

(3) Coordinating within the Department of Defense with respect to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances.

(4) Assessing the perceptions of Congress and the public of the efforts of the Department of Defense with respect to mitigating the effects of the release of perfluoroalkyl substances and polyfluoroalkyl substances from activities of the Department.

(5) Supporting research efforts relating to perfluoroalkyl substances or polyfluoroalkyl substances.

(6) Establishing practices to ensure the timely and complete dissemination of research findings and related data relating to perfluoroalkyl substances or polyfluoroalkyl substances to the general public.

(f) REPORT.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, and annually thereafter through 2029, the Chairman of the PFAS Task Force shall submit to Congress a report on the activities of the task force.

(g) DEFINITIONS.—In this section:

(1) The term “perfluoroalkyl substance” means a man-made chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(2) The term “polyfluoroalkyl substance” means a man-made chemical containing a mix of fully fluorinated carbon atoms, partially fluorinated carbon atoms, and nonfluorinated carbon atoms.

(Added Pub. L. 117–81, div. A, title III, §341(a), Dec. 27, 2021, 135 Stat. 1641; amended Pub. L. 117–263, div. A, title III, §341(b), Dec. 23, 2022, 136 Stat. 2529; Pub. L. 118–31, div. A, title III, §331, Dec. 22, 2023, 137 Stat. 221.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, referred to in subsec. (f), is the date of enactment of Pub. L. 117–81, which was approved Dec. 27, 2021.

AMENDMENTS

2023—Subsec. (f). Pub. L. 118–31 substituted “and annually thereafter through 2029,” for “and quarterly thereafter.”

2022—Subsec. (e)(5), (6). Pub. L. 117–263 added pars. (5) and (6).

§ 2715. Testing for perfluoroalkyl substances and polyfluoroalkyl substances at military installations and facilities of the National Guard

(a) IN GENERAL.—Not later than two years after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, the Secretary of Defense shall complete preliminary assessment and site inspection testing for perfluoroalkyl substances and polyfluoroalkyl substances at all military installations and facilities of the National Guard located in the United States that are identified as of March 31, 2021, as having a release of perfluoroalkyl substances or polyfluoroalkyl substances.

(b) DETERMINATION OF CONTAMINATION.—Testing conducted under subsection (a) at a military

installation or facility of the National Guard shall determine—

(1) whether the installation or facility has contamination from a perfluoroalkyl substance or polyfluoroalkyl substance; and

(2) whether activities in connection with such installation or facility have caused contamination from a perfluoroalkyl substance or polyfluoroalkyl substance outside of such installation or facility.

(c) ADDITIONAL RESPONSE ACTIONS.—Testing conducted under subsection (a) shall provide at least a preliminary basis for determining whether additional environmental response actions are necessary to address contamination from a perfluoroalkyl substance or polyfluoroalkyl substance.

(d) TYPE OF TESTING.—When testing for perfluoroalkyl substances or polyfluoroalkyl substances under subsection (a) or any other provision of law, the Secretary shall use a method to measure for all perfluoroalkyl substances or polyfluoroalkyl substances in drinking water that has been validated by the Administrator of the Environmental Protection Agency.

(e) DEFINITIONS.—In this section:

(1) The term “military installation” has the meaning given such term in section 2801(c)(4) of this title.

(2) The terms “perfluoroalkyl substance” and “polyfluoroalkyl substance” have the meanings given such terms in section 2714 of this title.

(Added Pub. L. 117–81, div. A, title III, §341(a), Dec. 27, 2021, 135 Stat. 1642.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the National Defense Authorization Act for Fiscal Year 2022, referred to in subsec. (a), is the date of enactment of Pub. L. 117–81, which was approved Dec. 27, 2021.

Statutory Notes and Related Subsidiaries

PUBLIC DISCLOSURE OF RESULTS OF DEPARTMENT OF DEFENSE TESTING OF WATER FOR PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES

Pub. L. 117–81, div. A, title III, §345, Dec. 27, 2021, 135 Stat. 1645, as amended by Pub. L. 117–263, div. A, title III, §344, Dec. 23, 2022, 136 Stat. 2530; Pub. L. 118–31, div. A, title III, §312(f)(2), Dec. 22, 2023, 137 Stat. 215, provided that:

“(a) PUBLIC DISCLOSURE OF RESULTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), not later than 20 days after the receipt of a final result of testing water for perfluoroalkyl or polyfluoroalkyl substances (commonly referred to as ‘PFAS’) in a covered area, the Secretary of Defense shall publicly disclose such final result, including—

“(A) the results of all such testing conducted in the covered area by the Department of Defense; and

“(B) the results of all such testing conducted in the covered area by a non-Department entity (including any Federal agency and any public or private entity) under a contract, or pursuant to an agreement, with the Department of Defense.

“(2) CONSENT BY PRIVATE PROPERTY OWNERS.—The Secretary of Defense may not publicly disclose personally identifiable information in connection with the results of testing for perfluoroalkyl or polyfluoroalkyl substances conducted on private property without the consent of the property owner.

