



Promoting Responsible Defense Spending by Streamlining Budgeting and Focusing on Strategic Priorities

The Problem

The Pentagon budget continues to increase by tens of billions of dollars each year while still being characterized by wasteful and ineffective defense projects, a dynamic driven in large part by the excessive influence of the defense industry and irresponsible congressional budgeting practices. The unfunded priorities list (UPL) is emblematic of this problem.

Current law requires military branches, combatant commands, and other entities to send Congress a “wish list” of initiatives that were not included in the annual budget proposal.¹ These wish lists, paradoxically named “unfunded priorities lists,” codify and routinize irresponsible resource prioritization by giving a wide range of defense entities a second bite at the budgetary apple each year.

This provides an end-run around the Department of Defense’s civilian leadership and the agency budget proposal and justification process. The UPL requirement is making it harder for policy makers to rein in ever-increasing spending topline and the rampant waste of taxpayer dollars in defense spending. Even the Department of Defense has publicly opposed this statutorily required wish list process.²

Given the nation’s finite financial resources, the use of UPLs undermines what should be a painstaking and deliberative process in which the Pentagon and Congress assess tradeoffs and make the hard choices. Because UPLs — unlike items in the regular budget — do not require accompanying comprehensive cost projections and analyses, the process undercuts cross-branch efforts to conduct meaningful oversight. These lists undermine the ability of Congress and the Pentagon to responsibly and effectively steward the hard-earned public dollars we allocate to national defense.³

The Solution

Congress can easily repeal the UPL mandate and replace it with a more transparent process to receive additional perspectives on the defense budget.

¹ 10 U.S.C. §222a and §222b (2024), <https://www.law.cornell.edu/uscode/text/10/222a>; <https://www.law.cornell.edu/uscode/text/10/222b>.

² John M. Donnelly, “Pentagon Comes Out Against Law Requiring Military Wish Lists,” *Roll Call*, March 28, 2023, <https://rollcall.com/2023/03/28/pentagon-comes-out-against-law-requiring-military-wish-lists/>.

³ “Five Fast Facts about Unfunded Priorities Lists (UPLs),” Taxpayers for Common Sense, September 22, 2023, <https://www.taxpayer.net/national-security/five-fast-facts-about-unfunded-priorities-lists-upls/>.

Drawing on bipartisan efforts in both chambers of Congress as well as broad, cross-ideological support in civil society, Congress should:

- Eliminate the UPL mandate by repealing 10 U.S.C. Section 222a and 10 U.S.C. Section 222b.
- Create clear guidelines and rules that structure and standardize UPLs that are voluntarily submitted to Congress in the absence of the statutory UPL mandate.
- Conduct regular, rigorous, and real-time oversight of all major weapons programs to avoid wasted resources and disruptions to critical national security strategies.

In the House, Representatives Pramila Jayapal (D-WA), Tom McClintock (R-CA), John Garamendi (D-CA), Warren Davidson (R-OH), and Seth Moulton (D-MA) have introduced the Streamline Pentagon Budgeting Act (H.R. 4740) to repeal the requirement to submit UPLs for top military officers, combatant commanders, the Missile Defense Agency, and the National Nuclear Security Administration.⁴

A Senate version of the Streamline Pentagon Budgeting Act (S. 5255) was introduced in the 117th Congress by Senators Elizabeth Warren (D-MA), Mike Braun (R-IN), Mike Lee (R-UT), and Angus King (I-ME).⁵

Additional Context

Numerous civil society organizations have endorsed the Streamline Pentagon Budgeting Act. Together with the Project On Government Oversight, those organizations include the National Taxpayers Union, Taxpayers Protection Alliance, Public Citizen, R Street Institute, Taxpayers for Common Sense, and the Friends Committee on National Legislation.⁶

Contacts

Dylan Hedtler-Gaudette, Senior Government Affairs Manager, Project On Government Oversight, dylan.hedtlergaudette@pogo.org

Omar Tabuni, Government Affairs Manager, Project On Government Oversight,
omar.tabuni@pogo.org

⁴ The Streamline Pentagon Budgeting Act, H.R. 4740, 118th Cong. (2023), <https://www.congress.gov/bills/118th-congress/house-bill/4740/text?s=1&r=57&q=%7B%22search%22%3A%22House+of+Representatives%22%7D>.

⁵ Office of Senator Elizabeth Warren, “Streamline Pentagon Spending Act: Senators Elizabeth Warren, Mike Braun, Mike Lee, and Angus King,” <https://www.warren.senate.gov/imo/media/doc/Streamline%20Pentagon%20Spending%20Act%20One-Pager.pdf> (accessed March 19, 2024).

⁶ Letter from Coalition to Chairman Mike Rogers, Ranking Member Adam Smith, Chairman Jack Reed, and Ranking Member Roger Wicker about unfunded priorities lists, June 12, 2023, <https://www.pogo.org/policy-letters/coalition-urges-congress-to-get-rid-of-pentagon-wish-lists>; Office of Senator Elizabeth Warren, “Warren, Braun, Lee, King Introduce Bipartisan Legislation to Reduce Wasteful Pentagon Spending, Repeal Unfunded Priorities List,” Press Release, December 15, 2022, <https://www.warren.senate.gov/newsroom/press-releases/warren-braun-lee-king-introduce-bipartisan-legislation-to-reduce-wasteful-pentagon-spending-repeal-unfunded-priorities-list>; Friends Committee on National Legislation, “Advocacy Teams Backgrounder for 2024,” <https://www.fcnl.org/advocacy-teams-toolkit/advocacy-teams-backgrounder-2024> (accessed March 21, 2024).