



September 26, 2019

Chairman Jim Inhofe
Senate Armed Services Committee
228 Russell Senate Building
Washington, D.C. 20510

Chairman Adam Smith
House Armed Services Committee
2216 Rayburn House Building
Washington, D.C. 20515

Ranking Member Jack Reed
Senate Armed Services Committee
228 Russell Senate Building
Washington, D.C. 20510

Ranking Member Mac Thornberry
House Armed Services Committee
2216 Rayburn House Building
Washington, D.C. 20515

Re: Conference Committee Priorities for National Defense Authorization Act for FY 2020

Dear Chairmen Inhofe and Smith and Ranking Members Reed and Thornberry:

On behalf of the National Electrical Contractors Association (NECA), our nearly 4,000 contractors, and the \$171 billion industry we represent, I write to you regarding our top priorities for this year's National Defense Authorization Act. NECA commends this bipartisan effort that seeks to benefit our armed forces and the communities that work in conjunction with them.

Swiftly passing this legislation with responsible reform in mind is necessary to continue the timely completion of construction and procurement work that our contractors proudly supply to the armed forces and our nation every day. We urge the conferees, Chairmen, and Ranking Members to review the key provisions below and to continue their commendable work in reforming the construction and procurement of the armed forces.

NECA Supports the following:

House Section 828: Enhanced Post-Award Debriefing Rights

- *This section will allow for more mandatory debriefs for unsuccessful bidders by lowering the threshold for DOD contracts, making our contractors more competitive in future bids.*

House Section 831: Preference for Offerors Employing Veterans

- *This section would allow the Department of Defense to establish a preference, which would not supercede other small business preferences, to businesses who employ veterans on a full-time basis. In addition, the Secretary of Defense will monitor the implementation of this preference and its effectiveness.*

House Section 872: Size Standard Calculations for Certain Small Business Concerns

- *This section would alter the calculation for determining if a business qualifies as a "small" from an average of gross annual receipts over 3 years to 5 years, thereby allowing contractors a more stable understanding of where their business qualifies.*

NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION

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House Section 881 and Similar Senate Section 841: Reauthorization of the Department of Defense Mentor-Protege Program

- *This section would extend and refine the Department of Defense's Mentor-Protégé program. It would also add additional reporting requirements to better understand the companies that are benefiting from this program and their roles in doing so.*

House Section 883: Accelerated Payments Applicable to Contracts with Certain Small Business Concerns under the Prompt Payment Act

- *This section revises the Small Business Act to lower the payment period for prime contractors that are a small business concern from 30 days to 15 days. It also includes language urging prime contractors to continue these accelerated payments to subcontractors to the maximum extent possible.*

NECA Opposes the following:

Senate Section 842: Modification to Justification and Approval Requirement for Certain Department of Defense Contracts

- *This section would allow certain contracts under the DOD to be awarded without necessary justification as sole-source contracts, thereby lacking competition and a full bidding process for contracts under \$100,000,000.*

Senate Section 6015: Limitation on Certain Rolling Stock Procurements

- *This section would prevent financial assistance, specifically Federal transit dollars, from being used to award a contract or subcontract for the procurement of any rolling stock transit vehicles by certain companies. Thus, interfering in the competitive market and putting thousands of jobs at risk.*

Thank you for your consideration and for your work to produce a bipartisan, procurement reform-oriented authorization of our national defense programs. If you have any questions or concerns please contact my staff at any time by reaching out to Trevor Falk, Director of Government Affairs at Trevor.Falk@necanet.org or 301-215-4547. Every year this legislation acts as a key pillar of reform to our industry and our contractors rely on your leadership to ensure its passage.

Sincerely,



Marco A. Giamberardino, MPA
Vice President, Government and Public Affairs