

AMENDMENT TO
RULES COMMITTEE PRINT 116–19
OFFERED BY MRS. DINGELL OF MICHIGAN

Add at the end of subtitle B of title III the following
new section:

1 **SEC. ____ . COOPERATIVE AGREEMENTS WITH STATES TO**
2 **ADDRESS CONTAMINATION BY**
3 **PERFLUOROALKYL AND POLYFLUOROALKYL**
4 **SUBSTANCES.**

5 (a) COOPERATIVE AGREEMENTS.—

6 (1) IN GENERAL.—Upon request from the Gov-
7 ernor or chief executive of a State, the Secretary of
8 Defense shall work expeditiously, pursuant to section
9 2701(d) of title 10, United States Code, to finalize
10 a cooperative agreement, or amend an existing coop-
11 erative agreement to address testing, monitoring, re-
12 moval, and remedial actions relating to the contami-
13 nation or suspected contamination of drinking, sur-
14 face, or ground water from PFAS originating from
15 activities of the Department of Defense by providing
16 the mechanism and funding for the expedited review
17 and approval of documents of the Department re-
18 lated to PFAS investigations and remedial actions

1 from an active or decommissioned military installa-
2 tion, including a facility of the National Guard.

3 (2) MINIMUM STANDARDS.—A cooperative
4 agreement finalized or amended under paragraph
5 (1) shall meet or exceed the most stringent of the
6 following standards for PFAS in any environmental
7 media:

8 (A) An enforceable State standard, in ef-
9 fect in that State, for drinking, surface, or
10 ground water, as described in section
11 121(d)(2)(A)(ii) of the Comprehensive Environ-
12 mental Response, Compensation, and Liability
13 Act of 1980 (42 U.S.C. 9621(d)(2)(A)(ii)).

14 (B) An enforceable Federal standard for
15 drinking, surface, or ground water, as described
16 in section 121(d)(2)(A)(i) of the Comprehensive
17 Environmental Response, Compensation, and
18 Liability Act of 1980 (42 U.S.C.
19 9621(d)(2)(A)(i)).

20 (C) A health advisory under section
21 1412(b)(1)(F) of the Safe Drinking Water Act
22 (42 U.S.C. 300g-1(b)(1)(F)).

23 (3) OTHER AUTHORITY.—In addition to the re-
24 quirements for a cooperative agreement under para-
25 graph (1), when otherwise authorized to expend

1 funds for the purpose of addressing ground or sur-
2 face water contaminated by a perfluorinated com-
3 pound, the Secretary of Defense may, to expend
4 those funds, enter into a grant agreement, coopera-
5 tive agreement, or contract with—

6 (A) the local water authority with jurisdic-
7 tion over the contamination site, including—

8 (i) a public water system (as defined
9 in section 1401 of the Safe Drinking
10 Water Act (42 U.S.C. 300f)); and

11 (ii) a publicly owned treatment works
12 (as defined in section 212 of the Federal
13 Water Pollution Control Act (33 U.S.C.
14 1292)); or

15 (B) a State, local, or Tribal government.

16 (b) REPORT.—Beginning on February 1, 2020, if a
17 cooperative agreement is not finalized or amended under
18 subsection (a) within one year after the request from the
19 Governor or chief executive under that subsection, and an-
20 nually thereafter, the Secretary of Defense shall submit
21 to the appropriate committees and Members of Congress
22 a report—

23 (1) explaining why the agreement has not been
24 finalized or amended, as the case may be; and

1 (2) setting forth a projected timeline for final-
2 izing or amending the agreement.

3 (c) DEFINITIONS.—In this section:

4 (1) APPROPRIATE COMMITTEES AND MEMBERS
5 OF CONGRESS.—The term “appropriate committees
6 and Members of Congress” means—

7 (A) the congressional defense committees;

8 (B) the Senators who represent a State
9 impacted by PFAS contamination described in
10 subsection (a)(1); and

11 (C) the Members of the House of Rep-
12 resentatives who represent a district impacted
13 by such contamination.

14 (2) FULLY FLUORINATED CARBON ATOM.—The
15 term “fully fluorinated carbon atom” means a car-
16 bon atom on which all the hydrogen substituents
17 have been replaced by fluorine.

18 (3) PFAS.—The term “PFAS” means
19 perfluoroalkyl and polyfluoroalkyl substances that
20 are man-made chemicals with at least one fully
21 fluorinated carbon atom.

22 (4) STATE.—The term “State” has the mean-
23 ing given the term in section 101 of the Comprehen-

- 1 sive Environmental Response, Compensation, and
- 2 Liability Act of 1980 (42 U.S.C. 9601).