“(b) PUBLIC DISCLOSURE OF PLANNED TESTING OF WATER.—Not later than 180 days after the date of the enactment of the Act [Dec. 27, 2021], and every 90 days thereafter, the Secretary of Defense shall publicly disclose the anticipated timeline for, and general location of, any planned testing for perfluoroalkyl or polyfluoroalkyl substances proposed to be conducted in a covered area, including—

“(1) all such testing to be conducted by the Department of Defense; and

“(2) all such testing to be conducted by a non-Department entity (including any Federal agency and any public or private entity) under a contract, or pursuant to an agreement, with the Department.

“(c) NATURE OF DISCLOSURE.—The Secretary of Defense may satisfy the disclosure requirements under subsections (a) and (b) by publishing the results and information referred to in such subsections—

“(1) on the publicly available website established under section 331(b) of the National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92; 10 U.S.C 2701 note);

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

“(3) in the Federal Register.

“(d) LOCAL NOTIFICATION.—Prior to conducting any testing of water for perfluoroalkyl or polyfluoroalkyl substances, including any testing which has not been planned or publicly disclosed pursuant to subsection (b), the Secretary of Defense shall provide notice of the testing to—

“(1) the managers of the public water system serving the covered area where such testing is to occur;

“(2) the heads of the municipal government serving the covered area where such testing is to occur; and

“(3) as applicable, the members of the restoration advisory board for the military installation where such testing is to occur.

“(e) METHODS FOR TESTING.—In testing water for perfluoroalkyl or polyfluoroalkyl substances, the Secretary of Defense shall adhere to methods for measuring the amount of such substances in drinking water that have been validated by the Administrator of the Environmental Protection Agency.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘covered area’ means an area in the United States that is located immediately adjacent to and down gradient from a military installation, a formerly used defense site, or a National Guard facility, as such term is defined in section 2700 of title 10, United States Code.

“(2) 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.

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

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

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

“(6) The term ‘restoration advisory board’ means a restoration advisory board established pursuant to section 2705(d) of title 10, United States Code.”

§ 2716. Budget justification document for funding relating to perfluoroalkyl substances and polyfluoroalkyl substances

The Secretary of Defense shall submit to Congress, concurrent with the submission to Congress of the budget of the President for each fiscal year pursuant to section 1105(a) of title 31, a

separate budget justification document that consolidates all information pertaining to activities of the Department of Defense relating to perfluoroalkyl substances or polyfluoroalkyl substances, including funding for and descriptions of—

- (1) research and development efforts;
- (2) testing;
- (3) remediation;
- (4) contaminant disposal; and
- (5) community outreach.

(Added Pub. L. 118-31, div. A, title III, § 332, Dec. 22, 2023, 137 Stat. 222.)

CHAPTER 161—PROPERTY RECORDS AND REPORT OF THEFT OR LOSS OF CERTAIN PROPERTY

Sec.

2721. Property records: maintenance on quantitative and monetary basis.
2722. Theft or loss of ammunition, destructive devices, and explosives: report to Secretary of the Treasury.
2723. Notice to congressional committees of certain security and counterintelligence failures within defense programs.

Editorial Notes

AMENDMENTS

1999—Pub. L. 106-65, div. A, title X, § 1042(b), Oct. 5, 1999, 113 Stat. 760, added item 2723.

1991—Pub. L. 102-190, div. A, title X, § 1061(a)(17)(B), Dec. 5, 1991, 105 Stat. 1473, substituted “Property records: maintenance on quantitative and monetary basis” for “Basis” in item 2721.

1990—Pub. L. 101-510, div. A, title XIII, § 1331(7), Nov. 5, 1990, 104 Stat. 1673, substituted “Basis” for “Basis: reports” in item 2721.

1988—Pub. L. 100-456, div. A, title III, § 344(b)(1), Sept. 29, 1988, 102 Stat. 1962, inserted “AND REPORT OF THEFT OR LOSS OF CERTAIN PROPERTY” in chapter heading and added item 2722.

1986—Pub. L. 99-499, title II, § 211(a)(3), Oct. 17, 1986, 100 Stat. 1725, redesignated item 2701 as item 2721.

§ 2721. Property records: maintenance on quantitative and monetary basis

(a) Under regulations prescribed by him, the Secretary of Defense shall have the records of the fixed property, installations, major equipment items, and stored supplies of the military departments maintained on both a quantitative and a monetary basis, so far as practicable.

(b) The regulations prescribed pursuant to subsection (a) shall include a requirement that the records maintained under such subsection—

(1) to the extent practicable, provide up-to-date information on all items in the inventory of the Department of Defense;

(2) indicate whether the inventory of each item is sufficient or excessive in relation to the needs of the Department for that item; and

(3) permit the Secretary of Defense to include in the budget submitted to Congress under section 1105 of title 31 for each fiscal year, information relating to—

(A) the amounts proposed for each appropriation account in such budget for inventory purchases of the Department of Defense; and

(B) the amounts obligated for such inventory purchases out of the corresponding ap-