



Primer: The National Defense Authorization Act Is Endangering the United States

By: CRA Staff

Key Takeaways

- **The National Defense Authorization Act (NDAA) process holds the Department of War hostage.** Unlike other statutory authorizations, which typically have multiyear terms, the NDAA is an annual process that gives Congress the opportunity to load the bill enabling the work of the nation’s warfighting department with earmarks and other pet priorities. This makes the bill a veritable “Christmas tree” of policies that otherwise would not move forward, forcing them into the national defense authorization bill.
- **The NDAA has become a three-thousand-page constraint on Article II.** The FY2026 bill dictates where American troops may be stationed, forbids the president from relinquishing a NATO command, and conditions his ability to reposition forces in the midst of an armed conflict with Iran—decisions that fall within the power of the commander in chief.¹
- **The executive branch has said as much.** The president’s signing statement for the 2026 NDAA flagged more than sixty provisions as constitutionally problematic, and the administration formally objected that the bill’s troop floors infringe on the authority of the commander in chief.²
- **The NDAA generates a significant administrative burden and entrenches interests.** The annual bill loads the Department of War with roughly one thousand mandated reports per year and a standing rotation of studies and commissions, while serving as the favored

¹ H. COMM. ON ARMED SERVS., *H.R. 8800—National Defense Authorization Act For Fiscal Year 2027 Chairman’s Mark* (2026), https://armedservices.house.gov/uploadedfiles/fy27_ndaa_chairmans_mark_-_final.pdf; see also Ellen Mitchell & Filipino Timotijia, *House NDAA Draft Would Limit Trump’s Troop Cuts, Battleship Plans*, THE HILL (May 26, 2026), <https://thehill.com/policy/defense/5896228-ndaa-house-trump-troops-battleship/>.

² *Statement by the President on Signing the National Defense Authorization Act for Fiscal Year 2026*, THE WHITE HOUSE (Dec. 18, 2025), <https://www.whitehouse.gov/briefings-statements/2025/12/statement-by-the-president-7598/>; see also Melissa P. Prusock, Michael J. Schaengold, Paul F. McQuade, Eleanor M. Ross, & Jordan N. Malone, *A Comprehensive Review of the Fiscal Year 2026 National Defense Authorization Act’s Substantial Impact on Federal Procurement Law*, BRIEFING PAPERS (Feb. 2026), reprinted in GREENBERG TRAURIG, <https://www.gtlaw.com/en/insights/2026/2/fy2026ndaa/fy-2026-ndaa-the-substantial-impact-of-the-fiscal-year-2026-national-defense-authorization-act-on-federal-procurement-law>.

vehicle for defense contractors, service factions, and the foreign-policy establishment to work against the elected president.³

Background: The NDAA Does Not Technically Fund the Military

First, it is important to highlight the underlying assumption that gives the NDAA its annual aura of necessity: the belief that without it, the armed forces would go unpaid and unequipped. They would not. In the architecture of federal spending, *authorization* and *appropriation* are distinct functions. An authorization sets policy and recommends spending levels. An appropriation supplies the actual budget authority—the legal power to obligate and expend funds from the Treasury. The NDAA is an authorization. What does this mean in practical terms, and how does our nation’s defense spending actually work?

The Mechanics of Defense Spending

The distinction between authorization and appropriation is grounded in the Constitution. The Appropriations Clause provides that no money may be drawn from the Treasury except in consequence of appropriations made by law.⁴ It is the appropriation—and only the appropriation—that confers budget authority: the legal power to obligate the government and to disburse funds. An authorization confers no such power. It enacts Congress’s policy judgment about what ought to be funded and at what level and offers guidance to the appropriations committees, but it moves no dollar out of the Treasury. For many decades after the founding of our republic, authorization and appropriation were rolled into a single bill. It wasn’t until the mid-1830s that the process was bifurcated to prevent statutory policy disputes from automatically blocking critical national funding priorities.⁵

This is why each chamber has adopted internal rules providing that appropriations should ordinarily follow a current authorization.⁶ Congress, being Congress, waives those rules as a matter of routine. The Congressional Budget Office reports that in fiscal year 2025 alone, roughly \$500 billion in enacted appropriations flowed to programs whose authorizations had already lapsed, and that by this measure nearly three in ten dollars of discretionary spending were unauthorized.⁷ Put another way, Congress funds what it chooses to fund; the authorization is a procedural preference it sets aside whenever convenient.

