

September 17, 2020

The Honorable Adam Smith  
Chairman  
House Armed Services Committee  
2216 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable James M. Inhofe  
Chairman  
U.S. Senate Committee on Armed Services  
Russell Senate Building, Room 228  
Washington, D.C. 20510

The Honorable Mac Thornberry  
Ranking Member  
House Armed Services Committee  
2216 Rayburn House Office Building  
Washington, D.C. 20515

The Honorable Jack Reed  
Ranking Member  
U.S. Senate Committee on Armed Services  
Russell Senate Building, Room 228  
Washington, D.C. 20510

Dear Chairman Smith, Chairman Inhofe, Ranking Member Thornberry, and Ranking Member Reed:

On behalf of our millions of members and supporters nationwide, we urge you to include important provisions to address toxic per- and polyfluoroalkyl (PFAS) chemicals in the final National Defense Authorization Act (NDAA) for Fiscal Year 2021 conference report.

PFAS – often referred to as “forever chemicals” – contaminate the drinking water of tens of millions of Americans. To date, there are more than 700 active or closed military installations with known or suspected PFAS contamination.<sup>1</sup> The House authorization bill included a number of critical provisions that would expand PFAS cleanup, protect servicemembers and their families from exposure to PFAS, increase transparency and public reporting, and expand funding into the development of remediation and disposal technologies as well as fluorine-free firefighting foams and PFAS-free firefighting gear.

In particular, we urge you to include the following House-passed provisions:

- Sec. 332 – Requires the DOD to clean up PFOA and PFOS contamination to enforceable State standards, when those standards meet or exceed Federal health advisory levels.
- Sec. 331 – Builds upon Sec. 329 of the NDAA for Fiscal Year 2020 by prohibiting the Defense Logistics Agency from procuring certain non-essential items containing PFAS, including cookware, personal care products, food packaging floor and furniture wax, carpeting and upholstery, and uniforms.
- Sec. 334 – Requires the DOD to notify all agricultural operations in an area where PFAS has been detected in groundwater that originated from the use of aqueous film forming foam (AFFF) on a military installation.
- Sec. 340 – Places a moratorium on the incineration of PFAS materials by the DOD until the Secretary of Defense finalizes guidance implementing Sec. 330 of the NDAA for

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<sup>1</sup> <https://www.ewg.org/release/update-toxic-forever-chemicals-likely-contaminate-more-700-military-sites>

Fiscal Year 2020 and requires DOD to report each year to the EPA about all PFAS incineration conducted.

- Sec. 1772 – Clarifies Congressional intent by requiring manufacturers to disclose all PFAS discharges over 100 lbs. to the EPA’s Toxics Release Inventory, as amended by the NDAA for Fiscal Year 2020.
- Sec. 703 – Expands blood testing to any active duty service member who wishes to have their blood tested for PFAS if they were stationed at an installation with PFAS contamination or were suspected to be exposed to PFAS via AFFF and guarantees servicemembers won’t be forced to shoulder any additional cost for PFAS blood testing.
- Sec. 335 – Requires the DOD to publish the results of drinking and ground water PFAS testing conducted on military installations or former defense sites.
- Sec. 314 (H.R. 6395)/Sec. 311 (S. 4049) – Makes a technical correction to the provision included in the NDAA for Fiscal Year 2020 to ensure that all National Guard installations are eligible for Defense Environmental Restoration Account fund to clean up PFOS and PFOA contamination.
- Sec. 315 – Requires the DOD to notify the congressional defense committees when there has been an uncontrolled release of AFFF.
- Sec. 339 (H.R. 6395) /Sec. 322 (S. 4049) – Increases the authorization for the CDC study of PFAS health implications from \$10 million to \$15 million.
- Sec. 333 – Establishes a mechanism for public-private partnerships to facilitate development of a PFAS-free firefighting agent to replace AFFF.
- Authorizes \$150 million for the research and development of PFAS remediation and disposal technologies as well as AFFF replacement.
- Authorizes an additional \$190 million in BRAC and Environmental Restoration accounts to support acceleration of remediation activities and PFAS response.
- Sec. 328 – Establishes a prize program to encourage development of PFAS- free firefighting foam.
- Sec. 329 (H.R. 6395)/Sec. 313 (S. 4049) – Requires the DOD to survey and report on non-firefighting agent technologies that will help facilitate the phase-out of AFFF.
- Sec. 330 – Establishes an interagency coordinating body for PFAS research to encourage a whole of government approach to PFAS research.

