



October 12, 2023

The Honorable Mike Rogers
Chairman
House Armed Services Committee
2216 Rayburn House Office Building

The Honorable Adam Smith
Ranking Member
House Armed Services Committee
2216 Rayburn House Office Building

Chairman Rogers and Ranking Member Smith:

On behalf of the members of the National Stone, Sand & Gravel Association (NSSGA) and the National Ready Mixed Concrete Association (NRMCA), we strongly urge you to exclude Section 2815 of the Senate-passed NDAA from the conference report for FY24 National Defense Authorization Act (NDAA). This provision makes a controversial modification to an existing, ongoing pilot at DoD and does not have a similar provision in the House passed bill.

Sec. 2815 of the Senate FY24 NDAA ([S. 2226, pp. 1375-1376](#)) amends a pilot program that was included in the FY22 NDAA ([PL 117-81, Sec. 2861](#)) to increase the use of sustainable building materials in military construction. This pilot program was a material neutral compromise after a material specific (mass timber only) pilot program was proposed ([Joint Explanatory Statement to PL 117-81, p. 1255](#)). The proposed changes in the FY24 Senate NDAA would add new material preference criteria and picks winners and loser in construction design and implementation.

The material neutral language which established the ongoing pilot at the DoD was included in the FY22 conference report while the material specific provision (mass timber only) was dropped due to significant industry and Congressional opposition (see Joint Explanatory Statement linked above). A mass timber only pilot program was considered in the House-passed FY23 NDAA but ultimately included in the final conference report for the FY23 NDAA ([Joint Explanatory Statement to PL 117-263 pp. 407-408](#)), again due to significant industry, DoD and Congressional opposition

In the final conference report for the FY23 NDAA, the Committee clearly stated “We concur with the Department of Defense’s assessment that an additional pilot at this time, or substantial changes, would conflict with and delay the current pilot that is proceeding on schedule. We encourage the military departments to complete the required assessments and submit their findings to Congress as soon as possible.” (See Joint Explanatory Statement to PL 117-262 linked above.)

Consequently, in keeping with the Conference Committee’s finding in the FY23 NDAA, established policy to promote material neutral construction and design, and because the House

bill contains no similar provision, we urge that the final conference report to exclude Sec. 2815 of the Senate NDAA.

Sincerely,

National Ready Mixed Concrete Association
National Stone, Sand & Gravel Association