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April 26, 2016

The Honorable Mac Thornberry
Chairman
Committee on Armed Services
2216 Rayburn House Office Building
Washington, DC 20515

The Honorable Adam Smith
Ranking Member
Committee on Armed Services
2216 Rayburn House Office Building
Washington, DC 20515

**OPPOSE THE "NONAPPLICABILITY OF CERTAIN EXECUTIVE ORDER TO
DEPARTMENT OF DEFENSE AND NATIONAL NUCLEAR SECURITY
ADMINISTRATION" AMENDMENT TO NDAA**

Dear Chairman Thornberry and Ranking Member Smith:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 organizations to promote and protect the rights of all persons in the United States, we write to express our strong opposition to the Kline amendment to the FY 2017 National Defense Authorization Act entitled "Nonapplicability of Certain Executive Order to Department of Defense and National Nuclear Security Administration" and our strong support for maintaining the application of the Fair Pay and Safe Workplaces Executive Order to both entities.

The Executive Order, and its implementing regulations and guidance, identify companies with a record of workplace law violations and prohibits the federal government from contracting with employers that routinely violate workplace health and safety protections; engage in age, disability, race, and sex discrimination; withhold wages; or commit other labor violations. These protections represent a much needed step forward in ensuring that the federal contractor community is providing safe and fair workplaces for their employees by encouraging compliance with federal labor and civil rights laws, including Title VII of the 1964 Civil Rights Act, and prohibiting the use of mandatory arbitration of certain disputes. The Kline amendment would take away the Executive Order's many important protections from numerous defense and nuclear security agency employees of federal contractors.

Employers that have the privilege of doing business with the federal government also have a clear responsibility with respect to labor standards and civil rights laws. The Executive Order is crucial because it will encourage companies applying for federal contracts to comply with federal labor and employment laws such as the Fair Labor Standards Act



(which includes the Equal Pay Act), Title VII of the 1964 Civil Rights Act, and the Occupational Safety and Health Act, as well as their state law equivalents. This helps to ensure that federal contract jobs are high-quality and advance family economic security.

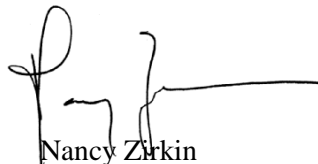
The Executive Order also bans contractors from forcing employees to arbitrate claims under Title VII of the 1964 Civil Rights Act as well as claims of sexual harassment and sexual assault. Forced arbitration is a rigged, secret system that erodes employees' traditional legal safeguards. Government contractor employees should not have to give up their day in court as a part of a one-sided employment agreement that was signed before any harm even occurred.

For these reasons, we urge you to oppose the Kline amendment to the FY 2017 National Defense Authorization Act, which rolls back critical worker protections provided by the Executive Order on Fair Pay and Safe Workplaces against discrimination for employees of federal contractors of the Department of Defense and the Nuclear Security Agency. If you have any questions, please contact June Zeitlin, Director of Human Rights Policy, at zeitlin@civilrights.org or (202) 263-2852.

Sincerely,



Wade Henderson
President & CEO



Nancy Zirkin
Executive Vice President