117th CONGRESS
1st Session

S. 1970

To require the Secretary of Defense to conduct testing for and remediation of perfluoroalkyl substances and polyfluoroalkyl substances at or surrounding installations of the Department of Defense located in the United States, formerly used defense sites, and State-owned facilities of the National Guard, and for other purposes.

IN THE SENATE OF THE UNITED STATES
JUNE 8, 2021

Mr. Padilla (for himself, Mrs. Gillibrand, Mr. Van Hollen, Ms. Warren, Mr. Merkley, Mr. Booker, Mrs. Feinstein, Mr. Markey, Mr. Schumer, Ms. Stabenow, Mr. Sanders, Mr. Durbin, Mrs. Shaheen, Mr. Peters, and Ms. Hassan) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL
To require the Secretary of Defense to conduct testing for and remediation of perfluoroalkyl substances and polyfluoroalkyl substances at or surrounding installations of the Department of Defense located in the United States, formerly used defense sites, and State-owned facilities of the National Guard, and for other purposes.

Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE.

This Act may be cited as the “Clean Water For Military Families Act”.

SEC. 2. TESTING FOR AND REMEDIATION OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES BY DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall—

(1) conduct investigations into releases of PFAS, including testing for the presence of PFAS in groundwater, surface and drinking water, soil, and soil vapor, at or surrounding installations of the Department of Defense located in the United States, formerly used defense sites, and State-owned facilities of the National Guard; and

(2) conduct response actions relating to PFAS contamination at or surrounding installations of the Department located in the United States, formerly used defense sites, or State-owned facilities of the National Guard if—

(A) any detection of PFAS exceeds the standards under subsection (b); or

(B) the Secretary finds remediation of PFAS to be appropriate to protect human health or the environment.
(b) Standards for Response Actions With Respect to PFAS Contamination.—In conducting response actions under subsection (a)(2) with respect to PFAS contamination, the Secretary shall conduct such actions to achieve a level of PFAS in the environmental media that meets or provides more protection than the most stringent of the following standards for PFAS in any environmental media:

   (1) A State standard as described in clause (ii) of section 121(d)(2)(A) of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9621(d)(2)(A)).

   (2) A Federal standard as described in clause (i) of such section.

   (3) A health advisory under section 1412(b)(1)(F) of the Safe Drinking Water Act (42 U.S.C. 300g–1(b)(1)(F)).

(c) Authorization of Appropriations.—There is authorized to be appropriated for fiscal year 2022 to the Department of Defense $10,000,000,000, to remain available until expended, to carry out this section.

(d) Savings Clause.—Except with respect to the specific level required to be met under subsection (b), nothing in this section affects the application of the Com-

(c) Definitions.—In this section:

(1) Formerly Used Defense Site.—The term “formerly used defense site” means any site formerly used by the Department of Defense or National Guard eligible for environmental restoration by the Secretary of Defense funded under the “Environmental Restoration Account, Formerly Used Defense Sites” account established under section 2703(a)(5) of title 10, United States Code.

(2) PFAS.—The term “PFAS” means a perfluoroalkyl substance or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.