

May 5, 2023

The Honorable Gary Peters
340 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Rand Paul
295 Russell Senate Office Building
Washington, D.C. 20510

Dear Chairman Peters and Ranking Member Paul,

We appreciate your leadership on reducing the danger posed by toxic “forever chemicals” known as per- and polyfluoroalkyl substances (PFAS). Representing over 180 businesses and organizations, we are writing to recommend legislation (see enclosure) that would significantly advance efforts to address PFAS.

As you know, per- and polyfluoroalkyl substances (PFAS), are known as the “forever chemicals” because of their extreme persistence in the environment. PFAS are used in thousands of applications, including common household products, despite the scientific consensus that they pose risks to human health at very low levels of exposure, and despite widely available, safer substitutes.

Curbing the needless use of the toxic ["forever chemicals"](#) in common products could end their cycle of contamination, and the U.S. government has an extraordinary opportunity to move markets toward PFAS-free products with its \$650 billion annual purchasing power. **The federal government can, and should, lead in reducing PFAS by purchasing products that are free of these chemicals.**

Ending non-essential government purchases of products containing PFAS chemicals is a common sense, non-regulatory, and highly effective approach for encouraging the sale and use of safer products and rewarding companies that eliminate PFAS chemicals in their products altogether.

Federal agencies have been directed by President Biden’s Executive Order 14057 and accompanying directives to “prioritize the procurement of substitutes” for PFAS-containing products. However, implementation is hampered by bureaucratic red tape and could take years under existing laws. The legislation we propose greatly accelerates implementation of the Executive Order.

Congress can rapidly reduce federal purchases of products containing intentionally-added PFAS by directing the General Service Administration to phase out PFAS-containing products on GSA’s “Multiple Awards Schedule” (MAS or “the GSA schedule”). The MAS promotes efficient

purchasing by all federal agencies through government-wide contracts. It is also used by other levels of government.

Legislation to restrict PFAS procurement would build upon previous legislative success. Congress directed the Department of Defense to restrict purchases of PFAS in the FY 2022 National Defense Authorization Act (NDAA), and DOD has already instituted policies to implement the new requirement. Our proposed legislation would extend this successful approach across the entire federal government.

While removing intentionally added PFAS products from the MAS is a significant step forward, MAS is used for only a portion of government purchasing. Our proposed legislation also establishes a timeline for revising federal procurement regulations to end all purchases of products that unnecessarily contain intentionally-added PFAS.

We would be pleased to meet with you at your earliest convenience to discuss the proposed legislation, and stand ready to provide additional information and support throughout the legislative process.

Sincerely,

Aequor, Inc.
Agrilab Technologies, Inc.
Alaska Community Action on Toxics
All Together Now PA
Alliance for Regional Cooperation
Alliance for Sustainability
Alliance of Nurses for Healthy Environments
Amavi Sustainability
American Grassfed Assn.
American Sustainable Business Network
Anji Mountain
Aqua ChemPacs, LLC
Arkansas Ozarks Waterkeeper
Artisan Dental
Atchafalaya Basinkeeper
Backlund & Associates
Banyan Botanicals
Bard Center for Environmental Policy
Bear Hill Botanicals
Benjamin Visuals
Big Reuse
Bio-Gist Ventures, LLC
Black Warrior Riverkeeper
BRAND GEEK
Breast Cancer Prevention Partners
BriarPatch Food Co-op

C. Wolfe Software Engineering
Cahaba Riverkeeper
California Safe Schools
CancerTalks
Colorado Association of School Executives (CASE)
Case Medical
Caspian Agency
Center for Environmental Health
Center for Food Safety
Center for Sustainable Communities
Change Finance, PBC
Choctawhatchee Riverkeeper
Chrysalis Farm
Citizen Group
Clean Water Action
Climate Positive Consulting
Code Earth
Coherence Collaborative
Collier County Waterkeeper
Communitas Financial Planning PBC
Congaree Riverkeeper
Conscious Talk Radio
Consumer Reports
CONTEMPL8 T-Shirts, LLC
Credo Software
CT Coalition for Economic and Environmental Justice
Delaware Riverkeeper Network
Democrats.com
DiMatteo Consulting
Dirty Labs Inc
Doing Good Works
Donnybrook
Durango Compost Company
East Bay Natural Grocers
East Village Community Coalition
Ecology Center
ECOS
EDB Organization
Eighty2degrees, LLC
EnergyWorks
Environmental Stewardship
Environmental Working Group
EnvirOx, LLC
Equinox Consultancy, LLC
Equiterra Regenerative Design, Inc.
Families Advocating for Chemical and Toxics Safety (FACTS)

Figure 8 Investment Strategies LLC.
Financial Alternatives
Friends of Hurricane Creek
God's Natural Wonders
Good Egg Marketing
Gravender Farms
Great Lakes PFAS Action Network
Green Careers Dallas
Green Retirement, Inc.
Green Science Policy Institute
Greeningfullife
Greenvest
Greenvision Media
GreenWeaver Landscapes
Handprint
HARBEC
HigherRing, Inc.
Iva Kaufman Associates
JLFG Communications
JSA Sustainable Properties LLC
Kindship Group
Latino Farmers & Ranchers International, Inc.
LightHouse for the Blind and Visually Impaired
Living Lab
LolitaMoon Productions
Lotus Foods
Louisiana Bayoukeeper
Lower Susquehanna Riverkeeper Association
Manaaki
Management Resources
Manale Realty, LLC
Mark's Bookmark Bookseller
Marketing Partners, Inc.
Merrimack Citizens for Clean Water
Michigan League of Conservation Voters
Mighty Fire Breaker, LLC
Milwaukee Riverkeeper
Mind the Gap Consulting
Missouri Confluence Waterkeeper
Mmapeu Consulting
Namu Baru, Inc.
National Stewardship Action Council
National Wildlife Federation
Natural Resources Defense Council
Naturepedic
Native Foods Nursery, LLC

