

# United States Senate

WASHINGTON, DC  
20510

November 2, 2023

The Honorable Lloyd J. Austin  
Secretary of Defense  
Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301

Dear Secretary Austin,

We write to urge you to work across the Department of Defense (DoD) to identify the resources and funding necessary to accelerate testing and remediation for per- and polyfluoroalkyl substances (PFAS) in fiscal year (FY) 2025. The Department has historically struggled to execute increased funding levels Congress has been willing to authorize for PFAS remediation, resulting in a growing backlog of contaminated sites across the country that threaten the health and safety of communities, including those who live on or near military installations.

Environmental cleanup efforts at DoD must keep pace with rapidly increasing cleanup obligations, the emerging science behind unsafe PFAS levels, and the federal regulations and approved methods governing PFAS remediations. As you know, in 2021 Deputy Assistant Secretary of Defense for Environment and Energy Resilience Richard Kidd testified before Congress that DoD's cleanup liability under the defense environmental restoration program, including those sites contaminated with PFAS, exceeded \$29 billion, but that costs would likely increase as more sites were investigated for contamination. In just over two years, since Deputy Assistant Secretary Kidd's testimony, PFAS contamination of groundwater or drinking water has been confirmed at an additional 128 locations, bringing the total number of sites with confirmed PFAS contamination to over 450 installations and former military sites to date<sup>1</sup>.

Since FY 2018, the Department of Defense has requested \$466.9 million in funding for PFAS-related testing and remediation efforts and removal and disposal of PFAS-laden Aqueous Film Forming Foam (AFFF). However, those requests pale in comparison to the amount of funding required to comprehensively and swiftly address PFAS contamination in our communities caused by DoD. Reflecting that budgeting deficiency, Congress has more than doubled the amount of funding DoD has requested for PFAS efforts, surpassing \$988.7 million in additional funding over the same six-year time period. According to a congressionally-mandated July 2022 DoD report<sup>2</sup>, DoD will need a minimum of \$2.1 billion in funding for testing and remediation efforts at current and former defense installations— a figure that DoD anticipates will increase as more contamination is uncovered. Simply put, DoD's annual budget requests have been inadequate to meet the scope of PFAS contamination and underscore the need for significantly greater funding for FY 2025.

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<sup>1</sup> Environmental Working Group, 710 military sites with Known or Suspected Discharges of PFAS, accessed Sept. 25, 2023. <https://www.ewg.org/interactive-maps/2020-military-pfas-sites/map/>

<sup>2</sup> Office of the Under Secretary of Defense for Acquisition and Sustainment, Per- and Polyfluoroalkyl Substances Cleanup: Schedule, Status, and Cost Estimates, July 2022

Therefore, in addition to reducing the existing cleanup backlog, we urge you to provide the funding necessary to fully implement the Department’s recently announced policy on “interim actions” for sites contaminated by PFAS.<sup>3</sup> While we welcome the announcement of this new policy, we note the importance of ensuring implementation be fully funded to capitalize on opportunities for accelerated action. The policy requires DoD components to “assess where an interim action can be taken to mitigate further PFAS plume migration or ongoing impacts to groundwater, surface water, and/or sediment...” and to “prioritize implementation of interim actions as expeditiously as possible to address PFAS...”. This new policy gives hope to many communities impacted by contaminated sites who will otherwise likely wait decades for cleanups.

In addition, we respectfully request that, no later than December 30, 2023, the Department provide Congress with a detailed update on the implementation of DoD’s new “interim action” policy, including:

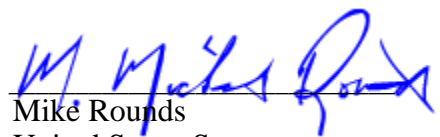
- The number of sites evaluated, consistent with the policy’s guidelines for site assessment;
- A summary of interim actions taken consistent with the policy and, circumstances in which interim action is not taken and why; and
- A preliminary assessment and justification of whether additional funding would benefit or better enable the full implementation of the policy.
- A brief explanation of any difficulties that have caused the DoD to struggle to execute the increased funding levels Congress has authorized for PFAS remediation.

We appreciate your continued commitment to addressing PFAS contamination at and near military installations across the country and look forward to working with you as DoD takes the steps necessary to accelerate testing and remediation efforts and reduce the backlog of contaminated sites.

Sincerely,



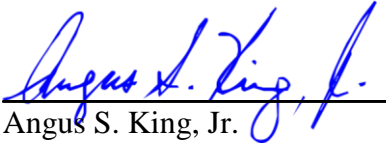
Jeanne Shaheen  
United States Senator



Mike Rounds  
United States Senator

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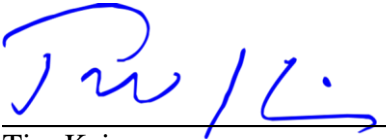
<sup>3</sup> Memorandum signed July 11, 2023 by Assistant Secretary Owens, titled: Memorandum for Taking Interim Actions to Address Per- and Polyfluoroalkyl Substances Migration from DoD Installations and National Guard Facilities (<https://www.acq.osd.mil/eie/eer/ecc/pfas/docs/policies/Memorandum-for-Taking-Interim-Actions-to-Address-PFAS-Migration-from-DoD-Installations-and-National-Guard-Facilities.pdf>)



Angus S. King, Jr.  
United States Senator



Kirsten Gillibrand  
United States Senator



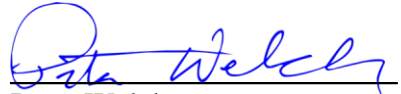
Tim Kaine  
United States Senator



John Fetterman  
United States Senator



Richard J. Durbin  
United States Senator



Peter Welch  
United States Senator



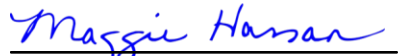
Gary C. Peters  
United States Senator



Mazie K. Hirono  
United States Senator



Martin Heinrich  
United States Senator




Margaret Wood Hassan  
United States Senator



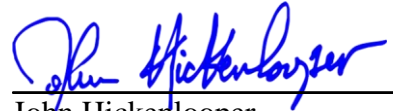
Debbie Stabenow  
United States Senator



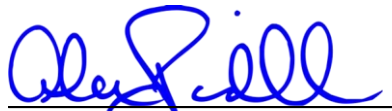
Sheldon Whitehouse  
United States Senator



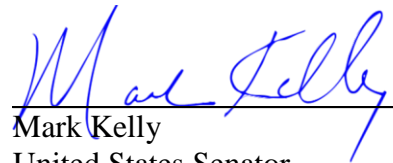
Sherrod Brown  
United States Senator



John Hickenlooper  
United States Senator



Alex Padilla  
United States Senator



Mark Kelly  
United States Senator



Bernard Sanders  
United States Senator



Jon Ossoff  
United States Senator



Cory A. Booker  
United States Senator



Elizabeth Warren  
United States Senator



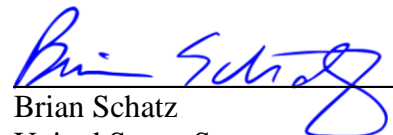
Tammy Duckworth  
United States Senator



Raphael Warnock  
United States Senator



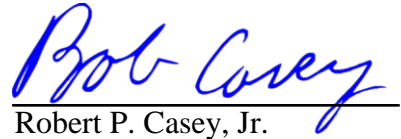
Tammy Baldwin  
United States Senator



Brian Schatz  
United States Senator



Maria Cantwell  
United States Senator



Robert P. Casey, Jr.  
United States Senator

Cc: Honorable Shalanda Young, Director, Office of Management and Budget