

117TH CONGRESS
1ST SESSION

S. 1796

To prohibit procurement, purchasing, and sale by the Department of Defense of certain items containing perfluoroalkyl substances and polyfluoroalkyl substances.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2021

Mr. BLUMENTHAL (for himself and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To prohibit procurement, purchasing, and sale by the Department of Defense of certain items containing perfluoroalkyl substances and polyfluoroalkyl substances.

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 Free Military
5 Purchasing Act”.

1 **SEC. 2. PROHIBITION ON PROCUREMENT, PURCHASING,**
 2 **AND SALE BY DEPARTMENT OF DEFENSE OF**
 3 **CERTAIN ITEMS CONTAINING**
 4 **PERFLUOROALKYL SUBSTANCES AND**
 5 **POLYFLUOROALKYL SUBSTANCES.**

6 (a) PROHIBITION ON PROCUREMENT AND PUR-
 7 CHASING.—The Secretary of Defense may not procure or
 8 purchase any covered item containing a perfluoroalkyl
 9 substance or polyfluoroalkyl substance.

10 (b) PROHIBITION ON SALE.—The Secretary of De-
 11 fense may not permit the sale of any covered item con-
 12 taining a perfluoroalkyl substance or polyfluoroalkyl sub-
 13 stance on property under the jurisdiction of the Depart-
 14 ment of Defense.

15 (c) DEFINITIONS.—In this section:

16 (1) COVERED ITEM.—The term “covered item”
 17 means—

18 (A) non-stick cookware or food service
 19 ware for use in galleys or dining facilities;

20 (B) food packaging materials;

21 (C) floor waxes;

22 (D) carpeting, rugs, curtains, or uphol-
 23 stered furniture;

24 (E) personal care items;

25 (F) dental floss or toothpaste;

26 (G) sunscreen;

- 1 (H) umbrellas, luggage, or bags;
2 (I) ski wax;
3 (J) car wax and car window treatments;
4 (K) cleaning products; and
5 (L) shoes and clothing for which treatment
6 with a perfluoroalkyl substance or
7 polyfluoroalkyl substance is not currently nec-
8 essary for an essential function.

9 (2) PERFLUOROALKYL SUBSTANCE.—The term
10 “perfluoroalkyl substance” means a man-made
11 chemical of which all of the carbon atoms are fully
12 fluorinated carbon atoms.

13 (3) POLYFLUOROALKYL SUBSTANCE.—The
14 term “polyfluoroalkyl substance” means a man-made
15 chemical containing at least one fully fluorinated
16 carbon atom and at least one nonfluorinated carbon
17 atom.

18 (4) PROPERTY UNDER THE JURISDICTION OF
19 THE DEPARTMENT OF DEFENSE.—The term “prop-
20 erty under the jurisdiction of the Department of De-
21 fense” includes commissaries, facilities operated by
22 the Army and Air Force Exchange Service, the Navy
23 Exchange Service Command, the Navy Resale and
24 Services Support Office, Marine Corps exchanges,
25 online exchange shops, and ships’ stores.

1 (d) REPEAL OF SUPERSEDED AUTHORITY.—Section
2 333 of the William M. (Mac) Thornberry National De-
3 fense Authorization Act for Fiscal Year 2021 (Public Law
4 116–283) is repealed.

5 (e) EFFECTIVE DATE.—This section and the amend-
6 ment made by this section shall take effect on the date
7 that is one year after the date of the enactment of this
8 Act.

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