



LEGISLATIVE ALERT

June 10, 2015

Dear Senator:

On behalf of the AFL-CIO, I urge you to support the following amendments to H.R. 1735 (the National Defense Authorization Act for FY2016):

1. Support the Commissary Privatization Study (SA 1728)

The Department of Defense's (DoD) commissaries and exchanges (Army and Air Force Exchange Service, AAFES) are an important part of economic life for military families. Nevertheless, the proposed NDAA includes a provision (Section 652) that could privatize the commissaries without evaluating the impact on cost, service, morale, and recruitment. Please support Senator Jim Inhofe's (OK) amendment to direct DoD to study the impact of privatization—with a review of DoD's finding by the Government Accountability Office (GAO)—before allowing the Department to privatize the commissaries.

2. Support Maintaining Current Reduction-in-Force Rules (SA 1900)

Please support Senator Patty Murray's (WA) amendment to strike Section 1103, which would allow the Secretary of Defense to place performance ahead of seniority and veterans' preference in determining which employees get laid off in a reduction in force. The current system for assignment of retention rights during reductions in force correctly places objective criteria of veterans' status and seniority above performance rankings, which are historically subjective. DoD is close to finalizing a new performance management system on the heels of its failures with the National Security Personnel System.

3. Support Promotion of the Organic Industrial Base (SA 1557)

Please support Senator Durbin's amendment to return jobs to the U.S. from overseas to ensure that the DoD organic industrial base maintains key manufacturing skills necessary for the national defense. This amendment would require DoD to identify weapons and components that have been sent overseas because there is no domestic commercial manufacturer available. The measure would also match needed skills with those required by the nation's arsenals and depots to ensure the retention of critical skills.

4. Support Extension of the Service Contract Spending Cap (SA 1690)

Since FY2012, defense authorization bills have imposed a cap on service contract spending in order to offset the cap that the Pentagon has imposed on the size of the civilian workforce. If both workforces are capped, then it is more difficult to shift work performed by downsized civilians to more expensive contractors. In an ideal world, neither workforce would be capped. However, if civilian personnel are capped, then service contractors should also be capped. The House FY2016 defense authorization bill already includes a provision to extend the cap on service contractors through FY2016. This amendment would include identical language in the Senate measure. Please support Senator Cardin's amendment to extend the cap on the amount of service contract spending (SA 1690).

5. Support prohibition against arbitrarily shifting work from civilians and service contractors to military personnel (SA 1967)

Currently, defense dollars are precious and force structure is being reduced. Thus, it makes no sense to shift more non-military-essential functions from civilian personnel and service contractors to military personnel if such conversions don't promote readiness and reduce costs. The House defense authorization bill (Section 907) would establish easily understood guidelines to govern conversions of non-military-essential functions to military personnel. This amendment includes similar language.

6. Support requiring DoD to assign new work to the most cost-effective provider when cost is the sole criterion (SA 1965)

According to GAO, DoD rarely follows its cost guidance when deciding which workforce would be the most cost-effective. The House defense authorization bill (Section 321) would require DoD to follow its own policy in order to reduce costs. This amendment includes similar language.

The AFL-CIO urges you to oppose the following amendments:

1. Oppose Stripping DVA Personnel of Civil Service Protections (SA 1607)

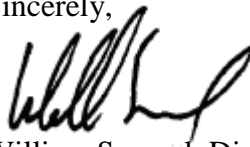
Please oppose SA 1607, which would strip Department of Veterans Affairs (DVA) personnel of civil service protections. This amendment would not increase DVA accountability, but it would prevent the DVA from holding managers accountable for misconduct and mismanagement in DVA health care settings. The bill strips fundamental due process rights from the vast majority of the DVA health care workforce. These personnel include the very brave scheduling clerks, pharmacists, psychologists, physicians, and nurses who risked their careers and paychecks to save veterans' lives by disclosing unsafe, wasteful, and ineffective management actions. The Title 38 health care workforce targeted by SA 1607 consists of over 160,000 employees in virtually every support and medical professional position essential to the operations of DVA medical centers. Approximately one-third of the DVA health care workforce are veterans, many of whom have transitioned from saving lives in the battlefield—as medics, corpsmen, and corpswomen—to serving veterans as civilian physician assistants, registered nurses, counselors, and other Title 38 positions.

2. Oppose the Flake Project Labor Agreement (PLA) Amendment (SA 1719)

The Flake amendment (SA 1719) would mandate the prohibition of project labor agreements for DoD construction projects and military family housing projects. PLAs are a proven tool for private- and public-sector construction projects that promote efficiency, safety, and workforce development. The Department of Defense should continue to have the option to utilize PLAs, but the Flake amendment would impose an unnecessary mandate that would prevent the DoD from even considering the PLA option.

Thank you for your consideration of our views on these amendments.

Sincerely,



William Samuel, Director
Government Affairs Department