

**Congress of the United States**  
**Washington, DC 20515**

September 18, 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:

As you work to finalize the National Defense Authorization Act (NDAA) for Fiscal Year 2021 conference report, it is critical we build upon the progress made in last year's NDAA by including important provisions adopted in the House authorization bill that will help to safeguard the public and our environment from the harmful, toxic per- and polyfluoroalkyl (PFAS) chemicals.

We know PFAS chemicals pose grave dangers to human health and our environment. Across this nation, including military bases, federal facilities, and industrial sites, we are finding a growing number of sites with PFAS contamination in drinking water systems, ground water, and surface water. According to recent data from the Department of Defense (DOD), there are over 700 active or closed military installations with known or suspected releases of PFAS chemicals<sup>1</sup>.

Companies and regulators alike have understood the risks posed by these harmful, “forever chemicals” for decades but have failed to protect the American people. Our communities have

---

<sup>1</sup> <https://www.ewg.org/interactive-maps/2020-military-pfas-sites/map/>

waited long enough, especially communities near military installations whose drinking water has been poisoned by these pollutants.

Meaningful PFAS provisions adopted in the House defense authorization bill would address ongoing and legacy contamination from PFAS chemicals, prevent further exposures to our service members and their families, increase transparency and public reporting efforts, and expand critical funding into the development of remediation and disposal technologies as well as fluorine-free firefighting foams.

As you work to finalize the FY 2021 NDAA conference report, we urge you to maintain inclusion of provisions that:

- Require the DOD to clean-up PFOA and PFOS contamination to enforceable state standards, when those standards meet or exceed Federal health advisory levels. (H.R. 6395/Sec. 332)
- Build 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. (H.R. 6395/Sec. 331)
- Require the DOD to notify all agricultural operations in an area where PFAS has been detected in groundwater that originated from use of aqueous film forming foam (AFFF) on a military installation. (H.R. 6395/Sec. 334)
- Place 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 Fiscal Year 2020 and requires DOD to report each year to the EPA about all PFAS incineration conducted.(H.R. 6395/ Sec. 340)
- Clarify Congressional intent by requiring manufacturers to disclose all PFAS discharges over 100 lbs. to the EPA's Toxics Release Inventory. (H.R. 6395/ Sec. 1772)
- Expand blood testing for PFAS to any active duty service member who wants to be tested if they were stationed at an installation with PFAS contamination or were suspected to be exposed to PFAS via AFFF -- and guarantees service members won't be forced to shoulder any additional cost for PFAS blood testing. (H.R. 6395/Sec. 703)
- Require the DOD to promptly publish the results of drinking and ground water PFAS testing conducted on military installations or former defense sites. H.R. 6395/Sec. 335)
- Makes a technical correction to ensure that all National Guard installations are eligible for the Defense Environmental Restoration Account fund to clean-up PFOS and PFOA contamination. (H.R. 6395/Sec. 314)
- Require the DOD to notify the congressional defense committees when there has been an uncontrolled release of AFFF. (H.R. 6395/ Sec. 315)

- Increases the authorization for the CDC study of PFAS health implications from \$10 million to \$15 million. (H.R. 6395/Sec. 339)
- Establish a mechanism for public-private partnerships to facilitate development of a PFAS-free fire-fighting agent to replace AFFF. (H.R. 6395/Sec. 333)
- 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.
- Requires NIST and NIOSH to conduct a study on the use of PFAS chemicals in firefighting equipment and the risk of exposure faced by firefighters. Creates a grant program for additional research and improvements to firefighting equipment. (H.R. 6395/Sec. 341)
- Establish a prize program to encourage development of PFAS- free firefighting foam. (H.R. 6395/ Sec. 328)
- Require the DOD to survey and report on non-firefighting agent technologies that will help facilitate the phase-out of AFFF. (H.R 6395/Sec. 329; S.4049/Sec.313)
- Establish an interagency coordinating body for PFAS research to encourage a whole of government approach to PFAS research. (H.R. 6395/ Sec. 330)

The NDAA for Fiscal Year 2020 was an important first step in tackling the growing PFAS contamination crisis, but much still must be done to better understand the scope of the problem, curb ongoing PFAS releases and jump start cleanup of the most contaminated military installations across the country. These and other critical reforms are included in H.R. 535, the PFAS Action Act, which passed the House in January with strong bipartisan support.

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

Sincerely,



Elissa Slotkin  
Member of Congress



Bill Posey  
Member of Congress

Nanette Barragán  
Member of Congress

Donald S. Beyer Jr.  
Member of Congress

Earl Blumenauer  
Member of Congress

Julia Brownley  
Member of Congress

André Carson  
Member of Congress

David N. Cicilline  
Member of Congress

Gerald E. Connolly  
Member of Congress

Madeleine Dean  
Member of Congress

Diana DeGette  
Member of Congress

Suzan DelBene  
Member of Congress

Mark DeSaulnier  
Member of Congress

Debbie Dingell  
Member of Congress

Veronica Escobar  
Member of Congress

Bill Foster  
Member of Congress

Ruben Gallego  
Member of Congress

Lisa Blunt Rochester  
Member of Congress

Tony Cárdenas  
Member of Congress

Joaquin Castro  
Member of Congress

Steve Cohen  
Member of Congress

Jason Crow  
Member of Congress

Peter A. DeFazio  
Member of Congress

Rosa L. DeLauro  
Member of Congress

Antonio Delgado  
Member of Congress

Ted Deutch  
Member of Congress

Mike Doyle  
Member of Congress

Brian Fitzpatrick  
Member of Congress

Tulsi Gabbard  
Member of Congress

John Garamendi  
Member of Congress

Raul M. Grijalva  
Member of Congress

Josh Harder  
Member of Congress

Brian Higgins  
Member of Congress

Chrissy Houlahan  
Member of Congress

Henry C. "Hank" Johnson, Jr.  
Member of Congress

Andy Kim  
Member of Congress

Ann McLane Kuster  
Member of Congress

Alan Lowenthal  
Member of Congress

Carolyn B. Maloney  
Member of Congress

Betty McCollum  
Member of Congress

James P. McGovern  
Member of Congress

Debbie Mucarsel-Powell  
Member of Congress

Chris Pappas  
Member of Congress

Deb Haaland  
Member of Congress

Jahana Hayes  
Member of Congress

Kendra S. Horn  
Member of Congress

Jared Huffman  
Member of Congress

Dan Kildee  
Member of Congress

Ron Kind  
Member of Congress

Andy Levin  
Member of Congress

Elaine G. Luria  
Member of Congress

Doris Matsui  
Member of Congress

A. Donald McEachin  
Member of Congress

Seth Moulton  
Member of Congress

Richard Neal  
Member of Congress

Ed Perlmutter  
Member of Congress

Chellie Pingree  
Member of Congress

Jamie Raskin  
Member of Congress

Harley Rouda  
Member of Congress

Robert C. "Bobby" Scott  
Member of Congress

Jackie Speier  
Member of Congress

Thomas R. Suozzi  
Member of Congress

Paul Tonko  
Member of Congress

Fred Upton  
Member of Congress

Peter Welch  
Member of Congress

John Yarmuth  
Member of Congress

Mark Pocan  
Member of Congress

Francis Rooney  
Member of Congress

Michael F.Q. San Nicolas  
Member of Congress

Albio Sires  
Member of Congress

Haley Stevens  
Member of Congress

Bennie Thompson  
Member of Congress

Lori Trahan  
Member of Congress

Juan Vargas  
Member of Congress

Susan Wild  
Member of Congress

Don Young  
Member of Congress