



**American Sustainable
Business Network**



Know your environment.
Protect your health.

April 7, 2022

Andrew Mayock
Federal Chief Sustainability Officer
Council on Environmental Quality
730 Jackson Place, NW
Washington, DC. 20503

Dear Mr. Mayock,

The American Sustainable Business Network and the Environmental Working Group wish to thank you and Deputy Chief Sustainability Officer Dee Siegel for CEQ's participation in the March 10, 2022 forum, "Accelerating Sustainable Federal Procurement," along with several businesses, nongovernmental organizations, and federal agencies. At the forum business representatives and other participants provided several suggestions for helping the government achieve the goals of President Biden's Executive Order 14057 (Order).

The goal of the forum was to provide you with input for the forthcoming implementing instructions for the Order, particularly regarding per- and polyfluoroalkyl chemicals (PFAS). To that end, we urge you to consider the following "takeaways" from the forum.

In general, the implementing instructions should include strong requirements for verified measuring and progress reporting across the government to ensure effectiveness of the Executive Order. In addition:

1. Products identified through government or "third party" certifications recommended by EPA should consider PFAS as a *class of contaminants* to avoid the substitution of one harmful contaminant for another.
2. Products claims of "PFAS-free" should be substantiated to avoid "greenwashing," whereby PFAS containing products are improperly presented as sustainable. For example, "PFOA-free" does not equate to "PFAS-free."
3. The government should set up a system to assure compliance with the new policy by, for example, randomized review of federal contracts for consistency with the Order and accuracy of product claims.
4. The federal government needs a comprehensive approach for implementing the Order, including modifications to the Multiple Awards Schedule (or GSA schedule), the Federal Acquisition Regulation (FAR), and credit card purchases. It was noted that small credit card purchases may not receive the scrutiny necessary to ensure sustainable products are purchased, and that agencies across the government aren't consistent in their approaches to sustainable procurement.

5. The government should conduct an active and robust campaign to publicize the new policy and describe expectations for businesses seeking contracts with the government – this will provide an incentive for businesses to innovate and curb the use of PFAS.
6. GSA must dedicate resources and prioritize the identification of companies and products that meet the new requirements, and ensure these companies/products are available to federal purchasers on the GSA schedule.
7. GSA should consider establishing a “sustainability filter” that identifies products that meet all sustainability requirements.
8. More assistance, including training and guidance, as well as streamlined processes are needed for small businesses interested in marketing sustainable products to the government. Small businesses often cannot afford consulting fees (one business was quoted \$50,000 for consultants) to navigate the GSA schedule process.
9. GSA should form an advisory committee to provide on-going expert advice as the agency updates tools, regulations, and communications around the prioritization of safer substitutes for PFAS containing products, as required by the Executive Order.

In addition to these recommendations, consistent with our priorities and the administration’s stated policies, we strongly recommend that implementation of the Order be coupled with:

- **Justice 40** – The whole-of-government effort to ensure that Federal agencies work with states and local communities to deliver on President Biden’s promise to deliver at least 40 percent of the overall benefits from Federal investments in climate and clean energy to disadvantaged communities.
- **Made in America** – The administration’s policy to maximize the use of goods, products, and materials produced in, and services offered in, the U.S. under the Executive Order on Ensuring the Future Is Made in All of America by All of America’s Workers.
- **Union Made** – Use of existing authority to help workers join labor unions and bargain collectively.
- **Supporting SMEs and local economies** – Small and medium enterprises are the backbone of the U.S. economy, and procuring goods and services from SMEs can play an important role in rebuilding local economies so crucial to the well-being of our country.

We request an opportunity to meet with you at your earliest convenience to discuss these suggestions and other considerations as you move forward with implementation of the Order.

Sincerely,



John E. Reeder
Vice President for Federal Affairs
Environmental Working Group



Colton Fagundes
Senior Policy Manager
American Sustainable Business Network

cc: Forum Participants
Brenda Mallory, CEQ
Dee Siegel, CEQ

ENCLOSURE

Forum Participants

The organizations listed below participated in the forum, "Accelerating Federal Sustainable Procurement," hosted by ASBN and EWG on March 10, 2022. Recommendations for the implementation of Executive Order 14057 were compiled by EWG and ASBN based upon views expressed at the forum. The recommendations do not necessarily reflect the organizational policies or official positions of the organizations that appear below.

Business and Nongovernmental Organizations

Colton Fagundes/David Levine, **American Sustainable Business Network**

Steve Kooy, **BIFMA**

Peggy Burns, **Circle Furniture**

Sandra Cannon, **EcoPurchasing Consultants**

Kristine Waldren, **ECOS**

John Reeder/Scott Faber, **Environmental Working Group**

Arlene Blum, **Green Science Policy Institute**

John Ullman, **Health Care without Harm**

Lisa Brunie-McDermott/Brad Johnson, **HNI**

Connie Hennsler, **Interface**

Kathryn Richardson, **International Textile Alliance**

Gabe Wing, **MillerKnoll**

Lee Slusher, **Milliken**

Camille Cannistraci, **New York Sustainable Business Council**

Phantilla Phataraprasit, **Sabai**

Seth Eshelman/Matthew Geise, **Stauch**

Jacob Maurer/Robb Ginter, **The Cookware Company**

Liz Hitchcock/Laurie Valeriano, **Toxic-Free Future**

Patrick Shelton/Jennifer Gwynn, **Valdese Weavers**

Gina Keskula, **World Centric**

Federal Agencies

Dee Siegel, **Office of the Federal Chief Sustainability Officer**

Jennie Romer, **Environmental Protection Agency**

David Asiello, **Department of Defense**

Jeffrey Koses, **General Services Administration**