

Amendment offered by Chellie Pingree

Amendment description

The amendment would insert H.R. 6476, the Relief for Farmers Hit with PFAS Act.

AMENDMENT

OFFERED BY M S. _____
Pingree

At the end of title XII, add the following:

1 **SEC. ____ . RELIEF FOR FARMERS HIT WITH PFAS.**

2 (a) **ESTABLISHMENT.**—

3 (1) **IN GENERAL.**—The Secretary shall establish
4 a program under which the Secretary shall provide
5 grants to eligible governments for the purposes de-
6 scribed in subsection (b).

7 (2) **ELIGIBILITY.**—

8 (A) **IN GENERAL.**—To be eligible to receive
9 a grant under the program, the territory of an
10 eligible government shall contain—

11 (i) agricultural land that contains any
12 soil with levels of PFAS that the Sec-
13 retary, in coordination with the Adminis-
14 trator of the Environmental Protection
15 Agency, determines to be unsafe; or

16 (ii) water used for the production of
17 farm products with levels of PFAS that
18 the Administrator of the Environmental
19 Protection Agency, in coordination with
20 the Secretary, determines to be unsafe.

1 (B) CONSIDERATION.—In determining the
2 eligibility of an eligible government for a grant
3 under the program, the Secretary, in consulta-
4 tion with the Administrator of the Environ-
5 mental Protection Agency, shall consider State
6 standards and limitations relating to soil and
7 water.

8 (3) APPLICATIONS.—

9 (A) IN GENERAL.—To receive a grant
10 under the program, the Department of Agri-
11 culture or similar agency of an eligible govern-
12 ment shall submit to the Secretary an applica-
13 tion at such time, in such manner, and con-
14 taining such information as the Secretary may
15 require.

16 (B) SPEND PLAN.—An application sub-
17 mitted under paragraph (1) shall contain a plan
18 describing how the eligible government will ad-
19 minister the funding received under the pro-
20 gram, including funding priorities and over-
21 sight.

22 (4) SET-ASIDE.—Each year, the Secretary shall
23 provide not less than 30 percent of the total funding
24 provided under the program to 1 or more eligible

1 governments with a population of less than
2 3,000,000.

3 (b) USE OF FUNDS.—

4 (1) IN GENERAL.—An eligible government may
5 use a grant received under the program to provide
6 funding for any of the following purposes:

7 (A) Monitoring (including through blood
8 serum testing) the PFAS-related health com-
9 plications of a person, and members of the
10 household of that person, if agricultural land
11 the person lives or works on is found to be con-
12 taminated by PFAS.

13 (B) Buying, selling, or providing com-
14 pensation for agricultural land or farm products
15 found, through test results provided to the eligi-
16 ble government, to be contaminated by PFAS,
17 including costs associated with the depopulation
18 or disposal of farm products, premortem or
19 postmortem.

20 (C) Investing in agricultural equipment,
21 facilities, and infrastructure to ensure that agri-
22 cultural land that, or a commercial farm any
23 agricultural land of which, is found to be con-
24 taminated by PFAS maintains profitability

1 while the producers on the agricultural land, in
2 response to the PFAS contamination—

3 (i) transition to an alternative produc-
4 tion system; or

5 (ii) implement remediation strategies
6 (including disposal), technological adapta-
7 tions, or other modifications to the oper-
8 ations of the agricultural land or commer-
9 cial farm.

10 (D) Assisting the producers on agricultural
11 land that, or a commercial farm any agricul-
12 tural land of which, is found to be contami-
13 nated by PFAS in developing an enterprise
14 budget for—

15 (i) alternative production systems;

16 (ii) remediation strategies;

17 (iii) technological adaptations;

18 (iv) transitioning to an alternative
19 revenue stream; or

20 (v) relocating a farming operation to
21 new agricultural land.

22 (E) Providing financial assistance to a per-
23 son the commercial farm of which is found to
24 be contaminated by PFAS, including income re-
25 placement.

1 (F) Evaluating and expanding the capacity
2 of PFAS testing and data management in the
3 territory of the eligible government.

4 (G) Conducting research that—

5 (i) supports short-term farm manage-
6 ment decisions with respect to agricultural
7 land that has been contaminated by PFAS;
8 and

9 (ii) assesses future options for viable
10 uses of agricultural land and water used
11 for agricultural production that has been
12 contaminated by PFAS.

13 (H) Conducting research that quantifies
14 the impact of PFAS on commercial farms and
15 agricultural communities in the territory of the
16 eligible government.

17 (I) Conducting research on—

18 (i) soil and water remediation sys-
19 tems;

20 (ii) the viability of those systems for
21 PFAS-contaminated commercial farms;

22 (iii) the composting or disposal of
23 PFAS-contaminated crops or livestock;

1 (iv) implementing alternative produc-
2 tion systems in response to PFAS contami-
3 nation;

4 (v) the PFAS uptake of various farm
5 products; and

6 (vi) food safety relating to PFAS con-
7 tamination.

8 (J) Developing and implementing edu-
9 cational programs for owners of agricultural
10 land, including determining best practices for—

11 (i) informing residents about the po-
12 tential of being near or on a site on which
13 sludge or septage application was licensed
14 or permitted by the eligible government or
15 the Federal Government; and

16 (ii) providing information and guid-
17 ance on buying or selling agricultural land
18 on which sludge or septage was applied.

19 (K) Long-term monitoring of agricultural
20 land contaminated by PFAS and establishing a
21 corresponding centralized data repository.

