

**CHAMBER OF COMMERCE
OF THE
UNITED STATES OF AMERICA**

NEIL L. BRADLEY
EXECUTIVE VICE PRESIDENT &
CHIEF POLICY OFFICER

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December 10, 2019

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES:

The U.S. Chamber of Commerce supports S. 1790, the “National Defense Authorization Act for Fiscal Year 2020.” In addition, we wish to highlight the following provisions.

Security Clearance Reforms

The Chamber applauds the conferees for including necessary reforms to the security clearance process in the final conference report to accompany the National Defense Authorization Act (NDAA). These reforms will facilitate ongoing efforts to improve the integrity of the clearance process and enhance the national security objectives of agencies and contractors alike, and will continue to ensure the highest quality of the defense industrial base workforce.

Protecting Intellectual Property

The Chamber commends the conferees for repealing section 866 of the Fiscal Year 2019 NDAA, which enabled the Department of Defense to disclose proprietary technical data to outside competitors. This provision had violated contractually agreed upon intellectual property licenses, and had potentially placed contractors at risk prior to litigation resolving the dispute.

Arbitration and Class Action Litigation

The Chamber is pleased that the conferees excluded anti-arbitration language from the final conference report. However, the Chamber is opposed to Section 547 of the conference report concerning the use of class action waivers in Servicemembers Civil Relief Act litigation. The Chamber believes that this provision will ultimately lead to costly, time-consuming, and adversarial litigation for service members while serving to enrich the class action plaintiffs' bar.

Carbon Capture Utilization and Sequestration Technologies

The Chamber is disappointed that the conference report failed to include S. 383, the “USE IT Act,” which had been incorporated into the Senate-passed version of the NDAA with strong bipartisan support. Energy innovation is fundamental to addressing climate change globally, and the carbon capture, utilization and storage research, development, and permitting that is fostered by the USE IT ACT is crucial to those efforts.

Regulating PFAS Chemicals

The Chamber applauds conferees for including provisions to address the regulation of specific per- and polyfluoroalkyl substances (“PFAS”) that are of the greatest concern. Many of the provisions included allow federal agencies to examine and study specific PFAS through well-

established regulatory processes based on sound science and the weight of the scientific evidence, as well as provide regulatory agencies with the proper oversight and funding needed to evaluate and address specific priority PFAS. We were, however, disappointed to see the inclusion of a ban of the use of all PFAS in meals ready-to-eat (“MRE”) food packaging, despite the Food and Drug Administration’s (“FDA”) approval of many of those PFAS used in such food packaging.

The Chamber commends the extraordinary dedication of the conferees to ensure the U.S. military remains second to none, and supports passage of S. 1790.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil L. Bradley", with a large, stylized flourish at the end.

Neil L. Bradley