³ Tom Temin, *Does the Pentagon Skip Too Many of Its Congressional Reporting Duties?*, FED. NEWS NETWORK (Sept. 14, 2023), <https://federalnewsnetwork.com/defense-main/2023/09/does-the-pentagon-skip-too-many-of-its-congressional-reporting-duties/>.

⁴ U.S. CONST. art. I, § 9, cl. 7 (showing “No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law”).

⁵ James Saturno, *Authorizations and the Appropriations Process*, CONG. RSCH. SERV. (May 16, 2023), <https://www.congress.gov/crs-product/R46497>.

⁶ See House Rule XXI, § 1036 (2)(a)(1); see also Senate Rule XVI.

⁷ CONG. BUDGET OFFICE, *Expired and Expiring Authorizations of Appropriations: 2025 Final Report* (July 2025), <https://www.cbo.gov/publication/61543>

(revealing \$500 billion in fiscal year 2025 appropriations was associated with authorizations that had already expired); see also H. COMM. ON THE BUDGET, *GAO Releases Report on Expired Appropriations* (Aug. 26, 2025), <https://budget.house.gov/press-release/gao-releases-report-on-expired-appropriations> (estimating that nearly 29 percent of fiscal year 2025 discretionary spending was unauthorized).

Contrary to claims by some committee members, the NDAA’s passage is *not* required to ensure that troops are paid and bullets are purchased.⁸ That budget authority rests with the defense appropriations bill.⁹

There is, however, a statutory provision in Title 10 of the U.S. Code, Section 114 (enacted in 1973), that no funds may be appropriated for certain enumerated categories, chiefly the procurement of aircraft, missiles, vessels, and other weapons, together with research and development, unless those funds have first been authorized by law. The legislative history of 10 U.S.C. § 114 shows that the annual defense authorization requirement began not as a constitutional need but as a congressional-control device designed to give the armed services committees a larger role in defense spending decisions that had previously been dominated by the appropriations committees.¹⁰ This is yet another example of a “Senate First” mentality that is crippling the well-being of the nation.¹¹

Before 1961, prior authorization was not generally required for defense appropriations, except for military construction; in 1959, the armed services committees attached a rider to a military authorization act requiring prior authorization for appropriations to procure aircraft, missiles, and naval vessels beginning in 1961. The Congressional Research Service explains that the committees “hoped thereby to recapture a share of the control over defense programs exercised by the appropriations committees alone.”¹² Only over succeeding decades did the armed services committees extend their reach to research and development, then to personnel end strengths, next to operations and maintenance, and finally to the thousands of pages of policy that fill the bill today.¹³ This mission creep is now the animating principle of the NDAA. For those enumerated categories, an annual authorization is, under current law, the path of least resistance. Nevertheless, there are three considerations to keep in mind:

1. Section 114 is a statute Congress wrote for itself and may amend or repeal at will; it is not a constitutional constraint.
2. It requires only that the relevant funds be authorized by law.
3. Most importantly, nothing in Section 114 requires the troop floors, command mandates, reporting regime, or policy riders that constitute the overwhelming bulk of the modern bill.

⁸ H. COMM. ON ARMED SERVS., *Full Committee Markup: FY27 NDAA, Part I* (June 4, 2026), <https://www.youtube.com/watch?v=vqriCfy3zc0>.

⁹ Cameron Keys & James Saturno, *Defense Primer: Defense Appropriations Process* (Feb. 11, 2026), CONG. RSCH. SERV., <https://www.congress.gov/crs-product/IF10514>.

