



November 29, 2010

Ms. Hada Flowers
General Services Administration, Regulatory Secretariat (MVCB)
1800 F Street, NW
Room 4041
Washington, DC 20405

Subject: FAR Case 2009-007, "Equal Opportunity for Veterans"

Dear Ms. Flowers:

The Aerospace Industries Association (AIA) appreciates the opportunity to provide comments and recommendations on the interim rule "Equal Opportunity for Veterans," published in the *Federal Register* on September 29, 2010. The interim rule (FAR Case 2009-007) implements Department of Labor regulations on equal opportunity provisions for various categories of military veterans. The rule sets forth revised coverage under the Vietnam Era Veterans' Readjustment Assistance Act (VEVRAA) of 1972 and includes new reporting requirements established under the VEVRAA and Jobs for Veterans Act (JVA).

AIA and its member companies support equal opportunity for veterans. We have several suggested changes to the interim rule that we believe will improve understanding and implementation of the final rule as follows:

1. FAR 52.213-4 (a)(2)(vii), 52.244-6, Subcontracts for Commercial Items (SEP 2010), should be FAR 52.213-4 (a)(2)(vii), 52.244-6, Subcontracts for Commercial Items (OCT 2010).

Rationale: Subsequent to the proposed revision for FAR 52.222-35 Equal Opportunity for Veterans (SEP 2010), 52.244-6 was revised for FAR 52.222-36 Affirmative Action for Workers with Disabilities in OCT. 2010. As such, FAR 52.244-6 Subcontracts for Commercial Items has been updated to reflect the October 2010 date.

2. The definition of "Executive and Senior Management," (as defined in FAR 52.222-35 Equal Opportunity for Veterans) should be added to FAR 22.1301 Definitions.

Rationale: Adding this definition will provide consistency between FAR 22.1301 Definitions and FAR 52.222-35 Equal Opportunity for Veterans.

3. FAR 52.244-6 Subcontracts for Commercial Items (SEP 2010) should be FAR 52.244-6 Subcontracts for Commercial Items (OCT 2010).

Rationale: Subsequent to the proposed revision for FAR 52.222-35 Equal Opportunity for Veterans (SEP 2010), 52.244-6 was revised for FAR 52.222-36 Affirmative Action for Workers with Disabilities in OCT. 2010. As such FAR 52.244-6 Subcontracts for Commercial Items has been updated to reflect the October 2010 date.

4. Contracts entered into prior to December 1, 2003 require filing of the VETS-100 form and contracts entered into subsequent to December 1, 2003 require filing of the VETS-100A form. We recommend deleting all references to VETS-100 Form and December 1, 2003 and allow contractors to submit all reports on the VETS-100A form.

Rationale: The requirement to file two separate reports adds an unnecessary administrative burden on contractors and the reasoning behind the requirement is unclear. Rather than maintaining both the VETS-100 and VETS-100A Forms, the rule should allow companies to file only VETS-100A Forms for all covered contracts before and after December 1, 2003, thus eliminating the need for VETS-100 Forms and simplifying contractor reporting.

5. Recommend expanding the definition of "Other Protected Veteran" located in FAR 22.1301 and FAR 52.222-35 to include those veterans: (i) who are not Disabled Veterans or Qualified Disabled Veterans and (ii) who have served in peacetime or in conflicts other than the Vietnam War and the recent conflicts in the Gulf/Middle East - Operation Iraqi Freedom, etc. We recommend revising the definition of "Other Protected Veteran" as follows: *"Other protected veteran means a veteran who served on active duty in the U.S. military, ground, naval, or air service, during a war, peacetime, or in a campaign or expedition."*

Rationale: This modification in the rule would allow companies to recognize its support of all veterans, not just those that participated in certain designated campaigns.

If you have any questions or need any additional information, please contact me at (703) 358-1045 or richard.sylvester@aia-aerospace.org.

Sincerely,



Richard K. Sylvester
Vice President, Acquisition Policy