

1 used by the covered entity for the purpose of car-
2 rying out a project described in subsection (d).

3 (2) DURATION OF GRANTS.—A grant awarded
4 under paragraph (1) may provide funding for a sin-
5 gle fiscal year or for multiple fiscal years.

6 (c) SELECTION OF ENTITIES.—

7 (1) CRITERIA.—

8 (A) IN GENERAL.—The Secretary of De-
9 fense, with the concurrence of the Adminis-
10 trator of the Environmental Protection Agency
11 (and, to the extent the Secretary of Defense de-
12 termines it appropriate, in consultation with the
13 Secretary of Commerce, the Secretary of En-
14 ergy, the Director of the Agency for Toxic Sub-
15 stances and Disease Registry, the Director of
16 the National Science Foundation, and the head
17 of any other Federal department or agency de-
18 termined appropriate by the Secretary of De-
19 fense) shall establish criteria for the selection of
20 covered entities that have submitted an applica-
21 tion under subsection (c) for the award of a
22 grant under subsection (b)(1).

23 (B) PRIORITIZATION.—The criteria estab-
24 lished under subparagraph (A) shall include a
25 requirement that the Secretary of Defense give

1 priority to any project described in subsection

2 (d) that—

3 (i) is a project to address a currently
4 unavoidable use of a perfluoroalkyl sub-
5 stance or polyfluoroalkyl substance that
6 has a well-documented toxicity risk, as de-
7 termined by the Secretary of Defense, in
8 consultation with the heads of the Federal
9 departments and agencies referred to in
10 subparagraph (A); or

11 (ii) involves the use of sustainable
12 chemistry approaches.

13 (d) ELIGIBLE PROJECTS.—A project described in
14 this subsection is a project for the research and develop-
15 ment of an alternative item that does not contain a
16 perfluoroalkyl substance or polyfluoroalkyl substance for
17 use in lieu of an item—

18 (1) that contains such a substance; and

19 (2) with respect to which such substance is a
20 currently unavoidable use.

21 (e) APPLICATIONS.—To be eligible for a grant under
22 the program, a covered entity shall submit to the Sec-
23 retary an application at such time, in such form, and con-
24 taining such information as the Secretary determines ap-
25 propriate, including with respect to the criteria established

1 under subsection (c). Such application shall include, at a
2 minimum, the following:

3 (1) A certification that the applicant is in com-
4 pliance with all applicable local, State, or Federal air
5 or water quality regulations or requirements.

6 (2) A research plan by the covered entity for
7 the conduct of the project described in subsection
8 (d) of that entity that, in the case of a project under
9 which an alternative is to be researched and devel-
10 oped, a study of the toxicology (including potential
11 health and environmental effects) of such alter-
12 native. In determining the toxicology of such alter-
13 native, the covered entity shall prioritize non-animal
14 methods for the toxicology study to the extent prac-
15 ticable, including the following:

16 (A) Computational toxicology,
17 bioinformatics, and in silico modeling.

18 (B) High-throughput screening methods
19 and the prediction models of those methods.

20 (C) Tiered testing methods.

21 (D) In vitro studies.

22 (E) Systems biology.

23 (F) Advanced cell cultures.

24 (G) Technology such as 3D organoids.

25 (H) Artificial intelligence.

1 (I) New or revised methods identified by
2 validation bodies such as the Interagency Co-
3 ordinating Committee on the Validation of Al-
4 ternative Methods or the Organization for Eco-
5 nomic Co-operation and Development.

6 (J) Industry consortia that develop infor-
7 mation submitted under the Frank R. Lauten-
8 berg Chemical Safety for the 21st Century Act
9 (Public Law 114–182).

10 (K) Other innovative methods, as deter-
11 mined by the Secretary of Defense.

12 (f) REPORTING.—

13 (1) REQUIREMENT.—As a condition of receiving
14 a grant under subsection (b)(1), the prospective re-
15 cipient shall agree to—

16 (A) submit to the Secretary of Defense, on
17 an annual basis, a report containing the results
18 of the research and development project con-
19 ducted using such grant amounts; and

20 (B) have the final results of such project
21 published on a publically available website of
22 the Department of Defense.

23 (2) MATTERS IN REPORTS FOR MULTI-YEAR
24 GRANTS.—In the case of a grant providing funding
25 for multiple fiscal years, each report under para-

1 graph (1)(A) submitted with respect to such grant
2 shall include—

3 (A) a description of progress in research
4 and development made using such grant
5 amounts since the prior fiscal year;

6 (B) an updated plan for research and de-
7 velopment activities to be conducted during the
8 subsequent fiscal year using such grant
9 amounts, if any; and

10 (C) any updates with respect to toxicology
11 or potential environmental and health effects of
12 the alternative researched and developed using
13 such grant amounts.

14 (3) SHARING; PUBLICATION.—The Secretary of
15 Defense—

16 (A) may share any report submitted under
17 paragraph (1)(A) with the interagency working
18 group under section 332 of the William M.
19 (Mac) Thornberry National Defense Authoriza-
20 tion Act for Fiscal Year 2021 (15 U.S.C. 8963)
21 or the Director of the White House Office of
22 Science and Technology Policy; and

23 (B) shall publish the final results specified
24 in paragraph (1)(B) on a publically available
25 website of the Department of Defense, subject

1 to section 14 of the Toxic Substances Control
2 Act (15 U.S.C. 2613).

3 (g) DEFINITIONS.—In this section:

4 (1) The term “covered entity” means the fol-
5 lowing:

6 (A) An institution of higher education, in-
7 cluding a minority-serving institution, a histori-
8 cally Black college or university, and a Tribal
9 College or University.

10 (B) A nonprofit research organization.

11 (C) A State research agency.

12 (D) A partnership or consortium of two or
13 more entities specified in subparagraphs (A)
14 through (C).

15 (2) The term “currently unavoidable use”
16 means, with respect to a perfluoroalkyl substance or
17 polyfluoroalkyl substance, the use of such a sub-
18 stance in an item or process that the Secretary of
19 Defense determines, prior to the conduct of a re-
20 search and development project for an alternative—

21 (A) is essential for the health, safety, or
22 functioning of society;

23 (B) is essential for that item or process to
24 function; and

1 (C) for which safer alternatives are not
2 reasonably available.

3 (3) The term “historically Black college or uni-
4 versity” has the meaning given “part B institution”
5 in section 322 of the Higher Education Act of 1965
6 (20 U.S.C. 1061).

7 (4) The term “institution of higher education”
8 has the meaning given that term in section 101(a)
9 of the Higher Education Act of 1965 (20 U.S.C.
10 1001(a)).

11 (5) The term “minority-serving institution” has
12 the meaning given the term “eligible institution” in
13 section 371(a) of the Higher Education Act of 1965
14 (20 U.S.C. 1067q(a)).

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

18 (7) The term “polyfluoroalkyl substance”
19 means a man-made chemical containing at least one
20 fully fluorinated carbon atom and at least one
21 nonfluorinated carbon atom.

22 (8) The term “sustainable chemistry” has the
23 meaning developed for that term pursuant to section
24 262 of the William M. (Mac) Thornberry National

1 Defense Authorization Act for Fiscal Year 2021 (15
2 U.S.C. 9302).

3 (9) The term “Tribal College or University”
4 has the meaning given that term in section 316(a)
5 of the Higher Education Act of 1965 (20 U.S.C.
6 1059e(a)).

