

118TH CONGRESS  
1ST SESSION

# H. R. 5263

To direct the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination result in levels meeting or exceeding certain standards, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 2023

Ms. SLOTKIN (for herself, Mr. POSEY, and Mr. KHANNA) introduced the following bill; which was referred to the Committee on Armed Services, and in addition to the Committees on Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To direct the Secretary of Defense to ensure that removal and remedial actions relating to PFAS contamination result in levels meeting or exceeding certain standards, 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 “PFAS Strictest Stand-  
5 ard Act”.

1 **SEC. 2. STANDARDS FOR RESPONSE ACTIONS WITH RE-**  
2 **SPECT TO PFAS CONTAMINATION.**

3 (a) IN GENERAL.—In conducting a response action  
4 to address perfluoroalkyl or polyfluoroalkyl substance con-  
5 tamination from Department of Defense or National  
6 Guard activities, the Secretary of Defense shall conduct  
7 such actions to achieve a level of such substances in the  
8 environmental media that meets or exceeds the most strin-  
9 gent of the following standards for each applicable  
10 perfluoroalkyl or polyfluoroalkyl substance in any environ-  
11 mental media:

12 (1) A State standard, in effect in the State in  
13 which the response action is being conducted, as de-  
14 scribed in section 121(d)(2)(A)(ii) of the Com-  
15 prehensive Environmental Response, Compensation,  
16 and Liability Act of 1980 (42 U.S.C.  
17 9621(d)(2)(A)(ii)).

18 (2) A Federal standard, as described in section  
19 121(d)(2)(A)(i) of the Comprehensive Environmental  
20 Response, Compensation, and Liability Act of 1980  
21 (42 U.S.C. 9621(d)(2)(A)(i)).

22 (3) A health advisory under section  
23 1412(b)(1)(F) of the Safe Drinking Water Act (42  
24 U.S.C. 300g–1(b)(1)(F)).

25 (b) DEFINITIONS.—In this section:

1           (1) PERFLUOROALKYL OR POLYFLUOROALKYL  
2           SUBSTANCE.—The term “perfluoroalkyl or polyfluoroalkyl  
3           substance” means any man-made chemical  
4           with at least one fully fluorinated carbon atom.

5           (2) RESPONSE ACTION.—The term “response  
6           action” means an action taken pursuant to section  
7           104 of the Comprehensive Environmental Response,  
8           Compensation, and Liability Act of 1980 (42 U.S.C.  
9           9601).

10          (c) SAVINGS CLAUSE.—Except with respect to the  
11          specific level required to be met under subsection (a),  
12          nothing in this section affects the application of the Com-  
13          prehensive Environmental Response, Compensation, and  
14          Liability Act of 1980 (42 U.S.C. 9607).

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