



October 22, 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 finalize the National Defense Authorization Act (NDAA) for FY 2021, we urge you to include Section 331 of H.R. 6395, which would protect service members and their families from exposure to harmful per- and polyfluoroalkyl substances (PFAS) by prohibiting the non-essential use of these chemicals in a variety of products purchased and used by the military.

The NDAA for FY 2020 included important provisions to protect service members from PFAS, including a provision to prohibit the use of PFAS in AFFF military firefighting foam and MRE packaging.¹ Sec. 331 of the NDAA for FY 2021 would build on this by prohibiting the Defense Logistics Agency (DLA) from procuring products with non-essential uses of PFAS, including other food packaging, cookware, cosmetics, sunscreens, dental floss, furniture and carpeting.

PFAS are associated with serious health problems including kidney and testicular cancer, thyroid disease, decreased sperm quality, high cholesterol, and decreased response to vaccines.² Unfortunately, service members and their families are disproportionately exposed to PFAS, which have been detected in the groundwater of more than 300 military installations.³ Reducing other routes of PFAS exposure is critical to the long-term health of service members.

More than 200 scientists, in the Madrid Statement on Poly- and Perfluoroalkyl Substances, endorsed moving away from non-essential uses of PFAS. An essential use has been defined as “necessary for health, safety, or is critical for the functioning of society” and for which “there are

¹ The National Defense Authorization Act for FY 2020, available at <https://www.congress.gov/116/plaws/publ92/PLAW-116publ92.pdf>

² See <https://greensciencepolicy.org/highly-fluorinated-chemicals/>

³ See <https://www.ewg.org/news-and-analysis/2020/04/updated-map-suspected-and-confirmed-pfas-pollution-us-military-bases>

no available technically and economically feasible alternatives.”⁴ In 2019, scientists applied this definition to different uses of PFAS and concluded that there are many which are not essential or for which “there are alternatives available that can be substituted into these products or applications and provide the necessary technical function and performance.”⁵

All of the products impacted by Sec. 331 of H.R. 6395 can be procured by DLA without PFAS. For example, the Organization for Economic Co-operation and Development identifies several safer non-PFAS alternatives for food packaging.⁶ Large retailers have eliminated PFAS from carpets and rugs.⁷ The vast majority of cosmetics and sunscreens are made without PFAS.⁸

In light of the risks posed by PFAS to servicemembers, we urge you to include Sec. 331 of H.R. 6395 in the final NDAA for FY 2021.

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⁴ See <https://ozone.unep.org/treaties/montreal-protocol/montreal-protocol-substances-deplete-ozone-layer>

⁵ See <https://ehp.niehs.nih.gov/doi/10.1289/ehp.1509934>

⁶ See <https://www.oecd.org/chemicalsafety/portal-perfluorinated-chemicals/PFASs-and-alternatives-in-food-packaging-paper-and-paperboard.pdf> and <https://www.cleanproduction.org/resources/entry/alternatives-to-pfas-food-packaging>

⁷ See <https://corporate.homedepot.com/newsroom/phasing-out-products-containing-pfas> and <https://saferchemicals.org/2019/10/30/lowes-bans-toxic-pfas-chemicals-in-residential-carpets-and-rugs-it-sells/>

⁸ See https://energycommerce.house.gov/sites/democrats.energycommerce.house.gov/files/documents/Testimony-Faber-Cosmetics_120419.pdf See also <https://www.becausehealth.org/9-non-toxic-flosses-made-with-natural-waxes-and-no-toxic-chemicals-2630028647.html>

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