

AMENDMENT TO RULES COMMITTEE PRINT 117-

54

OFFERED BY MS. ESCOBAR OF TEXAS

At the end of title LIII of division E of the bill, add the following:

1 SEC. 53__ . AIRPORT FIREFIGHTING FOAM REPLACEMENT
2 PROGRAM.

3 (a) FUNDED ACQUISITION PROGRAM.—Beginning
4 not later than 90 days after the date in which the Federal
5 Aviation Administration approves a fluorine-free fire-
6 fighting agent acceptable under section 139.319(l) of title
7 14, Code of Federal Regulations, the Administrator of the
8 Federal Aviation Administration shall establish a new pro-
9 gram to fully fund the acquisition by operators of airports
10 certificated under part 139 of title 14, Code of Federal
11 Regulations of fluorine-free firefighting alternatives that
12 comply with the requirements of part 139 of title 14, Code
13 of Federal Regulations, as well as the storage and disposal
14 of per- or polyfluoroalkyl products, including fluorinated
15 aqueous film-forming foam, and the cleaning, decon-
16 tamination, or disposal of equipment or components there-
17 of, previously acquired by airports. Such funding program

1 shall be in addition to any other funding program pre-
2 viously established by law.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated from the Airport and Air-
5 way Trust Fund not more than \$1,000,000,000 to carry
6 out the program set forth in subsection (a), to remain
7 available for 3 years after the date in which the Federal
8 Aviation Administration approves a fluorine-free fire-
9 fighting agent acceptable under section 139.319(l) of title
10 14, Code of Federal Regulations.

11 (c) DEVELOPMENT OF A NATIONAL TRANSITION
12 STRATEGY TO FLUORINE-FREE FIREFIGHTING FOAM.—

13 (1) IN GENERAL.—Not later than 90 after the
14 publication of the military specification for fluorine-
15 free firefighting agent under section 322(a)(1) of the
16 National Defense Authorization Act for Fiscal Year
17 2020 (Public Law 116-92), the White House Coun-
18 cil on Environmental Quality's Interagency Policy
19 Committee on PFAS, in cooperation with the work-
20 ing group established in section 7342 of such Act,
21 shall develop a report using a risk-based approach
22 on a national prioritization strategy and distribution
23 protocols for fluorine-free firefighting agents made
24 available pursuant to section 322 of such Act to ci-
25 vilian airports and other facilities required by Fed-

1 eral law or regulations to use such fluorine-free fire-
2 fighting agents, and shall submit to the Committee
3 on Armed Services of the Senate, the Committee on
4 Commerce, Science, and Transportation of the Sen-
5 ate, the Committee on Environment and Public
6 Works of the Senate, the Committee on Armed Serv-
7 ices of the House of Representatives, the Committee
8 on Transportation and Infrastructure of the House
9 of Representatives, and the Committee on Energy
10 and Commerce of the House of Representatives such
11 report.

12 (2) STAKEHOLDER ADVISORY COMMITTEE.—
13 Not later than 90 days after the date of enactment,
14 the White House Council on Environmental
15 Quality’s Interagency Policy Committee on PFAS
16 shall establish a stakeholder advisory committee
17 composed of representatives including the Depart-
18 ment of Defense, airport operators, air carriers, fuel
19 storage operators, energy producers, firefighters,
20 and related trade associations.

21 (3) NATIONAL TRANSITION PLAN REPORT.—
22 Not later than 180 days after the publication of the
23 military specification for fluorine-free firefighting
24 agent under section 322(a)(1) of the National De-
25 fense Authorization Act for Fiscal Year 2020 (Pub-

1 lic Law 116-92), and then annually thereafter, the
2 Interagency Policy Committee on PFAS, in con-
3 sultation with the stakeholder advisory committee
4 established under paragraph (2) of this section, shall
5 submit to the Committee on Armed Services of the
6 Senate, the Committee on Commerce, Science, and
7 Transportation of the Senate, the Committee on En-
8 vironment and Public Works of the Senate, the
9 Committee on Armed Services of the House of Rep-
10 representatives, the Committee on Transportation and
11 Infrastructure of the House of Representatives, and
12 the Committee on Energy and Commerce of the
13 House of Representatives a National Transition
14 Plan report that includes the following:

15 (A) Updates on a national replacement
16 program established under subsection (a).

17 (B) Updates on the report required under
18 paragraph (1) of this section.

19 (C) The extent to which equipment or com-
20 ponents thereof contaminated by per- or
21 polyfluoroalkyl substances whose use was re-
22 quired pursuant to part 139 of title 14, Code
23 of Federal Regulations, can be retained and de-
24 contaminated for use with fluorine-free fire-
25 fighting agents.

1 (D) The best firefighting application tech-
2 niques and tactics for using fluorine-free fire-
3 fighting agents at airports and other facilities
4 required by the Federal law or regulations to
5 use such firefighting agents.

