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117TH CONGRESS
2D 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. MEIJER) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Federal PFAS Research Evaluation Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are a group of man-made chemicals

that have been used in a wide range of products since the 1940s including firefighting foam, carpeting, packaging, and cookware. There are more than 5,000 types of registered PFAS compounds. This chemical class is not currently regulated at the Federal level.

(2) PFAS have been detected in air, water, soil, food, biosolids, and more. They accumulate and remain in the body for a long time, and can lead to serious health effects including cancer, low infant birthweight, liver and kidney issues, reproductive and developmental problems, and more.

(3) There remains much unknown about PFAS toxicity, human and environmental health effects, exposure pathways, as well as effective removal, treatment, and destruction methods, and safe alternatives to PFAS.

(4) There is currently no cohesive, interagency effort to address PFAS, and no Federal agency is focused on a multidisciplinary, cross-sector approach. Rather, there are fragmented efforts at various agencies that have failed to address the full scope of challenges presented by PFAS.

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

on how best to deal with the thousands of PFAS, and understanding the significance of the many exposure pathways that exist. A consensus study by the National Academies of Sciences, Engineering, and Medicine would help inform decisions by Federal and State Governments, industry, and other stakeholders on how to best address PFAS.

SEC. 3. NATIONAL ACADEMIES REPORTS.

(a) RESEARCH ASSESSMENTS OF PFAS EXPOSURE AND TOXICITY.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency, in consultation with the Director of the National Science Foundation, the Secretary of Defense, the Director of the National Institutes of Health, and other Federal agencies with expertise relevant to understanding PFAS exposure and toxicity, shall enter into an agreement with the National Academies to conduct a two-phase study and submit reports in accordance with this subsection to identify research and development needed to advance human exposure estimation and toxicity and hazard estimation of individual or total PFAS.

(2) PHASE I STUDY AND REPORT ON HUMAN EXPOSURE ESTIMATION.—

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

(i) consider life-cycle information on the manufacture, use, and disposal of PFAS-containing products to identify exposure sources and potential exposure pathways for the public;

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

(iii) if feasible, estimate exposure to individual or total PFAS to determine relative source contributions for various exposure pathways (such as air, water, soil, or food);

(iv) determine environmentally relevant PFAS; and

(v) identify research needed to advance exposure estimation to individual or total PFAS.

(B) REPORT.—Not later than 270 days after the date on which the agreement described in paragraph (1) is finalized, the National

Academies shall submit to Congress a report containing the findings and recommendations of the study described in subparagraph (A) and shall make such report available on a publicly accessible website.

(3) PHASE II STUDY AND REPORT ON PFAS TOXICITY AND HAZARD ESTIMATION.—

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

(i) review animal and human toxicity information on the environmentally relevant PFAS identified in the Phase I report under paragraph (2) and develop an approach for conducting a hazard assessment of these PFAS;

(ii) give consideration as to whether chemical category-based approaches for assessing toxicity would be appropriate for evaluating PFAS as a group; and

(iii) identify research needed to advance toxicity and hazard assessment of individual or total PFAS.

(B) REPORT.—Not later than 270 days after the date on which the Phase I report is

submitted to Congress under paragraph (2), the National Academies shall submit to Congress a report containing the findings and recommendations of the study described in subparagraph (A) and shall make such report available on a publicly accessible website.

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

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency and the Director of the National Science Foundation, in consultation with the Secretary of Defense and other Federal agencies with expertise relevant to the development of PFAS alternatives and the management and treatment of PFAS, shall jointly enter into an agreement with the National Academies to conduct a study and submit a report in accordance with this subsection to better understand the research and development needed to advance the understanding of the extent and implications of environmental contamination by PFAS, how to manage and treat such contamination, and the development of safe alternatives.

(2) SCOPE OF STUDY.—The study described in paragraph (1) shall, at a minimum, include the following:

(A) An assessment of the current research on such issues.

(B) A description of the research gaps relating to such issues.

(C) Recommendations on how the Federal Government can address the research needs identified pursuant to subparagraph (B).

(D) Recommendations on how research can best incorporate considerations of socioeconomic issues into the development of research proposals and the conduct of research.

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

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section—

(1) to the Administrator of Environmental Protection Agency, $3,000,000; and

(2) to the Director of the National Science Foundation, $1,000,000.

SEC. 4. IMPLEMENTATION PLAN.

Not later than 180 days after submission to Congress of latest of the National Academies reports under section 3, the Director of the Office of Science and Technology Policy, in coordination with all relevant Federal agencies, shall submit to Congress an implementation plan for Federal PFAS research, development, and demonstration activities. In preparing such an implementation plan, the Director shall take into consideration the recommendations included in the reports in section 3.

SEC. 5. DEFINITIONS.

In this Act:

(1) NATIONAL ACADEMIES.—The term ''National Academies'' means the National Academies of Sciences, Engineering, and Medicine.

(2) PFAS.—The term ''PFAS'' means per- and polyfluoroalkyl substances.

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