



STRENGTHENING AMERICA'S STRATEGIC INDUSTRIAL BASE

EXPANDING THE BERRY AMENDMENT ACROSS THE FEDERAL GOVERNMENT

Background

The United States cannot maintain a resilient clothing, textile and individual equipment industrial base while allowing non-defense Federal agencies to procure critical clothing, footwear, and protective equipment manufactured in foreign nations. There is a rising recognition by the Administration, Congress and the service branches of the role the Berry Amendment has as an essential component of our national security. This recognition is resulting in proactive action by the federal government to sustain the Berry Amendment for the Department of War (DoW), and in what would be a historic milestone, moving toward requiring additional federal agencies to procure 100% American-made products.

The Berry Amendment has long recognized this principle for the Department of War (DoW), requiring covered items including clothing, textiles, footwear, body armor and related products to be produced domestically, including critical materials and components.

This sound industrial-base policy has supported and sustained domestic manufacturing capacity and ensured surge capacity and readiness during a crisis. The genesis of the Berry Amendment dates to 1941, in anticipation of the conflict of World War II.

Currently this policy is fragmented across the Federal government. The Department of Homeland Security (DHS) is subject to the more limited Kissell Amendment, while other Federal agencies including the Department of the Interior (DOI) procure under less stringent requirements. This creates inconsistent Federal procurement policies that simultaneously require domestic production for military readiness while purchasing similar mission-critical clothing and protective equipment from overseas sources for Federal law-enforcement officers, firefighters, first responders, and other personnel.

The need to address this vulnerability was underscored by the **CAMOLAND Clothing and Textile Industrial Base Wargame**, conducted by Center for Naval Analyses (CNA) for the Defense Logistics Agency. The 2023 wargame simulated overlapping contingencies requiring the U.S. clothing and textile industrial base to rapidly expand production. Participants encountered shortages of labor, materials, equipment, and intermediate components, demonstrating that production capacity cannot simply be created when a crisis begins. The key recommendation from the Wargame is to:

“Strengthen Berry by expanding compliance beyond the DOD. Currently, the Berry Amendment only covers uniform items purchased by the DOD. The Homeland Procurement Reform Act increases the requirement for the Department of Homeland Security to source uniforms and protective equipment from American manufacturers, but it also allows for items to be purchased from Canada and Mexico via trilateral trade agreements. If the Berry Amendment were expanded to include uniforms for other federal agencies, it would increase opportunities for the domestic C&T IB and would likely increase the production capacity of some current vendors. More importantly, however, expanding Berry beyond the DOD would allow vendors to shift away from non-DOD production lines in the event of a crisis.”

The DoW demand profile does not provide enough consistency for U.S. manufacturers to maintain surge capacity, and without expansion within the Federal enterprise, this industrial base will continue to wither and decline, creating a critical capability gap in the national security posture of the U.S.

Directly related to this recommendation, in September 2026 the Defense Logistics Agency released a statement that included the following:

“The Defense Logistics Agency (DLA), in coordination with the Office of Federal Procurement Policy (OFPP) and several federal partners, is participating in an interagency effort focused on strengthening domestic sourcing opportunities for uniform clothing and textile items. The working group includes representatives from DLA, the Department of the Interior, Department of Justice, Department of Homeland Security, Department of Transportation, and Department of State. Meeting on a bi-weekly basis, the group is exploring practical ways to better align federal demand and expand opportunities for U.S.-based manufacturers. The broader objective is to examine how coordinated purchasing approaches may help create a clearer and more consistent demand signal for industry and bring more work under Berry Amendment domestic sourcing requirements by leveraging DLA procurement channels.”

Trump Administration Priority: Made in America

Meaningful steps are already being taken by the executive branch to expand Berry requirements to other federal agencies -- specifically the Office of Management and Budget Made in America Office. Examples include:

Department of Homeland Security: DHS recently provided a 12-month extension to its current uniform acquisition distribution contract, which encompasses 1,600 items, most of which are procured from foreign sources. In the justification for the extension, DHS notes that it is doing so *“while the Department evaluates potential strategies to increase domestic sourcing opportunities.”*

Department of Interior: in March 2026, DOI held its first Uniform Industry Day to assess the Berry-compliant industrial base’s ability to provide the uniforms and gear ranging from footwear for U.S. Park Rangers to turnout gear for wildland firefighters. The current DOI distribution contract will be solicited in 2027, and the department has publicly committed to moving to Berry-compliant procurement, providing increased annual demand for the U.S. industrial base.

Additional Federal Agencies: The federal government has significantly increased their attention and efforts to bolster the OCIE and C&T industrial base. Recent government actions have resulted in events that are specifically focused on expanding our sector of the industrial base. These have included the Office of the Assistant Secretary of War for Industrial Base Policy (OASW(IBP)) Virtual Clothing and Textiles Industry Day, held on July 29, 2026; the Defense Logistics Agency’s Clothing & Textile Industry Innovation Day held in person on August 14, 2026 at George Mason University, Arlington VA; and the recent Defense Industrial Base Accelerator (DIBX) held in person on August 25-27 in Philadelphia.

