



To: Members of the Senate Committee on Homeland Security and Government Affairs

From: National Taxpayers Union

Date: Mar 11, 2025

Subject: NTU's Views on March 12 Committee Markup

I. Introduction and Key Taxpayer Considerations

On behalf of National Taxpayers Union (NTU), the nation's oldest taxpayer advocacy organization, we write to express our views on several good governance bills before the Senate Committee on Homeland Security and Government Affairs.

S. 269 - Ending Improper Payments to Deceased People Act - Support

This legislation sponsored by Sen. Kennedy (R-LA) would improve the coordination between the Do Not Pay system and other federal and state agencies. Improper payments compose a substantial amount of waste within government spending, to the tune of an estimated \$162 billion last year [alone](#). 84% of this figure is overpayments which includes payments to deceased individuals. This can be addressed through the use of the Do Not Pay system, which is an intergovernmental system drawing from various public and non-public sources to determine payment eligibility. By enhancing the coordination of Social Security Administration data with this system, more federal and state agencies will be able to prevent improper payments from going to the deceased.

S. 81 - Guidance Clarity Act - Support

This legislation from Sen. Lankford (R-OK) would require all federal agencies to include a guidance clarity statement that states the guidance is not issued in accordance with the rulemaking process and therefore is not legally binding. While guidance documents are solely intended to clarify an agency's policy or interpretation of a regulation, agencies have recently used guidance to issue new policy as if it were a binding regulation. Since guidance is not subject to the same public process as formal rules, which are required to be shared with the public for comments and input prior to finalization, regulatory guidance documents can be used to circumvent public input.

S. 766 - Billion Dollar Boondoggle Act - Support

This bill from Sen. Ernst (R-IA) has been a [NTU "No-Brainer"](#) before and would require federal agencies to report on all projects that are \$1 billion over budget, five years behind schedule, or both. This kind of transparency and straightforward reporting is essential for both lawmakers and taxpayers to figure out what federal projects are working and what projects are not.

S. 872 - Stop Secret Spending Act - Support

This bill from Sen. Ernst (R-IA), Ranking Member Peters (D-MI) would shed more transparency on a type of federal contract known as “other transaction agreements.” Recently, it has come to light that over \$40 billion in federal spending is [not subject](#) to the same disclosure and transparency requirements that place most federal spending on USAspending.gov. This bill seeks to ensure that taxpayers can understand more about where their hard earned money is being spent by the federal government by listing and disclosing these contracts on USAspending.gov.

II. Contact Information

Thank you for your consideration. Should you have any questions about the content in this memo, please do not hesitate to reach out to Nicholas Johns at NJohns@ntu.org.