¹⁰ CONG. RSCH. SERV., *98-756 Defense Authorization and Appropriations Bills: FY1961-FY2017*, at 4 (Aug. 31, 2017), https://www.everycrsreport.com/files/20170831_98-756_2a6c3a22c781586eb030993178d1d96fa1138d04.pdf.

¹¹ Wade Miller, *Primer: America First, Not Senate First* (June 18, 2026), CNTR. FOR RENEWING AM, <https://americarenewing.com/issues/primer-america-first-not-senate-first/>.

¹² *Id.*; Military Construction Act of 1959, Pub. L. No. 86-149, § 412(b).

¹³ 10 U.S.C. § 114(a) (barring appropriation or obligation of funds for enumerated categories—including procurement of aircraft, missiles, naval vessels, and other weapons, and research, development, test, and evaluation—“unless funds therefore have been specifically authorized by law”).

That history points to a straightforward and entirely reasonable accommodation. If a particular program is genuinely subject to Section 114 and its sponsors can demonstrate that a fresh annual authorization is truly necessary, that case can be met in full by a brief, clean measure—on the order of ten pages—that authorizes the enumerated procurement and research categories, together with the required personnel end strengths, for a single fiscal year, and does nothing else.

Analysis: A More Direct and Succinct NDAA Is Needed

A ten-page authorization bill would discharge every legal obligation the statute imposes while carrying none of the riders, force-posture mandates, or reporting requirements that have bogged down America's defense posture and capabilities and supercharged a defense industry that runs on autopilot. Reformers should welcome a return to form that gives Congress clear authority to raise and equip America's military without saddling the Department of War and the president with three thousand pages of constitutionally dubious mandates that constrain the executive's unique authority to operationalize that military.

The objection to the NDAA's current process is not that Congress authorizes defense spending; it is that Congress has refused to authorize it without also legislating everything else. A ten-page authorization confined to indispensable defense spending would resolve the objection entirely—and the burden would then properly fall on anyone seeking to add a single provision beyond it to explain, line by line, why that language must ride on a defense bill at all.

Congress's own materials this year confirm the architecture. The Senate sponsors described the FY2026 act as authorizing roughly \$900.6 billion while noting that the defense appropriations bill—moving separately under the appropriations committees—is what actually funds the Department of War.¹⁴

Further, reformers should consider enacting two-year authorizations. While proponents of the annual NDAA argue that its yearly consideration ensures constant congressional oversight over matters of national security, the counterpoint is that it layers continual administrative burdens on the U.S. military, provides guaranteed avenues to reward well-connected defense interests, and constrains the president by usurping the powers of the commander in chief and putting military operations and troop movements in the hands of congressional committees.

A two-year NDAA authorization would not inhibit the current congressional dynamic of separate authorization and appropriation. Currently, if the appropriations are enacted—and defense appropriations are routinely enacted, sometimes ahead of the authorization and sometimes through continuing resolutions when the authorization is delayed—then the commander in chief already possesses the lawful authority to spend on national-defense priorities. A two-year authorization would prevent defense insiders from holding the Department of War over a barrel annually, creating an opportunity for real reforms to be enacted in each Congress. For sixty-five consecutive years, the authorization has passed, and its defenders invoke that streak as though

¹⁴ Press Release: U.S. Sen. Susan Collins, *Bill to Strengthen National Defense with Provisions Championed by Senator Collins to Be Signed into Law* (Dec. 17, 2025), <https://www.collins.senate.gov/newsroom/12/17/2025/bill-to-strengthen-national-defense-with-provisions-championed-by-senator-collins-to-be-signed-into-law>.

the streak were itself a national-security asset.¹⁵ It is not. A ritual is not a requirement. The serious question is not how to preserve the streak but what this instrument actually does—and at whose expense.

