



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 maintains the ability to source high-quality, innovative textile materials, apparel, and personal military 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% 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 routinely 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 defense materials on a timetable that our armed forces demand. This domestic production 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 includes over 9,000 different substances. PFAS are used in numerous manufacturing applications, including textiles where they impart important performance-enhancing characteristics such as strength, durability, thermal stability, oil/water/contaminant repellency, and enhanced cleanability.

During consideration of the FY 2024 NDAA, there was debate as to whether to include a comprehensive procurement ban on goods treated with PFAS. The House version of the bill included language known as the "Slotkin" provision that would have instituted a procurement ban potentially covering all textiles (including technical and narrow fabrics), apparel, and footwear treated with PFAS. We are appreciative that the Slotkin language was stripped from the adopted version of the FY 2024 NDAA (P.L. 118-31).

As Congress begins work on the FY 2025 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 "long-chain" polymers such as Perfluorooctanoic Acid (PFOA) and Perfluorooctane Sulfonate (PFOS). USINFI does not oppose prohibitions that are tied to the use of PFOA/PFOS applications but would oppose restrictions on articles treated with less environmentally impactful "short chain" PFAS.

Further, as pursuant to Section 347 of the FY 2023 NDAA, DOD was instructed to conduct a study of the uses of PFAS that are critical to the national security of the United States. That report, which was submitted to the HASC and SASC in August of last year, deemed textile fabrics as a critical use sector for the U.S. military. The DOD PFAS Critical Use Report to Congress can be found - [here](#).

Finally, there are currently no suitable substitutes for the remaining PFAS applications needed to achieve the exacting performance standards required to properly equip and protect the U.S. warfighter, such as the following examples:

- Textiles that maintain **waterproof barriers and moisture-wicking capabilities** after exposure to battlefield contaminants like insecticides, chemicals, diesel fuel, and hydraulic fluid. Applications for these textiles include non-coated tents; non-coated tarps; Extended Climate Warfighter Clothing Systems; 3 Season Sleep Systems; Navy working uniforms; Army desert camos; and the USMC All Purpose Environmental Clothing System.
- Textiles possessing **fire retardant (FR) properties, such as thermal stability** that prevents membrane ruptures, to provide burn protection and chemical penetration resistance to substances such as vehicle and aviation fuels. These textiles often undergo additional PFAS treatments to develop the waterproof properties needed to prevent exposure to battlefield contaminants. Applications for these textiles include FR Fuel Handlers' Coveralls and the Fire-Resistant Environmental Ensemble Extreme Weather Outer Layer (FREE EWOL).

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

ACTION REQUESTS:

To create more jobs and strengthen America's national security, USINFI requests the following actions with respect to the FY 2025 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 over 9,000 PFAS-class chemicals that vary substantially, and the vast majority 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.**