Berry Amendment Caucus Establishment

Congress is also paying close attention to the challenges and opportunities facing the Berry-compliant industrial base. In February 2026, the first-ever Berry Amendment congressional caucus was founded by Representatives Pat Harrigan (R-NC-10) and Don Davis (D-NC-01).

Now 26 members strong and growing, the Berry Amendment Caucus serves as a forum for Members of Congress with Berry-compliant manufacturing in their districts to make their voices heard in support of

strengthening and expanding the Berry Amendment. This will be a Caucus of action, working to support policies that directly impact the expansion of the domestic manufacturing capacity of our industry sector.

Defense Production Act (DPA) Title III Presidential Waiver Signed

On February 13, 2026, President Donald Trump signed a Presidential Waiver (PW) granting access to Defense Production Act (DPA) Title III funds for “soldier systems”. This includes products manufactured in the United States “necessary to maximize the Warfighter’s survivability, lethality, sustainability, mobility, combat effectiveness, and field quality of life.” This includes “body armor and military apparel, and the materials and components thereof extending to relevant life support auxiliary components.” Industry participated in a multi-year advocacy strategy – strengthened by the 2023 CAMOLAND wargame recommendations – to secure this designation for domestic industrial base manufacturers. This waiver signals the Trump Administration’s acknowledgement of the critical value domestic manufacturing and the national security priority to ensure a robust clothing, textile, an equipment industrial base.

National Defense Authorization Act (NDAA): Committee Support for Berry Principles

The Fiscal Year 2027 (FY27) House National Defense Authorization Act (NDAA) included language (below) directly supporting Berry Amendment requirements and its direct impact on industrial base readiness and resiliency. The Committee affirms their support for the Berry Amendment and has directed the Defense Logistics Agency – Troop Support to evaluate their processes to improve efficiencies and strengthen the C&T industrial base. The FY27 language follows:

Berry Amendment and Buy American Requirements for Defense Textiles

The committee reaffirms the critical importance of the Berry Amendment (section 4862 of title 10, United States Code) and Buy American requirements in sustaining a secure and resilient domestic defense textile and apparel industrial base. The committee recognizes that Berry-compliant manufacturers are foundational to military readiness and that the Defense Logistics Agency Troop Support (DLA-TS) serves as the Department of Defense’s primary procuring activity for uniforms, protective equipment, and other mission-essential organizational clothing and individual equipment items.

The committee notes that DLA-TS contracting practices play a central role in compliance with domestic sourcing requirements and providing predictable demand signals to domestic manufacturers. Accordingly, the committee expects DLA-TS to rigorously enforce Berry Amendment and Buy American requirements for all covered textile and apparel procurements to protect the domestic industrial base.

Therefore, the committee directs the Under Secretary of Defense for Acquisition and Sustainment, in coordination with the Director of the Defense Logistics Agency, to provide a briefing to the House Committee on Armed Services not later than March 31, 2027, on efforts to strengthen compliance with the Berry Amendment and Buy American requirements for textile and apparel items. The briefing shall include:

- (1) an assessment of waiver usage;
- (2) an evaluation of supplier verification and auditing practices;
- (3) steps taken to improve transparency and traceability across the textile supply chain; and
- (4) actions to align contracting strategies with the long-term health of the domestic defense textile industrial base.

A Federal Government-Wide Approach

Congress should expand domestic sourcing requirements to Federal agencies for strategically important categories of clothing, textiles, footwear, and protective equipment.

A Federal government-wide requirement should:

1. **Apply to all executive agencies**, with appropriate treatment of independent agencies and federally funded national-security functions.
2. **Cover critical clothing, textiles, footwear, and protective equipment**, including their essential materials and components, rather than merely requiring final assembly in the United States.
3. **Require domestic production through the supply chain**, consistent with the principle underlying the Berry Amendment, so that Federal purchasing does not create a domestic final-assembly industry dependent upon foreign inputs.
4. **Establish a high threshold for waivers**. Agencies should be required to conduct documented and searchable market research demonstrating that no domestic source can satisfy requirements, explain the national-security or mission consequences of imposing domestic requirements, and obtain senior-level approval.
5. **Require periodic expiration of Domestic Non-Availability Determinations**. Domestic Non-Availability Determinations (DNAD's) should not become permanent substitutes for domestic production. A time-limited waiver should require renewed justification and updated market research.
6. **Use Federal purchasing power to rebuild capacity**. Where domestic capacity is insufficient, agencies should identify critical gaps and coordinate with the Departments of Defense and Commerce to pursue industrial-base investments, long-term contracts, stockpiling, and other appropriate authorities.

Conclusion

Expanding domestic production requirements across the Federal government will create sustained demand for American manufacturing, preserve critical industrial capabilities, reduce dependence on foreign supply chains, and ensure that the men and women responsible for defending the nation and protecting the American public have access to reliable American-made equipment when they need it most.

**America's defense clothing and textile industrial base is a critical national resource.
Federal procurement policy should treat it that way.**