

July 20, 2020

TO THE MEMBERS OF THE U.S. HOUSE OF REPRESENTATIVES:

The undersigned associations support a consistent approach and clear timelines for assessing and regulating specific PFAS across all relevant federal agencies to ensure that government regulations, actions, and communications are coordinated for maximum effectiveness. For these reasons, we strongly oppose the inclusion of language in the National Defense Authorization Act for Fiscal Year 2021 that would circumvent the existing regulatory process for PFAS. We oppose including amendments and language that would further restrict the procurement of PFAS-containing products by the Department of Defense beyond what was required in the National Defense Authorization Act for Fiscal Year 2020, or treat PFAS differently than other chemicals under the Toxic Release Inventory (TRI) or other federal programs.

Any federal action should not address PFAS as a class or with predetermined outcomes that circumvent the regulatory process. Instead, regulation of any PFAS chemical should be based on the weight of the scientific evidence as it relates to potential health effects and environmental protection. The National Defense Authorization Act for Fiscal Year 2020, signed into law at the end of last year, included provisions that took pivotal steps toward meeting those goals.

The Department of Defense, the Environmental Protection Agency (EPA), as well as other relevant agencies should retain their historical authority to study and determine whether to regulate certain PFAS chemicals. We are encouraging EPA to continue its work on the PFAS Action Plan, as announced in February 2019.

The business community remains committed to working with legislators, regulators, and all stakeholders to establish risk-based approaches that enable the protection of human health and the environment. Again, we urge you to oppose amendments and language that would circumvent the regulatory process in the FY21 NDAA.

Sincerely,

Airlines for America
American Chemistry Council
American Coatings Association
American Council of Engineering Companies
American Forest and Paper Association
American Fuel and Petrochemical Manufacturers
Associated General Contractors of America
American Petroleum Institute
Council of Industrial Boiler Owners
International Liquid Terminals Association

National Association for Surface Finishing
Plastics Industry Association
PRINTING United Alliance
Single Ply Roofing Industry
U.S. Chamber of Commerce