR AUTHORIZATION

This year will mark the 20th anniversary of the Iraq War. Saddam Hussein and his Baathist regime are long gone and the conflict was declared over in 2011, but the law that authorized it is still on the books. Now, a strong group of bipartisan Senators has introduced legislation (S.316) to repeal the 1991 and 2002 Authorizations for Use of Military Force (AUMFs), formally end the Gulf and Iraq wars, and reassert Congress' Constitutional role in deciding whether and when to send our servicemembers into harm's way. The 1991 and 2002 AUMFs—which passed 32 and 21 years ago, respectively—authorized the use of force for the Gulf and Iraq wars, but Congress has failed to repeal these AUMFs to prevent potential misuse by future presidents. Repeal would also enhance the relationship the United States now has with a sovereign, democratic Iraq, now a key partner in the Middle East.

The vast majority of military actions overseas rely on the 2001 AUMF for approval. In the rare occasions that presidents have cited the 2002 AUMF—like the 2014 airstrikes in Syria or 2020 killing of Qassem Soleimani—it was in combination with other legal authorities. Thus, the Iraq War AUMF is legally irrelevant for any modern operations and allowing it to stay on the books allows for future abuse. Too often, the Executive Branch interprets congressional authorizations in a way that maximizes executive power while minimizing congressional responsibility. This is contrary to Congress's constitutional role of deciding when the country goes to war.

Urge your Senators to support S. 316, a bipartisan measure to repeal the Iraq War AUMFs.

### TAKE ACTION NOW

### CONGRESS

Movement on legislation to raise the federal debt limit appears to be completely stalled. Some lawmakers have observed there is a greater appetite now than ever before for allowing the US to default on its debts this time around.

House Appropriations Committee ranking member Rep. DeLauro (D-CT) said she hears some want to push the debt ceiling debate off until September, when the FY24 budget will also be under discussion. That, she warned Thursday morning, would be a “recipe for disaster.” DeLauro made clear her preference for eliminating loopholes that allow large companies and the very rich to pay little to no taxes rather than deeply cutting federal spending.

The Senate spent this week debating amendments to the resolution to repeal the 1999 and 2002 authorizations for the use of military force (AUMFs) against Iraq. They will resume this debate next Tuesday, with another six amendments teed up for discussion and votes.

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Before leaving for the weekend, the Senate adopted, by unanimous consent, a resolution commemorating the 360th anniversary of the North Carolina National Guard.

### CONGRESSIONAL BUDGET OFFICE (CBO) CONTROVERSY

Early this week, a portion of a CBO report suggesting ways to save money by reducing veterans' disability payments circulated on social media. The clip was posted without any explanation other than the report focused on ways to reduce federal spending.

In reality, the snippet came from an annual CBO report with a wide variety of ways to reduce federal spending across the entire government. In this section, the report presented the option of means testing VA disability recipients. Benefits would be phased out for each dollar a veteran's household makes above a given threshold. Thus, a veteran could potentially lose all of their disability payment if their spouse made enough money.

In reality, these CBO reports contain a lot of ideas that will never receive serious consideration by lawmakers. VA Secretary McDonough confirmed Thursday afternoon that no one in the Administration has considered this or mentioned it to him. In addition, no lawmakers or Congressional staff have said anything about it, either.

The American Legion's official statement on the matter can be found [here](#).

### DEPARTMENT OF DEFENSE (DOD) ON THE HILL



*Figure 1 General Milley testifies before the House Appropriations Subcommittee on Defense.*

Defense Secretary Austin and Chairman of the Joint Chiefs of Staff General Milley appeared before the House Appropriations Committee's Defense Subcommittee Thursday morning to defend the FY24 budget request. The Administration has requested \$825.3 billion within the subcommittee's jurisdiction, which is a 3.2% increase over the FY22 enacted level.

The hearing mostly focused on modernization and dealing with global adversaries. Secretary Austin did talk about the need to take care of people, and to "eliminate suicide in our ranks." To

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that end, he said, DoD has taken immediate steps to hire more mental health professionals and to increase access to mental health care. He also talked about “working toward a military that’s free of sexual assault.”

General Milley urged Congress to support the budget’s “significant pay raises, health care, housing, and childcare initiatives.” When asked, Austin said the best thing Congress could do to help the military would be to pass on-time, complete budgets.

Rep. DeLauro (D-CT), the full committee’s ranking member, asked about the impact of large spending cuts to non-defense spending proposed by some House Republicans. DoD Comptroller Mike McCord said that cuts to domestic spending absolutely impact DoD’s operations. For example, if the Department of Homeland Security fails to get what they need, they will call upon the military. The Department of Education helps ensure DoD has an educated workforce.

In the only question on health care, Rep. Kilmer (D-WA) asked the Secretary to have the Defense Health Agency (DHA) review some of the military treatment facility (MTF) downsizing that occurred in recent years. Austin replied that DoD is, like the rest of the country, facing provider shortages. Milley added that, as Chief of Staff of the Army, he warned that consolidating care within the DHA would result in significant risk. “What we’re seeing today...is the fraying,” said Milley. He said the military health care system is not broken, but what is happening within it is “really a cause for concern.” This, he told the Members, is the “number one issue” on the minds of service members and their families. Subcommittee chair Rep. Calvert (R-CA) said the subcommittee should do a “deep dive” to see how to improve the situation immediately.

