



REQUIRE THE FEDERAL GOVERNMENT TO BUY AMERICAN MORE OFTEN

The Berry Amendment Strengthens our Economy and National Security

Support the Berry Amendment

It is vital to America's national security that the U.S. military maintain the ability to source high-quality, innovative textile materials, apparel, and personal equipment from a vibrant U.S. textile industrial base. Key to this goal is defending and strengthening the Berry Amendment ([10 USC 2533a](#)), a law requiring the Department of Defense (DOD) to buy textile and clothing products made with virtually 100 percent U.S. content and labor.

The U.S. textile industry provides high-tech, functional components for the U.S. government, including more than \$1.8 billion worth of vital uniforms and equipment for our armed forces each year. DOD estimates that over 8,000 different textile items are purchased for use by the U.S. military, and this figure rises to more than 30,000-line items when individual sizes are considered. As domestic suppliers, U.S. textile mills provide a secure supply chain for the highest quality goods on a timetable that our armed forces demand.

The Berry Amendment ensures that there is a stable and viable domestic supply chain for these critical defense materials. This supply chain precludes the need for the U.S. military and warfighter to be dependent on offshore suppliers in this sector, especially those in countries that often oppose U.S. geopolitical and strategic goals, such as China.

PFAS – Per-and-Polyfluoroalkyl Substances

Per-and-polyfluoroalkyl substances (PFAS) is an umbrella term for a class of organic chemicals that include nearly 9,000 different substances. PFAS are used in numerous manufacturing applications, including aerospace, automotive, energy, electronics, telecommunications, medical equipment, and textiles. In fabric applications, PFAS impart various performance enhancing characteristics such as strength, durability, heat-resistance, stability, oil and water repellency, and enhanced cleanability.

As part of the FY 2022 NDAA process, there was substantial debate as to whether to include a comprehensive PFAS procurement ban on goods treated with PFAS. In their initial version of the bill, the House included language known as the "Slotkin" provision that would have instituted a broad procurement ban potentially covering all textiles (including industrial/technical textiles), apparel and footwear treated with PFAS. Under a compromise worked out between the House and Senate, the adverse Slotkin language was stripped from the version of the FY 2022 NDAA that was eventually signed into law.

As Congress begins to construct the FY 2023 NDAA, it is critical to note that the U.S. textile industry does not utilize the specific PFAS chemicals that have been linked to significant environmental hazards, namely Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS). PFOA/PFOS is older "long-chain" polymer technology and is no longer a factor in U.S. textile manufacturing. USIFI and NFI do not oppose prohibitions that are specifically tied to the use of PFOA/PFOS applications. However, we would be concerned with restrictions on articles treated with less environmentally impactful "short-chain" PFAS chemicals. Instead, we urge the adoption of a science-based process to

regulate PFAS on the characteristics of individual chemicals, not as a single class. To the contrary, prohibiting the use of all PFAS, as opposed to those specific chemicals that are problematic, would unnecessarily impair the domestic textile industry's ability to supply materials that meet the high-level performance characteristics demanded by the modern U.S. military.

Consequently, we urge congressional offices to adopt a science-based process to regulate PFAS on the characteristics of individual chemicals, not as a single class. Doing so will ensure that specific PFAS chemicals which have been found to present adverse environmental consequences are individually targeted and removed from DOD procurement activity, rather than the entire family of PFAS as a whole.

ACTION REQUESTS:

To create more jobs and strengthen America's national security, USIFI and NFI request the following actions with respect to the FY 2023 NDAA:

- **Defend the Berry Amendment from any legislative or regulatory effort to dilute its requirements to purchase fully American-made textile products.**
- **Note there are close to 9,000 PFAS class chemicals that vary substantially and that many of these chemicals have no demonstrated harmful impact to the environment. Use a science-based process to regulate PFAS on an individual chemical basis, rather than as a class.**