Policy Assessment: A Constraint on the Commander in Chief

The Constitution divides the war powers, but not ambiguously at the point that matters here. Congress is empowered to raise and support armies, to provide and maintain a navy, and to make general rules for the government and regulation of the forces.¹⁶ Those are powers to *build* and *fund* the instruments of national defense. The power to *employ* it—to command, to deploy, and to maneuver forces in response to events—belongs to the president as commander in chief.¹⁷ The modern NDAA increasingly operates on the far side of that line.

The FY2027 bill, in its current form, runs to hundreds of pages, and among them are provisions that do not fund the force but direct it. The bill bars the Department of War from drawing American troop strength in Europe below 76,000, prohibits the president from relinquishing the role of Supreme Allied Commander Europe absent compliance with statutory conditions, and restricts the removal of military equipment above a fixed value from the European theater.¹⁸ It forbids reducing United States Forces Korea below 28,500 without an extensive certification to Congress.¹⁹ These are not appropriations limits in any ordinary sense. They are Congress reaching past the power of the purse and into the domain of operational command.

Consider the timing. The United States was recently engaged in open conflict with Iran—a conflict that has drawn missile and drone fire onto American forces and partners across the Gulf and forced difficult choices about where to concentrate combat power. At precisely the moment when a commander in chief must be able to shift forces from quiet theaters to an active fight, the NDAA constrains him: troops held in garrisons in Europe and on the Korean Peninsula by statute, a NATO command he may not transfer, and equipment he may not move. A wartime president who wishes to reallocate forces to the theater where Americans are under fire must first satisfy a congressional certification regime that takes little account of the operational tempo of an ongoing war. This is antithetical to the way our constitutional system was designed.

One need not take the Center for Renewing America’s characterization of this situation as overreach. The executive branch has said so itself. In the signing statement for the NDAA FY2026, the administration strongly opposed the troop floor as a limit on the president’s authority as commander in chief and also identified more than sixty provisions as raising constitutional concerns, committing to implement several of them only to the extent consistent with his constitutional power.²⁰ When a bill arrives so encumbered with objections that the

¹⁵ Daniel Gettinger & Valerie Heitshusen, *Defense Primer: Navigating the NDAA*, CONG. RSCH. SERV. (Dec. 4, 2025), <https://www.congress.gov/crs-product/IF10516>.

¹⁶ U.S. CONST. art. I, § 8, cls. 12–14 (powers to raise and support armies, provide and maintain a navy, and make rules for the government and regulation of the land and naval forces).

¹⁷ U.S. CONST. art. II, § 2, cl. 1 (“The President shall be Commander in Chief of the Army and Navy of the United States”).

¹⁸ *See supra* note 1.

¹⁹ *Id.*

²⁰ *See supra* note 2.

president must announce, on signing, which portions he will treat as advisory, it has ceased to function as a routine authorization and has become a recurring constitutional dispute, leading to a concern about the separation of powers regarding whether the current NDAA process is an unconstitutional check on executive authority.

Additional Concerns: Reporting, Commissions, and the Politics of a “Must-Pass” Bill

If the NDAA does not technically fund the force and ought not direct its operations, what does the bulk of its content accomplish? At present, the answer is two things: principally, that 1) it imposes a substantial administrative burden, and 2) it entrenches the preferences of the permanent defense community against the judgment of the elected branch.

Consider the administrative burden first. By one accounting, statute already obligates the Department of War to deliver on the order of one thousand reports to Congress every year, and the NDAA is the principal engine that generates these reports.²¹ A single year’s bill can produce dozens of new reporting requirements on subjects ranging from procurement sustainability mandates to the administration of specific proceedings.²² Each report is a tasking borne by officers and analysts who might otherwise be devoted to planning and readiness. Layered atop the reports is a standing rotation of commissions, studies, working groups, and pilot programs that consume staff time and generate paper and that often, in the main, recommend further reports. Is it any wonder that the Pentagon has failed eight straight audits since Congress mandated them beginning in 2018?²³