### DEPARTMENT OF VETERANS AFFAIRS (VA) GRILLED ON THE HILL

VA Secretary McDonough appeared Thursday morning before the House Veterans Affairs Committee for a wide-ranging discussion on the proposed FY24 budget.

Members expressed concern over the budget’s structure, with the Toxic Exposure Fund (TEF) being allocated not only for veterans’ medical care but also technology modernization, research, and claims processing. McDonough defended the actions, saying the Department is trying to be consistent with the PACT Act statute.

Several Members also questioned putting some construction funding in the mandatory category. Committee chair Rep. Bost (R-IL) said this is just one of many gimmicks in the budget request. The Secretary explained that the VA has built only four new hospitals in the last ten years, and its infrastructure is 62 years old, on average. In a press conference a couple hours after the hearing, McDonough noted that the traditional method of funding construction, with only discretionary funding, simply does not work. He added that using the new structure and asking for an historically high level of funding for this reflects the Administration’s commitment to improving the facilities that care for veterans.

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The biggest controversy at the hearing was between Members. Several Democrats called out their Republican colleagues for trying to reduce federal funding to FY22 levels. This would have a massive impact upon the VA's funding, especially if the Department of Defense (DoD) is held harmless from spending reductions.

At the press conference, McDonough said they are processing claims at a faster rate than ever before, with a higher approval rate than in the past.

### LEGIONNAIRE OF THE WEEK

In an effort to recognize the weekly accomplishments of our Legionnaires, we will spotlight an individual every week. These individuals demonstrate exceptional grassroots activism by meeting with/contacting their Congressional Representative/Senator to advocate for veterans. Efforts like these truly make a difference and give veterans a voice in Congress.

#### Scott Miller, Montana

This week, we are excited to recognize Scott Miller from the Department of Montana for meeting with Senator Daines (R-MT) and his staff for coffee to discuss veterans' issues. Specifically, they discussed improving veterans' mental health.

Thank you, Mr. Miller!

If you have made a grassroots effort and would like to be considered for next week's "Legionnaire of the Week," please fill out the Congressional Contact Report Form [here](#). You can also email me at [kisaacson@legion.org](mailto:kisaacson@legion.org).

### UPCOMING HEARINGS

- On Tuesday, March 28, the Senate Armed Services Committee (SASC) will hold a hearing to examine the President's proposed budget request for fiscal year 2024 for the Department of Defense and Future Years Defense Program.
- On Tuesday, March 28, the House Appropriations Subcommittee on Defense will hold a budget hearing for the United States Air and Space Force.
- On Tuesday, March 28, the Senate Appropriations Subcommittee on Defense will hold a hearing to examine proposed budget estimates and justification for fiscal year 2024 for the Navy and Marine Corps.
- On Tuesday, March 28, the House Appropriations Subcommittee on Defense will hold a budget hearing for the United States Army.

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- On Tuesday, March 28, the House Oversight and Accountability Subcommittee on National Security, the Border, and Foreign Affairs will hold a hearing titled “Ensuring Force Readiness: Examining Progressivism’s Impact on an All-Volunteer Military.”
- On Tuesday, March 28, the Senate Armed Services Subcommittee on Sea Power will hold a hearing to examine Navy and Marine Corps investment programs in review of the Defense Authorization Request for Fiscal Year 2024 and Future Years Defense Program.
- On Wednesday, March 29, the House Appropriations Subcommittee on Defense will hold a budget hearing for the United States Navy and Marine Corps.
- On Wednesday, March 29, the House Veterans’ Affairs Subcommittee on Disability Assistance and Memorial Affairs (DAMA) will hold a legislative hearing. **The American Legion will be testifying; [here](#) is the link to watch.**
- On Wednesday, March 29, the House Appropriations Subcommittee on Military Construction, Veterans Affairs, and Related Agencies (MilCon-VA) will hold a budget hearing to review the Department of Veterans Affairs’ (VA) 2024 budget.
- On Wednesday, March 29, the House Armed Services Committee (HASC) will hold a hearing to review the Fiscal Year 2024 Defense Budget Request.
- On Wednesday, the House Veterans’ Affairs Subcommittee on Health will hold a legislative hearing. **The American Legion will be testifying; [here](#) is the link to watch.**
- On Wednesday, March 29, the House Armed Services Subcommittee on Military Personnel (MilPers) will hold a hearing titled “Military Department Personnel Chief; Personnel Posture.”
- On Thursday, March 30, the House Veterans’ Affairs Subcommittee on Economic Opportunity will hold a legislative hearing. **The American Legion will be testifying; [here](#) is the link to watch.**
- On Thursday, the SASC will hold a hearing to review the Army’s 2024 budget.