

CHAMBER OF COMMERCE  
OF THE  
UNITED STATES OF AMERICA

R. BRUCE JOSTEN  
EXECUTIVE VICE PRESIDENT  
GOVERNMENT AFFAIRS

1615 H STREET, N.W.  
WASHINGTON, D.C. 20062-2000  
202/463-5310

May 25, 2016

TO THE MEMBERS OF THE UNITED STATES SENATE:

The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses of all sizes, sectors, and regions, as well as state and local chambers and industry associations, and dedicated to promoting, protecting, and defending America's free enterprise system, urges you to consider the following recommendations as you prepare to consider S. 2943, the "National Defense Authorization Act for Fiscal Year 2017."

The Chamber commends the Committee's leadership in reporting a strong, bipartisan bill that accomplishes a range of budget and policy objectives that would enhance the ability of the nation's defense industrial base to support U.S. national security interests while remaining competitive at home and abroad.

Specifically, the Chamber fully supports Section 829H, which would limit the impact of the Executive Order 13673 "Fair Pay and Safe Workplaces" to those contractors who have been suspended or debarred within the last 12 months, thereby not burdening responsible contractors with substantial compliance costs and reporting requirements. This provision is essential to ensure that DOD and its contractor workforce would not be forced to create duplicative and costly new bureaucratic management systems. Moreover, section 829H would streamline implementation of Executive Order 13673 by relying on, and preserving, DOD's existing suspension and debarment due process.

Additionally, the Chamber strongly supports S. 248, the "Tribal Labor Sovereignty Act of 2015," which is expected to be offered as an amendment by Senator Moran. The Chamber urges you to support this amendment, #4066, which would respect and promote tribal sovereignty by affirming the rights of tribal governmental employers to determine their own labor practices on their own lands by amending the National Labor Relations Act to exempt tribal governments like any other public employer.

Lastly, the Chamber urges against adoption of amendments to prohibit so-called inverted U.S. companies from bidding on military contracts. Enactment of such provisions could reduce overall competition for federal contracts while simultaneously placing at risk the jobs of American workers who provide goods and services to the Department of Defense. Debarring contractors who are in full compliance with U.S. law undermines the principles of "full and open competition" and best value for the taxpayer that have been the longstanding cornerstones of DOD procurement policy.

The Chamber appreciates your consideration of these recommendations as you consider S. 2943, the “National Defense Authorization Act for Fiscal Year 2017.”

Sincerely,

A handwritten signature in black ink, appearing to read "R. Bruce Josten". The signature is fluid and cursive, with the first name "R." and last name "Josten" being the most prominent parts.

R. Bruce Josten