22 (L) Assisting owners and operators of com-
23 mercial farms not directly affected by PFAS
24 contamination with marketing efforts whose
25 branding and marketing may be affected by the

1 public perception of PFAS contamination in the
2 territory of the eligible government.

3 (M) Voluntary testing of farm products,
4 agricultural land, or other locations that are
5 suspected to be contaminated with PFAS.

6 (2) PRIORITY.—

7 (A) IN GENERAL.—In using funding re-
8 ceived under the program, an eligible govern-
9 ment shall prioritize purposes that directly as-
10 sist producers who are experiencing financial
11 losses due to agricultural PFAS contamination.

12 (B) DEPARTMENT OF AGRICULTURE PRI-
13 ORITY.—In providing grants under the pro-
14 gram, the Secretary shall prioritize the provi-
15 sion of grants to eligible governments that will
16 use the grant funds for the purposes described
17 in paragraphs (3) through (5) of subsection (a).

18 (c) REPORTS.—Each year of the period of a grant
19 received under the program, the department of agriculture
20 or similar agency of an eligible government shall submit
21 to the Secretary and Congress a report describing—

22 (1) the uses of the grant during the previous
23 year, including—

24 (A) the purposes described in section 4(a)
25 for which the grant was used;

1 (B) the amount of the grant allocated to
2 each purpose described in section 4(a); and

3 (C) the extent to which the funding re-
4 ceived under the program, including funding
5 priorities and oversight, was administered in ac-
6 cordance with the plan described in section
7 3(e)(2);

8 (2) any additional needs identified by agricul-
9 tural producers in the territory of the eligible gov-
10 ernment; and

11 (3) any additional information the Secretary de-
12 termines to be appropriate.

13 (d) TASK FORCE.—The Secretary shall establish a
14 task force composed of officers or employees of the De-
15 partment of Agriculture—

16 (1) to provide advice to the Secretary relating
17 to whether addressing PFAS contamination should
18 be added as an eligible activity under each program
19 of the Department of Agriculture;

20 (2) to evaluate necessary actions for farms al-
21 ready enrolled in a Department of Agriculture pro-
22 gram where PFAS is detected; and

23 (3) to provide technical assistance to eligible
24 governments in addressing PFAS contamination.

25 (e) DEFINITIONS.—In this Act:

1 (1) AGRICULTURAL LAND.—

2 (A) IN GENERAL.—The term “agricultural
3 land” means any land that is used, or capable
4 of use without substantial modification, for pro-
5 duction of farm products.

6 (B) INCLUSIONS.—The term “agricultural
7 land” includes irrigation water, livestock water,
8 surface water, groundwater, and agricultural in-
9 puts on or associated with land described in
10 subparagraph (A).

11 (2) COMMERCIAL FARM.—The term “commer-
12 cial farm” means a farm on which a person pro-
13 duces any farm product with the intent that the
14 farm product be sold or otherwise disposed of to
15 generate income.

16 (3) ELIGIBLE GOVERNMENT.—The term “eligi-
17 ble government” means—

18 (A) a State;

19 (B) the District of Columbia;

20 (C) a territory of the United States; and

21 (D) an Indian Tribe.

22 (4) FARM PRODUCT.—

23 (A) IN GENERAL.—The term “farm prod-
24 uct” means any plant or animal that is useful
25 to humans.

1 (B) INCLUSIONS.—The term “farm prod-
2 uct” includes—

- 3 (i) forages;
- 4 (ii) sod crops;
- 5 (iii) grains;
- 6 (iv) food crops;
- 7 (v) dairy products;
- 8 (vi) poultry and poultry products;
- 9 (vii) bees;
- 10 (viii) livestock and livestock products;
- 11 (ix) products of aquaculture;
- 12 (x) fruits;
- 13 (xi) berries;
- 14 (xii) vegetables;
- 15 (xiii) flowers;
- 16 (xiv) seeds;
- 17 (xv) grasses;
- 18 (xvi) Christmas trees; and
- 19 (xvii) other similar products, as deter-
20 mined by the Secretary.

21 (5) PERFLUOROALKYL OR POLYFLUOROALKYL
22 SUBSTANCE; PFAS.—The term “perfluoroalkyl or
23 polyfluoroalkyl substance” or “PFAS” means a
24 chemical that—

25 (A) contains at least one of—

1 (i) $R-(CF_2)-CF(R')R''$, where both
2 the CF_2 and CF moieties are saturated
3 carbons, and none of the R groups can be
4 hydrogen;

5 (ii) $R-CF_2OCF_2-R'$, where both the
6 CF_2 moieties are saturated carbons, and
7 none of the R groups can be hydrogen; or

8 (iii) $CF_3C(CF_3)RR'$, where all the
9 carbons are saturated, and none of the R
10 groups can be hydrogen; or

11 (B) is covered by the most recent working
12 definition of PFAS issued by the Administrator
13 of the Environmental Protection Agency.

14 (6) PROGRAM.—The term “program” means
15 the program established under section 3(a).

16 (7) SEPTAGE.—The term “septage” means
17 waste, refuse, effluent, sludge, and any other mate-
18 rials from septic tanks, cesspools, or any other simi-
19 lar facilities.

20 (8) SLUDGE.—The term “sludge” means—

21 (A) solid, semisolid, or liquid waste gen-
22 erated from a municipal, commercial, or indus-
23 trial—

24 (i) wastewater treatment plant;

25 (ii) water supply treatment plant; or

1 (iii) wet process air pollution control
2 facility; and

3 (B) any other waste having similar charac-
4 teristics and effect.

5 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
6 authorized to be appropriated to the Secretary to carry
7 out this Act \$500,000,000 for the period of fiscal years
8 2027 through 2031.

