



March 31, 2020

The Honorable James Inhofe
Chairman
Armed Services Committee
U.S. Senate
228 Russell Senate Office Building
Washington, DC 20510

The Honorable Jack Reed
Ranking Member
Armed Services Committee
U.S. Senate
228 Russell Senate Office Building
Washington, DC 20510

The Honorable Ron Johnson
Chairman
Homeland Security and Governmental Affairs
U.S. Senate
340 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Gary C. Peters
Ranking Member
Homeland Security and Governmental Affairs
U.S. Senate
340 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Adam Smith
Chairman
Armed Services Committee
U.S. House of Representatives
2216 Rayburn House Office Building
Washington, DC 20515

The Honorable Mac Thornberry
Ranking Member
Armed Services Committee
U.S. House of Representatives
2216 Rayburn House Office Building
Washington, DC 20515

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

The Honorable Mark Meadows
Ranking Member
Committee on Oversight and Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515

Re: Extend Effective Date of Sec. 889 Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment

Dear Chairmen Inhofe, Johnson, Smith, and Maloney and Ranking Members Reed, Peters, Thornberry, and Meadows:

As Presidents of the National Defense Industrial Association (NDIA) and the Professional Services Council (PSC), we represent thousands of businesses of all sizes and sectors providing essential products and services supporting America's warfighters as a part of the defense industrial base. Through our work with these businesses, we understand their deep and abiding commitment to achieving national defense

objectives. They know achieving these objectives requires securing defense industrial supply chains against determined and sophisticated adversaries, and they stand ready to do what it takes to deliver uncompromised goods and services.

In keeping with that commitment, and in light of the ongoing COVID-19 crisis, we are very concerned by the broad language of Section 889(a)(1)(B) (herein, "Part B") of the Fiscal Year 2019 National Defense Authorization Act. Specifically, Part B will impose significant financial and operational costs on medium- and small-sized firms at a moment of substantial uncertainty and hardship. While we agree that Part B addresses a significant problem in defense supply chains, and that additional measures are needed to protect DOD information assets from covered equipment, COVID-19 has made the current implementation timeline infeasible.

The current crisis environment will greatly reduce the ability of companies to successfully complete such reviews by the current August 13, 2020 deadline. To allow contractors time to recover from the effects of COVID-19 and effectively comply with Part B, Congress should postpone government-wide Part B's effective date until at least February 2021.

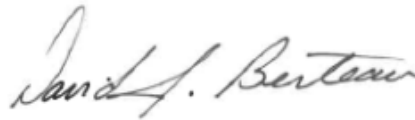
Postponement of the deadline will provide the government with better assurance of achieving its supply chain security objectives with the least disruption and harm to the vendor and supplier base. Additionally, without the postponement, aerospace and defense companies that supply equipment or services supporting the ongoing COVID-19 pandemic would be severely impacted. Both industry and government agencies can use the additional time to better define how to approach the objectives of Part B.

Thank you for your attention to these comments. If you have any questions or need any additional information, please do not hesitate to contact Wesley Hallman, Senior Vice President for Strategy and Policy at the National Defense Industrial Association, who serves as our project officer for this request. He can be reached at (703) 247-2595 or at WHallman@NDIA.org.

Sincerely,



Herbert J. Carlisle
General, USAF (Ret)
President and CEO
National Defense Industrial Association



David J. Berteau
President and CEO
Professional Services Council