

Government Relations Update

Sara Beatty and Auggie Tantillo

Agenda

- 1. Government Procurement
- 2. PFAS "Forever Chemicals"
- 3. China Enforcement Issues 301 Tariffs; Forced Labor
- 4. Advocacy Day & Joint USIFI/NFI Washington Activities
- 5. Q&A

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Government Procurement Issues

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Government Procurement Priorities

Broadly supportive of buy-American contracting preferences

- Preserve the Berry Amendment Defense
- Preserve the Kissell Amendment Homeland Security
- Create Buy-American PPE Preferences
- Prevent Contracting Preference Concessions in Trade Negotiations

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Military Procurement

- Lowered Contracting Threshold for the Berry Amendment
 From \$250K to \$150K
 - Included in FY 2021 National Defense Authorization Act



Federal PPE Procurement

Make PPE in America Act

Sponsors: Sen Rob Portman (R-OH) and Gary Peters (R-MI)

- Institutes important PPE contracting reforms
 - Berry Amendment Rule for PPE
 - Multi-year contracts
 - Secondary preference for PPE from Western Hemisphere assembled components when U.S. production capacity is exhausted
- Adopted and signed into law as part of the \$1 trillion Infrastructure bill approved by Congress at the end of 2021
- Implementation has been slow and is requiring further pressure from Congress

from U.S.

Per- or Polyfluoroalkyl Substances (PFAS)

What Are PFAS?

- PFAS are organic, fluorinated chemicals
 > Nearly 9,000 types of PFAS
- Used by virtually all manufacturing sectors including textiles
- Some PFAS have been linked to serious environmental issues
- Growing calls to ban all PFAS treatments in products procured by the federal government, including DOD



Industry PFAS Response

- In textiles PFAS provide stain-resistance, oil and water repellency, and enhanced cleanability
- The textile sector does not use the specific types of PFAS directly tied to environmental issues
- Requesting a science-based approach to regulate those PFAS found to be harmful as opposed to the entire PFAS family



China Trade Issues

China 301 Status

- China penalty tariffs, linked to intellectual property theft, currently undergoing a 4-year review to determine if they should remain
- Highly complicated structure that includes:
 - Numerous product tranches
 - > Varying penalty rates
 - Exclusion process
- A decision by the Biden Administration on 301 penalty tariffs is imminent



China 301 Objectives

- Support continuance of Section 301 penalty tariffs on finished textile and apparel products, while allowing for exclusions on manufacturing inputs and machinery not available elsewhere
- Support letting the remaining PPE finished product exclusions expire given U.S. and nearshore PPE capacity
- Tariffs on Chinese textiles/apparel will encourage importers to diversify, leading to more onshoring and nearshoring of production



Chinese Forced Labor

- Xinjiang Province where Chinese forced labor camps exits produces 90% of China's total cotton crop and is a major textile manufacturing region
- Customs & Border Protection (CBP) has issued Withhold Release Orders (WROs) on raw cotton and cotton products from Xinjiang
- Congress solidified CBP embargo through passage of the Uyghur Forced Labor Protection Act in December 2021; UFLPA took effect June 2022
- These actions are forcing sourcing agents to reconsider Chinese supply lines and driving home the value of nearshore supply chains that are sustainable and ethically sound



USIFI/NFI Advocacy Days

2023 Washington Advocacy Days

- Held in person March 7-8 of this year
- Visited with Capitol Hill offices and met with key USTR and U.S. Commerce Department officials
- Issues:
 - Procurement Berry Amendment, PPE & PFAS
 - Textile Trade Issues MTB, Yarn-Forward, China Enforcement, De Minimis



2023 Washington Advocacy Days

- 22 Separate Meetings
- 11 Industry & IFAI Staff Participants
- 7 Different Companies
- Production in 6 States

2024 Advocacy Day – Likely in March or April – <u>Plan to Join</u>!



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See you next year! Advanced Textiles



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