



AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES (AFGE)

DOD LEGISLATIVE ISSUE UPDATE

Your union continues to fight for our members by urging Congress to support key provisions in H.R. 2670, the National Defense Authorization Act (NDAA) for Fiscal Year 2024.

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ISSUES AFGE SUPPORTS:

- **Allowing District of Columbia National Guard members** who were federal civilian employees during their mobilization from January 6, 2021, until enactment of the FY22 NDAA, to be entitled to leave without loss in pay or time from their civilian employment.
- **Directing the Defense Department to establish a safety performance rating system for prospective contractors based on their record of worker health and safety violations.** DoD civilian employees and military personnel work closely with contract employees, often in facilities maintained by contractors. We support a commonsense policy that would help ensure contractors prioritize safety for everyone who works in or visits their facilities, whether they are active-duty military personnel, civilian employees, or contract workers.
- **Lowering the mandatory disclosure threshold for contractors to provide certified cost and pricing information from \$2,000,000 to \$750,000.** Certified cost and pricing data enable contracting officers to establish that the prices or proposed costs of products and services are fair and reasonable when a contract is awarded without adequate price competition, or on a flexibly-priced basis. In these instances, contracting officers may require potential contractors (offerors), to provide data, such as the costs to produce goods or services or the prices others have paid. For contracts above a certain dollar threshold, offerors are required to certify that the data is accurate, current, and complete. In 2018, Congress increased the threshold from \$750,000 to \$2 million. According to a report released by the Government Accountability Office in April 2022, at "DOD...increasing the threshold halved the number of contracts requiring certified data. Very few contracts require certified data." This would restore the previous threshold, increasing cost and pricing transparency, holding offerors accountable for the accuracy and truthfulness of the data they submit, and helping the Defense Department save taxpayer money.
- **Reforming and increasing pay for federal wildland firefighters.** AFGE represents thousands of federal firefighters across the country, including hundreds of wildland firefighters who live and work in the Pacific Northwest and Northeast, common sites for wildland fires. These hardworking civil servants who protect and serve the American public, face increasingly dangerous, intense, and longer fire seasons each year. They suffer from low pay and poor working conditions that result in recruitment and retention issues. Although AFGE represents wildland firefighters, it is important to raise the pay of all federal firefighters to make their pay more competitive with firefighters in other sectors.

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- **Protecting the Defense Department's Diversity Equity and Inclusion Office from regrettable and misguided efforts to cripple it.** This office plays a critical role in making sure the Defense Department, one of the least diverse agencies in the federal government, recruits and retains the best and the brightest personnel from all corners of America.

ISSUES AFGE OPPOSES:

- **Prohibiting official time from being authorized for Department of Defense employees.** Official time has proven repeatedly to be of enormous value to the maintenance of workplace harmony, ensuring that federal employees and managers work cooperatively, proactively, and in a fair-minded manner to resolve disputes before they boil over, address issues of discrimination or retaliation, and propose improvements in the workplace. Official time reduces employee turnover, improves customer service, prevents costly litigation, and leads to quicker and more efficient implementation of agency initiatives.
- **Undermining the mission of Defense Department diversity, equity, and inclusion personnel.** We oppose any effort to keep the Defense Department from ever establishing diversity and inclusion programs if current efforts to terminate them succeed. If enacted, would make it all but impossible for the Department to recruit and retain qualified human resource professionals charged with improving diversity, even as the Government Accountability Office concluded in a June 21, 2023, report that "the Department of Defense civilian workforce doesn't reflect the diversity of the federal government. DOD has lower percentages of women and members of historically disadvantaged racial or ethnic groups—such as African Americans."
- **Prohibiting the sale of any goods manufactured, assembled, or imported from China at commissary stores or military exchanges.** This would have the significant negative consequence of harming members of the armed forces and their families while failing to meaningfully punish China for its geopolitical provocations.