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

Mr. Padilla (for himself and Mrs. Gillibrand) introduced the following bill; which was read twice and referred to the Committee on

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-

tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Clean Water For Mili-
tary Families Act”.

SEC. 2. TESTING FOR AND REMEDIATION OF
PERFLUOROALKYL SUBSTANCES AND
POLYFLUOROALKYL SUBSTANCES BY DE-
PARTMENT 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 facili-
ties 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 RE-
SPECT TO PFAS CONTAMINATION.—In conducting re-
response actions under subsection (a)(2) with respect to
PFAS contamination, the Secretary shall conduct such ac-
tions 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)).

(e) 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 Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).

(e) 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 Na-
tional Guard eligible for environmental restoration
by the Secretary of Defense funded under the “En-
vironmental 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.

(3) RESPONSE ACTION.—The term “response
action” means an action taken pursuant to section
104 of the Comprehensive Environmental Response,