As for the political burden, because the NDAA is treated as a “must-pass” bill, it has become one of the most attractive vehicles in Congress for attaching policy that could not easily pass on its own.²⁴ For example, the FY2026 NDAA attempted to undermine language in the One Big Beautiful Bill that mandated the Federal Communications Commission auction government-controlled spectrum over to the private sector, essentially giving the bureaucracy and defense industry insiders veto power over a provision that would have been difficult to pass on its own.²⁵ The FY2025 NDAA included dozens of provisions outlining ways to streamline acquisitions and expand the defense contractor supply base, with specific mandates to exempt hand-selected firms from audits.²⁶

Major defense contractors, service constituencies, and factions of the foreign-policy establishment alike understand that the surest way to lock a preference into law—beyond the reach of a future president’s discretion—is to attach it to the annual defense bill. The result is a

²¹ See *supra* note 3.

²² Michael Weibert, Molly E. Reynolds & Scott R. Anderson, *Tracking Down the NDAA Reports*, LAWFARE (Mar. 21, 2018), <https://www.lawfaremedia.org/article/tracking-down-ndaa-reports>.

²³ Tanya Noury, *Pentagon Fails Financial Audit for 8th Year in a Row*, MILITARY TIMES (Dec. 19, 2025), <https://www.militarytimes.com/news/pentagon-congress/2025/12/19/pentagon-fails-financial-audit-for-8th-year-in-a-row/>.

²⁴ James Erwin, *House Removes Anti-Innovation Provisions from NDAA*, AMERICANS FOR TAX REFORM (Dec. 9, 2025), <https://atr.org/house-removes-anti-innovation-provisions-from-ndaa/>.

²⁵ *Id.*

²⁶ Locke Bell, Thomas Lee, & James A. Tucker, *FY25 NDAA: Promoting Nontraditional Acquisition While Securing the Supply Chain, and More*, MORRISON FOERSTER (Jan. 8, 2025), <https://govcon.mofo.com/topics/fy25-ndaa-promoting-nontraditional-acquisition-while-securing-the-supply-chain-and-more>.

yearly accretion of mandates that reads less like a coherent national strategy than like the combined preferences of those who profit from, or draw standing within, the national-security establishment. The troop floors are themselves illustrative: a mechanism introduced years ago precisely to constrain the executive's force-posture decisions, now reflexively reenacted and tightened each cycle regardless of who holds the office. That reflects less a process of deliberation than a permanent national-security bureaucracy entrenching its own preferences in statute.

Two Authorization Cycles and the Case Against Moving the FY2027 NDAA

The cultural condition of the armed forces is not a peripheral matter; it is central to readiness, recruiting, and lethality. For several years, reformers—and the secretary of war himself—have identified the restoration of a merit-based warrior culture and the removal of the neo-Marxist ideological programming that displaced it as an urgent priority. The fair question is whether Congress has treated it as one. Over the last two authorization cycles, the answer has largely been no.

Secretary Pete Hegseth has moved aggressively, within the authority he holds, to do what reformers have long urged. He has directed the elimination of diversity, equity, and inclusion (DEI) offices and critical race theory (CRT) programming; pressed the services back toward uniform, merit-based standards; worked to restore a warrior ethos in training and personnel policy; and intervened directly in the senior officer ranks—reshaping promotion boards and removing service leaders—to align the force's leadership with those priorities.²⁷ Whatever one concludes about any single step, the direction has been unmistakable, and the executive branch has supplied it.

Congress's contribution has been comparatively thin. A mention of some policy wins in the FY2026 NDAA includes the barring of a DEI office and a chief diversity officer, prohibitions on CRT at the service academies, and restoration of race-neutral admissions—all of which are important reforms to lock in executive actions through congressional statute.²⁸ Nevertheless, these codified provisions were comparatively easy to capture and the already-accomplished reforms; they did little to entrench broad-based merit reform against future reversal, to reach the personnel and promotion incentives that produced the problem, or to account for the choices of the prior regime, which put CRT, DEI, and gender ideology ahead of mission and lethality. Lending rhetorical support as a priority and passing the minimum that consensus allows are not the same as enacting real reform.