As you work to finalize the NDAA for Fiscal Year 2021 conference report, we strongly encourage you to build upon the progress made in last year’s NDAA by including important provisions adopted in the House authorization bill to safeguard servicemembers, defense communities and our environment from PFAS.

Sincerely,

Alabama Rivers Alliance  
Alaska Community Action on Toxics  
Audubon Society of Rhode Island  
Breast Cancer Prevention Partners  
Buxmont Coalition for Safer Water  
California Coastkeeper Alliance  
Californians Against Waste

Center for Environmental Health  
Center for Public Environmental Oversight  
Citizens Campaign for the Environment  
Citizens for Safe Water Around Badger  
Clean and Healthy New York  
Clean Cape Fear  
Clean Water Action  
Clean Water Task Force at Windsor Climate Action  
Climate Action Rhode Island  
Community Action Works Campaigns  
ConnectiCOSH  
Connecticut Citizen Action Group  
Connecticut League of Conservation Voters  
Connecticut Nurses Association  
Conservation Law Foundation  
Don't Take That Receipt!  
Earthjustice  
Ecology Center  
Environment America  
Environment Arizona  
Environment California  
Environment Colorado  
Environment Connecticut  
Environment Council of Rhode Island  
Environment Florida  
Environment Georgia  
Environment Illinois  
Environment Iowa  
Environment Maine  
Environment Maryland  
Environment Massachusetts  
Environment Michigan  
Environment Minnesota  
Environment Missouri  
Environment Montana  
Environment Nevada  
Environment New Hampshire  
Environment New Jersey  
Environment New Mexico  
Environment New York  
Environment North Carolina  
Environment Ohio  
Environment Oregon  
Environment Rhode Island  
Environment Texas  
Environment Virginia

Environment Washington  
Environment Council of Rhode Island  
Environmental Health Strategy Center  
Environmental Working Group  
Fight For Zero  
Friends of the Moshassuck  
Green Newton  
Green Science Policy Institute  
GreenCAPE  
Groundwork Rhode Island  
Healthy Legacy Coalition  
Kentucky Resources Council, Inc.  
Lake Champlain Committee  
League of Conservation Voters  
Learning Disabilities Association of Alabama  
Learning Disabilities Association of America  
Learning Disabilities Association of Arkansas  
Learning Disabilities Association of Connecticut  
Learning Disabilities Association of Georgia  
Learning Disabilities Association of Illinois  
Learning Disabilities Association of Michigan  
Learning Disabilities Association of New Jersey  
Learning Disabilities Association of New York State  
Learning Disabilities Association of North Carolina  
Learning Disabilities Association of Pennsylvania  
Learning Disabilities Association of South Carolina  
Learning Disabilities Association of Tennessee  
Learning Disabilities Association of Texas  
Learning Disabilities Association of Wisconsin  
Learning Disabilities Association of Utah  
Massachusetts Breast Cancer Coalition  
MASSPIRG  
Michigan League of Conservation Voters  
National Stewardship Action Council  
NC Child  
Need Our Water  
North Carolina Conservation Network  
Northeast Organic Farming Association of Rhode Island  
Northeast Organic Farming Association of Massachusetts  
Northeastern University  
Oregon Environmental Council  
Peaceful Skies Coalition  
PfoaProjectNY  
Rhode Island State Nurses Association  
Rivers Alliance of Connecticut  
Safer Chemicals Healthy Families

Safer States  
Save Our Water Connecticut  
Save The Sound  
Seventh Generation  
Sierra Club  
Tennessee Riverkeeper  
Toxic Free NC  
Toxic-Free Future  
Union of Concerned Scientists  
UPSTREAM  
Vermont Businesses for Social Responsibility  
Vermont Conservation Voters  
Vermont Natural Resources Council  
Vermont Public Interest Research Group  
Vietnam Veterans of America  
Voices for Vermont's Children  
Waterkeeper Alliance  
Wilton Go Green, Inc.  
Wisconsin Environment