Nautilus Productions, LLC
New Horizon Financial Strategies
Newly
Nia Impact Capital
NJ Sustainable Business Council
Ocaquatics Swim School
Okeanos Group, LLC
Olipop
Operation Grow, Inc.
Oregon Environmental Council
Otherwild
Palms To Pines Democratic Network
Perlmutter Associates
Philadelphia Green Roofs, LLC
Planet Cents, Inc.
Plenitude, LLC
Pony Named Bill Tack Shop
Portable Data Corp
Project CoffeeHouse
Provoc
Puget Soundkeeper
PURPOSE
Putnam-Pritchard Interiors
r.Cup
Red Ridge, NC
Relish Studio
Rio Grande Waterkeeper
Rogue Riverkeeper
Santa Fe Green Chamber of Commerce
Schmidt Family Farms
Seneca Lake Guardian
SETS Holding, LLC
Seventh Generation
Sherlock Geopolitical Forecasting
Simpleaf
Sisters of St. Dominic of Blauvelt, New York
Sky Pilot Software
Small Planet Institute
Snake River Waterkeeper
Solutions Through Dialogue, LLC
Spring Creek Coalition
Strugatz Ventures, Inc.
SULA NYC
Sustainable Business Network of Massachusetts
Sustainable Composites, LLC
Sustainable Fairfield Task Force

Sustainable Furnishings Council
Sustainably Wise
Testa Produce
The COL Agency
The Disruptive Factory
The Farthest Pixel
The H Trust
The Michigan Leagues of Conservation Voter
The Rosebud Agency
Three Rivers Waterkeeper
Toxic Free NC
Toxic-Free Future
Trillium Asset Management
Tualatin Riverkeepers
Unite North Metro Denver
Upper Allegheny River Waterkeeper
Urban Conservancy
Wallin Mental Medical
Waterkeeper Alliance
We Are Neutral
Wesaquen Services, LLC
Wiltse Kitchen
Winyah Rivers Alliance
Wise Mouth, Inc.
Wolf & Associates
Women's Voices for the Earth
Zero Energy Homes
Zero Waste Washington

CC: Jean Carnahan, Administrator, General Service Administration
Michael Regan, Administrator, Environmental Protection Agency

ENCLOSURE – Proposed Legislation

Cite (xx) RESTRICTION ON THE PROCUREMENT OF PRODUCTS CONTAINING PER- AND POLYFLUOROALKYL SUBSTANCES

- (a) General.-- The Administrator shall restrict the purchase of items and products that contain intentionally-added per- and polyfluoroalkyl substances.
- (b) Definition.— In this section:
 - (1) the term “Administrator” means the Administrator of the General Services Administration;
 - (2) the term “per- and polyfluoroalkyl substances” or “PFAS” means a class of fluorinated organic chemicals containing at least one fully fluorinated carbon atom;
 - (3) the term “intentionally-added PFAS” means a PFAS chemical, or formulation, component, or breakdown product of a PFAS chemical, that provides a functional or technical effect in the item or product, including a PFAS chemical that is:
 - (A) added during or post manufacture of an item or product, or
 - (B) formed during the manufacture or treatment of an item or product.
 - (4) the term “substitute item or product” means furniture, carpets, rugs, curtains, cookware, food service ware, food packaging materials, cutlery, dishware, paints, cleaning products, stain and water resistant treatments, flooring, and floor care products and other items or products that do not contain intentionally-added PFAS. For the purposes of this section, a substitute item or product also includes any product or item:
 - (A) that is recognized as not containing intentionally-added PFAS, as defined in this section, under the Environmental Protection Agency’s Recommendations of Specifications, Standards and Ecolabels for Federal Purchasing, and Safer Choice program; or
 - (B) that is recognized as not containing intentionally-added PFAS, as defined in this section, by a third-party certification organization, provided the Administrator determines, with the concurrence of the Administrator of the Environmental Protection Agency, that the certification is awarded in a manner consistent with EPA’s Safer Choice program.
- (c) Multiple Award Schedule.--
 - (1) Not later than 180 days after enactment of this provision, the Administrator shall require a representation by offerors of items or products for listing on the Multiple Awards Schedule that the offeror is not providing as any part of its offer an item or product that contains intentionally-added PFAS for which a substitute item or product is available.
 - (2) Not later than 1 year after enactment of this provision and thereafter, the representation required under paragraph (1) shall be required by the Administrator for any Multiple Award Schedule contract that is renewed or extended.
- (d) Federal Procurement Policies.—
 - (1) Not later than 18 months after the date of enactment of this provision, the Administrator shall amend General Services Administration policies and regulations as necessary to require a representation by offerors of items or

products for federal purchase that the offeror is not providing as any part of its offer an item or product that contains intentionally-added PFAS for which a substitute item or product is available.

- (2) Not later than 2 years after the date of enactment of this provision, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation and policies as necessary to require a representation by offerors of items or products for federal purchase that the offeror is not providing as any part of its offer an item or product that contains intentionally-added PFAS for which a substitute item or product is available.
- (3) Regulations and policies amended pursuant to paragraph (1) and paragraph (2) may exempt offerors responding to procurement solicitations that specify a performance attribute of an item or product that requires the use of intentionally-added PFAS.