The pattern is now repeating itself. As of this writing, the FY2027 NDAA—H.R. 8800—has cleared the House Armed Services Committee, and the Senate has opened its own markup.²⁹ The bill's announced themes concern the defense-industrial base and acquisition reform, not the

²⁷ Pete Hegseth, Sec'y of Def., *Restoring America's Fighting Force* (Jan. 29, 2025), <https://media.defense.gov/2025/Jan/29/2003634987/-1/-1/1/RESTORING-AMERICAS-FIGHTING-FORCE.PDF>.

²⁸ H. COMM. ON ARMED SERVS., *The FY26 NDAA: Implementing President Trump's Peace Through Strength Agenda* (2025), https://armedservices.house.gov/uploadedfiles/fy26_ndaa_conference_text_legislative_summary.pdf.

²⁹ John M. Donnelly, *Fiscal 2027 NDAA Approved by House Armed Services Committee*, ROLL CALL (June 5, 2026), <https://rollcall.com/2026/06/05/fiscal-2027-ndaa-approved-by-house-armed-services-committee/>.

cultural and personnel work that remains unfinished.³⁰ What the House draft does carry forward, once again, are the very intrusions on executive authority cataloged above: statutory floors on troop levels in Europe and Korea, restrictions on repositioning forces and equipment, advance-notice requirements, and a bar on relinquishing allied command.³¹ In short, Congress proposes to spend another cycle doing the work it should not do—constraining the commander in chief—while again declining to finish the work it should be doing: enacting guardrails, including cultural reforms, to ensure Americans have a military that is lethal, well-equipped, and ready to engage against our adversaries if needed.

That inversion of priorities is the strongest reason to decline to move the FY2027 NDAA this year. The enactment of the current NDAA imposes a fresh set of constraints on a President of the majority's own party, implemented during an active conflict, in exchange for cultural-reform language that achieves the bare minimum or, as in the last cycle, serves as an afterthought to cater to long-standing defense interests. A congressional majority that genuinely regarded the recovery of military culture as the imperative it claims it to be would not content itself with ratifying the president's executive actions at the margins while obstructing his command authority at the center. On this record, enacting no authorization this year would be the better course than passing one that gets the priorities precisely backward.

The Strongest Counterarguments—and Their Limits

There are three main arguments for continuing to operate the NDAA process, and each has limits.

First, it is said that Congress holds genuine Article I war powers and that setting force levels is a legitimate exercise of them. This is true as far as it goes: Congress may raise, fund, and write general rules for the force.³² But there is a meaningful difference between writing general rules and directing the specific, time-sensitive command decisions—which unit deploys, which theater is reinforced, what troop levels must be in place, who holds an allied command—that Article II commits to the president.³³ A permanent statutory floor on troops in a particular country, enforced by a funding restriction, is not a general rule for the government of the force so much as a directive concerning where that force must be positioned. The executive branch's own constitutional objections this year reflect that tension. Simply put, the current paradigm is an affront to the structure of our constitutional republic and ultimately undermines America's national security.

Second, it is said that the annual NDAA process provides essential oversight. But meaningful oversight does not require a thousand mandated reports that the department cannot keep pace with, nor a regime that substitutes documentation for judgment. Congress already holds the most powerful oversight instrument there is—the power of the purse, exercised through appropriations. It need not annex the commander's operational discretion to discharge its legitimate oversight role.

³⁰ John M. Donnelly, *NDAA Mark Unveiled by House Armed Services Committee Chairman*, ROLL CALL (May 27, 2026), <https://rollcall.com/2026/05/27/ndaa-mark-unveiled-by-house-armed-services-committee-chairman/>.

³¹ See *supra* note 1.

³² See U.S. CONST. art. I, § 8, cls. 12–14.

