

Calendar No. 256

118TH CONGRESS
1ST SESSION**S. 2283****[Report No. 118–118]**

To prohibit the procurement of certain items containing perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA) and prioritize the procurement of products not containing PFAS.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2023

Mr. PETERS (for himself, Ms. COLLINS, Mr. MORAN, and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

NOVEMBER 30, 2023

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italie*]

A BILL

To prohibit the procurement of certain items containing perfluorooctane sulfonate (PFOS) or perfluorooctanoic acid (PFOA) and prioritize the procurement of products not containing PFAS.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “PFAS-Free Procure-
3 ment Act of 2023”.

4 **SEC. 2. PROHIBITION ON PROCUREMENT OF CERTAIN**
5 **ITEMS CONTAINING PERFLUOROOCTANE**
6 **SULFONATE (PFOS) OR**
7 **PERFLUOROOCTANOIC ACID (PFOA).**

8 Beginning on October 1, 2025, the head of an execu-
9 tive agency may not enter into a contract for the procure-
10 ment of cookware, utensils, carpets, or furniture that con-
11 tain perfluorooctane sulfonate (PFOS) or
12 perfluorooctanoic acid (PFOA).

13 **SEC. 3. PRIORITY PROCUREMENT OF PRODUCTS NOT CON-**
14 **TAINING PFAS.**

15 The head of an executive agency shall prioritize the
16 procurement of products, where available, that do not con-
17 tain PFAS.

18 **SEC. 4. DEFINITIONS.**

19 In this Act:

20 (1) ~~EXECUTIVE AGENCY DEFINED.~~—The term
21 “executive agency” has the meaning given the term
22 in section 133 of title 41, United States Code.

23 (2) ~~PFAS.~~—The term “PFAS” means a
24 perfluoroalkyl or polyfluoroalkyl substance that is
25 man-made and has not fewer than 1 fully
26 fluorinated carbon atom.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “PFAS-Free Procurement*
 3 *Act of 2023”.*

4 **SEC. 2. PROHIBITION ON PROCUREMENT OF CERTAIN**
 5 **ITEMS CONTAINING PERFLUOROOCTANE**
 6 **SULFONATE (PFOS) OR**
 7 **PERFLUOROOCTANOIC ACID (PFOA).**

8 *Beginning on October 1, 2025, the head of an executive*
 9 *agency may not enter into a new contract for the procure-*
 10 *ment of a covered item that contains perfluorooctane*
 11 *sulfonate (PFOS) or perfluorooctanoic acid (PFOA).*

12 **SEC. 3. PRIORITY PROCUREMENT OF PRODUCTS NOT CON-**
 13 **TAINING PFAS.**

14 *The head of an executive agency shall prioritize the*
 15 *procurement of covered items, where available and prac-*
 16 *ticable, that do not contain harmful perfluoroalkyl or*
 17 *polyfluoroalkyl substances (PFAS).*

18 **SEC. 4. DEFINITIONS.**

19 *In this Act:*

20 (1) *EXECUTIVE AGENCY DEFINED.—The term*
 21 *“executive agency” has the meaning given the term in*
 22 *section 133 of title 41, United States Code.*

23 (2) *COVERED ITEMS.—The term “covered items”*
 24 *means—*

25 (A) *nonstick cookware and cooking utensils;*
 26 *and*

- 1 *(B) furniture, carpets, and rugs treated*
- 2 *with stain-resistant coatings.*

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