

(Added Pub. L. 116-283, div. A, title III, §318(a), Jan. 1, 2021, 134 Stat. 3519.)

§ 2713. Native American lands environmental mitigation program

(a) **ESTABLISHMENT.**—The Secretary of Defense may establish and carry out a program to mitigate the environmental effects of actions by the Department of Defense on Indian lands and on other locations where the Department, an Indian tribe, and the current land owner agree that such mitigation is appropriate.

(b) **PROGRAM ACTIVITIES.**—The activities that may be carried out under the program established under subsection (a) are the following:

(1) Identification, investigation, and documentation of suspected environmental effects attributable to past actions by the Department of Defense.

(2) Development of mitigation options for such environmental effects, including development of cost-to-complete estimates and a system for prioritizing mitigation actions.

(3) Direct mitigation actions that the Secretary determines are necessary and appropriate to mitigate the adverse environmental effects of past actions by the Department.

(4) Demolition and removal of unsafe buildings and structures used by, under the jurisdiction of, or formerly used by or under the jurisdiction of the Department.

(5) Training, technical assistance, and administrative support to facilitate the meaningful participation of Indian tribes in mitigation actions under the program.

(6) Development and execution of a policy governing consultation with Indian tribes that have been or may be affected by action by the Department, including training personnel of the Department to ensure compliance with the policy.

(c) **COOPERATIVE AGREEMENTS.**—(1) In carrying out the program established under subsection (a), the Secretary of Defense may enter into a cooperative agreement with an Indian tribe or an instrumentality of tribal government.

(2) Notwithstanding chapter 63 of title 31, a cooperative agreement under this section may be used to acquire property or services for the direct benefit of the United States Government.

(3) A cooperative agreement under this section for the procurement of severable services may begin in one fiscal year and end in another fiscal year only if the total period of performance does not exceed five calendar years.

(d) **DEFINITIONS.**—In this section:

(1) The term “Indian land” includes—

(A) any land located within the boundaries and a part of an Indian reservation, pueblo, or rancheria;

(B) any land that has been allotted to an individual Indian but has not been conveyed to such Indian with full power of alienation;

(C) Alaska Native village and regional corporation lands; and

(D) lands and waters upon which any federally recognized Indian tribe has rights reserved by treaty, Act of Congress, or action by the President.

(2) The term “Indian tribe” means any Indian tribe, band, nation, or other organized

group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.), which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

(e) **LIMITATION.**—Nothing in this section shall be interpreted to require, compel, or otherwise authorize access to any lands without the landowner’s consent.

(Added Pub. L. 116-283, div. A, title III, §319(a), Jan. 1, 2021, 134 Stat. 3520; amended Pub. L. 118-159, div. A, title III, §312, Dec. 23, 2024, 138 Stat. 1851.)

Editorial Notes

REFERENCES IN TEXT

The Alaska Native Claims Settlement Act, referred to in subsec. (d)(2), is Pub. L. 92-203, Dec. 18, 1971, 85 Stat. 688, which is classified generally to chapter 33 (§1601 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1601 of Title 43 and Tables.

AMENDMENTS

2024—Subsec. (c)(3). Pub. L. 118-159 substituted “five calendar years” for “two calendar years”.

§ 2714. Perfluoroalkyl Substances and Polyfluoroalkyl Substances Task Force

(a) **IN GENERAL.**—The Secretary of Defense shall establish a task force to address the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances from activities of the Department of Defense (in this section referred to as the “PFAS Task Force”).

(b) **MEMBERSHIP.**—The members of the PFAS Task Force are the following:

(1) The Assistant Secretary of Defense for Energy, Installations, and Environment.

(2) The Assistant Secretary of the Army for Installations, Energy, and Environment.

(3) The Assistant Secretary of the Navy for Energy, Installations, and Environment.

(4) The Assistant Secretary of the Air Force for Installations, Environment, and Energy.

(5) The Assistant Secretary of Defense for Health Affairs.

(c) **CHAIRMAN.**—The Assistant Secretary of Defense for Energy, Installations, and Environment shall be the chairman of the PFAS Task Force.

(d) **SUPPORT.**—The Under Secretary of Defense for Personnel and Readiness and such other individuals as the Secretary of Defense considers appropriate shall support the activities of the PFAS Task Force.

(e) **DUTIES.**—The duties of the PFAS Task Force are the following:

(1) Monitoring the health aspects of exposure to perfluoroalkyl substances and polyfluoroalkyl substances, as found by the Secretary of Health and Human Services.

(2) Identifying, and funding the procurement of, an effective alternative to firefighting foam containing perfluoroalkyl substances or polyfluoroalkyl substances.