



July 1, 2020

## **Vote Recommendations on Amendments to the National Defense Authorization Act for Fiscal Year 2021, S. 4049**

On behalf of FreedomWorks activists nationwide, I urge you to contact your senators and ask them to vote in the manner prescribed for each amendment below to the National Defense Authorization Act for Fiscal Year 2021, S. 4049, should these amendments be allowed votes. FreedomWorks may count the votes on the amendments for purposes of our 2020 Congressional Scorecard and, as is always the case, reserves the right to score any other amendments not listed below that are brought to the floor for votes, as well as related procedural or other votes.

**NO - S.Amdt. 2198:** Introduced by Sen. Mike Crapo (R-Idaho), this amendment is a mass of financial services regulation with civil and criminal penalties masked as anti-money laundering legislation. Beyond simply providing support for the Financial Crimes Enforcement Network (FinCEN), this amendment also includes a poison pill provision to create a new federal definition for a “beneficial owner,” regardless of the fact that one already exists. Additionally, it creates a federal database of beneficial owners, which is concerning for potential abuse especially considering that no warrant is needed to access the information in the database.

For the Left, this amendment is an end-run around *Citizens United*. Sen. Sheldon Whitehouse (D-R.I.) has pushed for Congress to require the disclosure of beneficial ownership information, making the connection to “dark money” and donor disclosure. Section 4111 of House Democrats' so-called “For the People Act,” H.R. 1, included language similar to Crapo-Brown. One of the main drivers of beneficial ownership legislation is the FACT Coalition, which is an organization comprised of many leftist groups, including the AFL-CIO, Citizens for Tax Justice, Fair Share, Friends of the Earth, and Public Citizen. In May 2019, a representative of the Financial Accountability and Corporate Transparency (FACT) Coalition told the Washington Post: “Every official member of our coalition agrees that this information should ultimately be made public.”

**YES - S.Amdt. 2252:** Introduced by Sen. Brian Schatz (D-Hawaii) and co-sponsored by Sen. Lisa Murkowski (R-Alaska), Sen. Kamala Harris (D-Calif.), and Sen. Rand Paul (R-Ky.), this amendment would make necessary changes to the Department of Defense (DoD) 1033 program to improve oversight and accountability. The 1033 program allows domestic law enforcement to purchase surplus DoD equipment, significantly contributing to the militarization of domestic law enforcement over the past few decades. As we are rethinking our systems of criminal justice and law enforcement, increasing accountability for weapons of warfare being used against American citizens is a common sense reform that deserves broad support, as evidenced by its diversity of sponsors.

**YES - S.Amdt. 2001:** Introduced by Sen. Mike Lee (R-Utah) and co-sponsored by Sen. Ron Johnson (R-Wis.), Sen. Mitt Romney (R-Utah), and Sen. Pat Toomey (R-Pa.) this amendment inserts the ARTICLE ONE Act into the NDAA. Focusing primarily on asserting active congressional review of national emergencies, this legislation is an important step forward towards Congress reasserting its constitutionally-mandated role of executive oversight per Article I. Under this law, the President would retain the power to declare a national emergency. However, this power would be limited to a 30-day declaration, requiring Congressional approval for any extension.

**YES - S.Amdt. 2233:** Introduced by Sen. James Lankford (R-Okla.) and co-sponsored by Sen. Mike Enzi (R-Wyo.), Sen. Maggie Hassan (R-N.H.), and Sen. Kyrsten Sinema (D-Ariz.), this amendment inserts the Taxpayers Right-to-Know Act into the NDAA. As the administrative state continues to grow out of control, the need for proper information with which to make legislative and regulatory decisions has dramatically increased. This legislation would require federal agencies to disclose the cost and number of beneficiaries of each program they manage, all expenditures on services, and the number of employees tasked with each program. It also requires disclosure of the methods of program evaluation.

FreedomWorks may count the votes for these amendments to S. 4049 on our 2020 Congressional Scorecard and reserves the right to score any additional amendments, motions, or other related votes. The scorecard is used to determine eligibility for the FreedomFighter Award, which recognizes Members of the House and Senate who consistently vote to support economic freedom and individual liberty.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Brandon', with a stylized flourish at the end.

Adam Brandon  
President, FreedomWorks