

116TH CONGRESS
2D SESSION

H. R. 7392

To direct the Secretary of Defense to publicly disclose the results of Department of Defense testing for perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2020

Ms. SLOTKIN (for herself, Mr. GARAMENDI, and Mr. TURNER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Secretary of Defense to publicly disclose the results of Department of Defense testing for perfluoroalkyl or polyfluoroalkyl substances, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Military PFAS Testing
5 Disclosure Act”.

1 **SEC. 2. PUBLIC DISCLOSURE OF RESULTS OF DEPARTMENT**
2 **OF DEFENSE TESTING FOR PERFLUOROAL-**
3 **KYL OR POLYFLUOROALKYL SUBSTANCES.**

4 (a) PUBLIC DISCLOSURE OF PFAS TESTING.—The
5 Secretary of Defense shall publicly disclose the results of
6 any testing for perfluoroalkyl or polyfluoroalkyl substances
7 (commonly referred to as “PFAS”) conducted on military
8 installations or formerly used defense sites, including—

9 (1) all such testing results conducted by the
10 Department of Defense; and

11 (2) all such testing results conducted by a non-
12 Department entity (including any Federal agency
13 and any public or private entity) under contract by
14 or pursuant to an agreement with the Department
15 of Defense.

16 (b) NATURE OF DISCLOSURE.—The Secretary of De-
17 fense may satisfy the disclosure requirement under sub-
18 section (a) by publishing the information, datasets, and
19 results relating to the testing referred to in such sub-
20 section—

21 (1) on the publicly available website established
22 under section 331(b) of the National Defense Au-
23 thorization Act of 2020 (Public Law 116–92);

24 (2) on another publicly available website of the
25 Department of Defense; or

26 (3) in the Federal Register.

1 (c) REQUIREMENTS.—The information required to be
2 disclosed by the Secretary of Defense under subsection (a)
3 and published under subsection (b) shall—

4 (1) constitute a record for the purposes of
5 chapter 21, 29, 31, and 33 of title 44, United States
6 Code; and

7 (2) include any underlying datasets or addi-
8 tional information of interest to the public, as deter-
9 mined by the Secretary of Defense.

10 (d) LOCAL NOTIFICATION.—Prior to conducting any
11 testing for perfluoroalkyl or polyfluoroalkyl substances,
12 the Secretary of Defense shall provide to the managers
13 of the public water system and the publicly owned treat-
14 ment works serving the areas located immediately adja-
15 cent to the military installation where such testing is to
16 occur notice in writing of the testing.

17 (e) DEFINITIONS.—In this section:

18 (1) The term “formerly used defense site”
19 means any site formerly used by the Department of
20 Defense or National Guard eligible for environ-
21 mental restoration by the Secretary of Defense fund-
22 ed under the “Environmental Restoration Account,
23 Formerly Used Defense Sites” account established
24 under section 2703(a)(5) of title 10, United States
25 Code.

1 (2) The term “military installation” has the
2 meaning given such term in section 2801(c)(4) of
3 title 10, United States Code.

4 (3) The term “perfluoroalkyl or polyfluoroalkyl
5 substance” means any man-made chemical with at
6 least one fully fluorinated carbon atom.

7 (4) The term “public water system” has the
8 meaning given such term under section 1401(4) of
9 the Safe Drinking Water Act (42 U.S.C. 300f(4)).

10 (5) The term “treatment works” has the mean-
11 ing given such term in section 212(2) of the Federal
12 Water Pollution Control Act (33 U.S.C. 1292(2)).

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