³³ See U.S. CONST. art. II, § 2, cl. 1.

Third, it is said that the bill is “must-pass” and therefore indispensable. This confuses cause and effect. The NDAA is “must-pass” largely because Congress has spent decades attaching riders that have no other vehicle. Its indispensability is, in significant part, manufactured. Remove the accumulated policy riders and the underlying function—funding the force—already resides, lawfully and completely, in the appropriations process.

Policy Recommendations

The NDAA, in its current form, has outgrown its original justification. It does not technically fund the military; appropriations do. It does not enable the president’s agenda; he implements that himself, and the bill catches up afterward. What it does—reliably, expensively, and in tension with Article II—is constrain the commander in chief, entrench the permanent defense community, and bury the Department of War in administrative tasking. Restoring the constitutional division of war powers requires that Congress do the following:

- **Address Section 114, ensuring that the entirety of the NDAA is confined to developing the size and scope of force.** While Section 114 restricts funding for ships, fighter jets, missiles, and other war material unless an authorization follows, Congress should either *enact language that restricts the entirety of the NDAA* to only cover the size and scope of the armed forces or *repeal Section 114 altogether*, falling back on the underlying constitutional authority provided in Article I, Section 8, Clause 12. A continuing resolution or an omnibus bill could serve as a vehicle to achieve these goals.
- **If any authorization is truly indispensable, pass a clean version.** Where sponsors can show that a specific program genuinely requires fresh authorization under a reformed Section 114, Congress should provide it in a stand-alone bill of roughly ten pages—covering the enumerated procurement and research categories and the necessary end strengths for a single fiscal year and nothing else. Reformers would have no objection to such a measure. What cannot be justified is using a narrow statutory requirement as a pretext for a three-thousand-page vehicle for green energy riders, niche studies that benefit well-connected defense lobbies, and “committee commanders” implementing force-level restrictions.
- **Remove operational-command provisions from the bill.** Statutory troop floors, theater-specific deployment mandates, prohibitions on relinquishing allied commands, and equipment movement restrictions intrude on the commander in chief’s power and should be repealed rather than reenacted. These are clear constitutional violations that exceed Article I’s authority.
- **Stop treating the authorization as a funding necessity.** Funding belongs in appropriations, where it already resides; the authorization should not be permitted to function as an indispensable spending vehicle that carries unrelated policy.
- **Drastically reduce the reporting and commission regime.** Sunset much of the recurring reporting burden and the standing rotation of studies that divert the force from readiness toward documentation. To the extent that reporting regimes exist, strictly confine such reports to future operational planning and foreign threat assessments.
- **Respect the signing statement.** The administration has identified the provisions it regards as constitutionally infirm; the executive branch should decline to treat them as binding

where they invade the commander in chief's authority, and Congress should remove them rather than force a confrontation.

Achieving these critical policy goals requires a fundamentally different approach. Because the NDAA process has become a ritualistic practice with little regard for how it undermines America's security posture, any chance at reform requires halting the process. This reality, coupled with the sheer weight of the bill's substantive problems, means the first action must be to break the ritual and end the streak. Therefore, the final recommendation is that **Congress reject this year's NDAA.**

Supporting the troops must be more than a cheap political slogan: It must have results that match the message. Truly supporting the men and women in uniform can only come from restoring the broken constitutional guardrails that have created three thousand pages of mandatory mission creep and stagnation. The United States military does not struggle to defeat our nation's enemies in combat—Operation Epic Fury is proof of that. However, America's struggles to achieve strategic victories stem, in no small part, from Congress effectively running the Department of War by committee. It is long past time for this travesty to end.

Conclusion

The men and women who fight America's wars deserve a Congress that funds them generously and then entrusts their commander in chief to command. They do not need—and the Constitution does not contemplate—a three-thousand-page annual statute that displaces the president's authority over the force he leads. Reform of the NDAA process is not an attack on national defense; it is a restoration of the constitutional allocation of war powers the Framers established.