

Suspend the Rules and Pass the Bill, H.R. 7289, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
2^D SESSION

H. R. 7289

To provide for the National Academies to study and report on a Federal research agenda to advance the understanding of PFAS, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2022

Mrs. FLETCHER (for herself and Mr. MELJER) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To provide for the National Academies to study and report on a Federal research agenda to advance the understanding of PFAS, 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 “Federal PFAS Re-
5 search Evaluation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Perfluoroalkyl and polyfluoroalkyl sub-
2 stances (PFAS) are a group of man-made chemicals
3 that have been used in a wide range of products
4 since the 1940s including firefighting foam, car-
5 peting, packaging, and cookware. There are more
6 than 5,000 types of registered PFAS compounds.
7 This chemical class is not currently regulated at the
8 Federal level.

9 (2) PFAS have been detected in air, water, soil,
10 food, biosolids, and more. They can accumulate and
11 remain in the body for a long time, and potentially
12 lead to serious health effects including cancer, low
13 infant birthweight, liver and kidney issues, reproduc-
14 tive and developmental problems, and more.

15 (3) There remains much unknown about PFAS
16 toxicity, human and environmental health effects, ex-
17 posure pathways, as well as effective removal, treat-
18 ment, and destruction methods, and safe alternatives
19 to PFAS.

20 (4) Federal research efforts have been frag-
21 mented at various agencies and struggled to effec-
22 tively address the full scope of challenges presented
23 by PFAS.

24 (5) Regulatory action and cleanup depend on
25 scientific analysis of toxicity data, decision making

1 on how best to deal with PFAS, and understanding
2 the significance of the many exposure pathways that
3 exist. A consensus study by the National Academies
4 would help inform decisions by Federal and State
5 Governments, industry, and other stakeholders on
6 how to best address PFAS.

7 **SEC. 3. NATIONAL ACADEMIES REPORTS.**

8 (a) RESEARCH ASSESSMENTS OF PFAS.—

9 (1) IN GENERAL.—Not later than 90 days after
10 the date on which amounts are appropriated for fis-
11 cal year 2023 to carry out this section, the Adminis-
12 trator of the Environmental Protection Agency, in
13 consultation with the Director of the National
14 Science Foundation, the Secretary of Defense, the
15 Director of the National Institutes of Health, and
16 other Federal agencies with expertise relevant to un-
17 derstanding PFAS exposure, behavior, and toxicity,
18 shall enter into an agreement with the National
19 Academies to conduct a study and submit a report
20 in accordance with this subsection to further address
21 research and knowledge gaps identified by the Fed-
22 eral Government Human Health PFAS Research
23 Workshop held on October 26 and 27, 2020, and
24 identify research and development needed to iden-

1 tify, categorize, evaluate, and address individual or
2 total PFAS.

3 (2) STUDY AND REPORT ON HUMAN EXPOSURE
4 ESTIMATION.—

5 (A) IN GENERAL.—The study required to
6 be conducted under paragraph (1) shall, at a
7 minimum—

8 (i) consider life-cycle information on
9 the manufacture, use, and disposal of
10 PFAS-containing products to identify po-
11 tential human exposure sources, including
12 occupational exposures, and potential expo-
13 sure pathways for the public;

14 (ii) evaluate the fate and transport of
15 PFAS and their breakdown products;

16 (iii) if feasible, estimate human expo-
17 sure to individual or total PFAS to deter-
18 mine relative source contributions for var-
19 ious exposure pathways (such as air,
20 water, soil, or food);

21 (iv) determine the range of solubility,
22 stability, and volatility of PFAS most like-
23 ly to be found in the environment and the
24 resulting prevalence in animals and hu-
25 mans;

1 (v) give consideration as to whether
2 chemical category-based approaches would
3 be appropriate for evaluating PFAS tox-
4 icity and exposure;

5 (vi) identify research needed to ad-
6 vance exposure estimation to individual or
7 total PFAS; and

8 (vii) identify research needed to ad-
9 vance toxicity and hazard assessment of in-
10 dividual or total PFAS.

11 (B) REPORT.—Not later than 540 days
12 after the date on which the agreement described
13 in paragraph (1) is finalized, the National
14 Academies shall submit to Congress a report
15 containing the findings and recommendations of
16 the study described in subparagraph (A) and
17 shall make such report available on a publicly
18 accessible website.

19 (b) RESEARCH ASSESSMENT OF MANAGEMENT AND
20 TREATMENT ALTERNATIVES FOR PFAS CONTAMINATION
21 IN THE ENVIRONMENT.—

22 (1) IN GENERAL.—Not later than 90 days after
23 the date on which amounts are appropriated for fis-
24 cal year 2023 to carry out this section, the Adminis-
25 trator of the Environmental Protection Agency and

1 the Director of the National Science Foundation, in
2 consultation with the Secretary of Defense and other
3 Federal agencies with expertise relevant to the devel-
4 opment of PFAS alternatives and the management
5 and treatment of PFAS, shall jointly enter into an
6 agreement with the National Academies to conduct
7 a study and submit a report in accordance with this
8 subsection to better understand the research and de-
9 velopment needed to advance the understanding of
10 the extent and implications of human and environ-
11 mental contamination by PFAS, how to manage and
12 treat such contamination, and the development of
13 safe alternatives.

14 (2) SCOPE OF STUDY.—The study described in
15 paragraph (1) shall, at a minimum, include the fol-
16 lowing:

17 (A) An assessment of the best available
18 strategies for PFAS treatment, site remedi-
19 ation, and safe disposal, including demonstra-
20 tion or pilot projects related to destruction
21 methods and alternative materials or tools for
22 firefighters.

23 (B) A description of the research gaps re-
24 lating to such issues, including consideration of

1 emerging or future PFAS and potential classi-
2 fication methods.

3 (C) Recommendations on how the Federal
4 Government can best address the research
5 needs identified pursuant to subparagraph (B)
6 through increased collaboration or coordination
7 of existing and new programs.

8 (D) Recommendations on how research can
9 best incorporate considerations of socioeconomic
10 issues into the development of research pro-
11 posals and the conduct of research.

12 (3) REPORT.—Not later than 540 days after
13 the date on which the agreement described in para-
14 graph (1) is finalized, the National Academies shall
15 submit to Congress a report containing the findings
16 and recommendations of the study described in
17 paragraph (2) and shall make such report available
18 on a publicly accessible website.

19 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
20 authorized to be appropriated for fiscal year 2023
21 \$3,000,000 to the Administrator of the Environmental
22 Protection Agency to carry out this section.

23 **SEC. 4. IMPLEMENTATION PLAN.**

24 Not later than 180 days after submission to Congress
25 of latest of the National Academies reports under section

1 3, the Director of the Office of Science and Technology
2 Policy, in coordination with all relevant Federal agencies,
3 shall submit to Congress an implementation plan for in-
4 creased collaboration and coordination of Federal PFAS
5 research, development, and demonstration activities. In
6 preparing such an implementation plan, the Director shall
7 take into consideration the recommendations included in
8 the reports in section 3.

9 **SEC. 5. DEFINITIONS.**

10 In this Act:

11 (1) NATIONAL ACADEMIES.—The term “Na-
12 tional Academies” means the National Academies of
13 Sciences, Engineering, and Medicine.

14 (2) PFAS.—The term “PFAS” means per- and
15 polyfluoroalkyl substances, including mixtures of
16 such substances.