

September 3, 2019

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 a conference agreement on the Fiscal Year (FY) 2020 National Defense Authorization Act (NDAA), we urge you to retain provisions that ensure our military is equipped to confront the per- and polyfluoroalkyl substances (PFAS) contamination challenges present at military bases and surrounding communities nationwide. These provisions would help to better understand the scope of contamination through reporting and monitoring, reduce or eliminate sources of PFAS pollution, and remediate PFAS contamination in military communities.

PFAS present a serious danger to our servicemembers and communities across the United States. They have been linked to cancer and damage to both reproductive and immune systems. Animal studies suggest that exposure to some PFAS above certain levels may be associated with developmental issues; changes in liver, immune, and thyroid function; and increased risk of certain cancers.^{1,2}

The military is using, storing, and planning to destroy millions of gallons of materials that contain PFAS, threatening the health of military personnel and Americans living near military

¹ Steenland, K., Fletcher, T., & Savitz, D. A. (2010). Epidemiologic evidence on the health effects of perfluorooctanoic acid (PFOA). *Environmental health perspectives*, 118(8), 1100–1108.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2920088/>

² Environmental Protection Agency. (2018). Basic information on PFAS. <https://www.epa.gov/pfas/basic-information-pfas>

facilities.^{3,4} The FY2020 NDAA can help chart a new course that protects military personnel and surrounding communities from further exposure to harmful PFAS. That is why both chambers of Congress supported PFAS-related provisions in the underlying bill and in amendments. Critical PFAS provisions in the House or Senate NDAs include provisions that would:

- Quickly phase out military use of PFAS in firefighting foam;
- End the use of PFAS firefighting foams in training exercises;
- End the use of PFAS in military food packaging;
- Require ground and drinking water quality monitoring for PFAS;
- Require reporting of industrial discharges of PFAS;
- Ensure proper incineration of military PFAS wastes;
- Provide guidance on the destruction and disposal of PFAS wastes;
- Accelerate PFAS cleanups at military facilities through the use of cooperative agreements;
- Designate PFAS as “hazardous substances” under the Comprehensive Environmental Response, Compensation, and Liability Act, also known as the Superfund law;
- Require permits for PFAS discharges under the Clean Water Act;
- Require the Government Accountability Office to examine the Department of Defense’s PFAS cleanup efforts;
- Provide funding for additional studies, data sharing, and remediation;
- Require EPA to set a sufficiently protective drinking water standard for PFAS compounds; and
- Require Department of Defense to treat and clean PFAS-contaminated water used for agricultural purposes.

By retaining these critical measures in a conference agreement, Congress can protect Americans’ health and protect our servicemembers from the dangers of PFAS. We respectfully request that you include a strong package of PFAS-related provisions in the FY2020 NDAA conference agreement.

Sincerely,

³ The Federal Role in the Toxic PFAS Chemical Crisis: Hearing before the Committee on Homeland Security and Governmental Affairs, Subcommittee on Federal Spending and Oversight, Senate, 115th Cong. (2018) (Testimony of Maureen Sullivan). <https://www.hsgac.senate.gov/imo/media/doc/Sullivan%20Testimony.pdf>

⁴ Examining PFAS and their Risks: Hearing before the Committee on Oversight and Reform, Subcommittee on Environment, House, 116th Cong. (2019) (Testimony of Sonya Lunder). <https://www.sierraclub.org/sites/www.sierraclub.org/files/uploads-wysiwig/Sierra-Club-House-oversight-2019.pdf>