



INTERNATIONAL FEDERATION OF PROFESSIONAL & TECHNICAL ENGINEERS AFL-CIO & CLC

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July 20, 2020

Dear House Rules Committee Member:

As the Executive Officers of the International Federation of Professional and Technical Engineers (IFPTE), representing upwards of 85,000 workers in the federal, public and private sectors, we are writing about this week's consideration of H.R. 6395, the Fiscal Year 2021 (FY21) National Defense Authorization Act (NDAA).

We are particularly pleased with the inclusion of the following provisions in the bill and ask that you oppose any potential amendments that may be offered to weaken them:

- A congressional reporting requirement from the Secretary of Defense about the DODs potential intention and ability to eliminate collective bargaining rights for Department of Defense civilian employees – this is in response to the President's memo to Secretary Esper urging that DOD use the national security exemption to strip all of DOD's workers of their collective bargaining rights.
- Rep. Norcross' authored amendment accepted during the committee mark-up, to defund the ability of the Secretary of Defense to adopt the Administration's recommendation to eliminate DOD civilian worker collective bargaining rights.
- A prohibition on OPM from having more than one local wage area within a General Schedule pay locality to better align Federal Wage System Areas with General Schedule locality pay areas.
- An expansion of the Paid Parental Leave benefit approved in the FY20 NDAA to the Federal Aviation Administration, Department of Veterans Affairs, and agencies where civilian workers were inadvertently omitted from the benefit in last year's bill.
- Rep. Norcross' authored language to strengthen Buy America domestic content requirements for defense acquisition programs.
- Rep. Kilmer backed language prohibiting funds from being used to exclude or to implement the exclusion of the Department of Defense from cover under the Federal Service Labor Management Relations statute.

We ask that you support the following pending amendments that were made in order:

- **Kuster/Bacon Amendment #11 (#211 in the Rules Committee Report)** directing the GAO to study the vulnerabilities created by foreign call centers supporting the Department of Defense (DOD).
- **Kilmer/Heck Amendment #88 (#202 in the Rules Committee Report)** to expand the quality of life criteria for the Defense Communities Infrastructure Programs to include projects that address 'installation commuter workforce issues' to help improve the quality of life for active duty and civilian workforce living off base.
- **Kilmer Amendment #94 (#203 in the Rules Committee Report)** to grant permanent authority to the department for any employees performing work aboard or dockside in support of the nuclear-powered aircraft carrier forward deployed in Japan, making permanent the current overtime rate authority for these Department of the Navy employees which are set to expire on September 30, 2021.

- **Wexton Amendment #149 (#16 in the Rules Committee Report)** to include pandemics as an exigency of public business for purposes of employee leave rollover.
- **Kuster Amendment #152 (#213 in the Rules Committee Report)** directing the Army Corp of Engineers' Engineer Research and Development Center (ERDC) to re-open all childcare facilities closed in FY20. ERDC announced it would permanently close a childcare facility located at a base in Hanover, NH in June 2020, disrupting the regional childcare network by forcing it to absorb an influx of children and creating additional uncertainty for families during a pandemic.
- **Porter Amendment #291 (#310 in the Rules Committee Report)** to provide for enhanced transparency of annual DOD legislative proposals for the NDAA.
- **Vargas Amendment #452 (#383 in the Rules Committee Report)** providing that the Defense Production Act be used to meet the country's most critical needs to combat COVID-19, including the creation of a strategic plan for the production of personal protective equipment and other supplies needed to reduce the impact of COVID-19.

We ask that you oppose the following pending amendments that were made in order:

- **OPPOSE Schrader Amendment #118 (#338 in the Rules Committee Report)** requiring the DOD to report to Congress on the implementation of the 2015 Defense Business Board (DBB) cost savings recommendations, including the possible reduction of civilian jobs. The DBB recommendations relied, in part, on the debunked findings of the McKinsey Study which was discredited on a bipartisan basis during Oversight and Government Reform Committee hearings. Jobs should not be lost due to faulty and discredited findings.
- **OPPOSE Turner Amendment #164 (#381 in the Rules Committee Report)** to expand the definition of commercial items. This amendment is intended to further open the door to the fleecing of the American taxpayer by preventing the government from attaining from contractors the true cost and pricing data for Depot maintenance and repair, leading the increased and costly use of spare parts for weapon systems deemed to be "commercial items." This amendment could lead to even more fraud, waste, and abuse by defense contractors.
- **OPPOSE McBath Amendment #294 (#250 in the Rules Committee Report)** to reduce funding by \$5 million for operations and maintenance, Army, admin, and service-wide activities and communications, and increase funding for university research by \$5 million. While IFPTE supports university research funding increases, doing so at the expense of the Operations and Maintenance account, where employee salaries are paid from, could lead to the loss of jobs.

Finally, IFPTE was extremely disappointed with the Rules Committee's failure to permit **Kilmer/Fitzpatrick Amendment #173**, to block implementation of Executive Orders (EOs) 13836, 13837 & 13839 aimed at significantly eroding the due process and collective bargaining rights of federal employees, to advance to the House floor to be considered as a part of the FY21 NDAA.

Thank you for your consideration. Should you have any questions, please feel free to contact either of us directly, or IFPTE Legislative Representative Faraz Khan, at (202) 239-4880.

Sincerely,



Paul Shearon
IFPTE President



Matthew S. Biggs
IFPTE Secretary Treasurer/Legislative Director