

AMENDMENT TO H.R. 2670
OFFERED BY MS. SLOTKIN OF MICHIGAN

At the appropriate place in title III, insert the following new section:

1 **SEC. 3 __ . RESTRICTION ON DEPARTMENT OF DEFENSE**
2 **ACQUISITION OF COVERED ITEMS CON-**
3 **TAINING OR PRODUCED USING CERTAIN SUB-**
4 **STANCES.**

5 (a) MODIFICATION.—Section 333 of the National De-
6 fense Authorization Act for Fiscal Year 2021 (Public Law
7 116–283; 10 U.S.C. 3062 note; 134 Stat. 3531) is amend-
8 ed to read as follows:

9 **“SEC. 333. RESTRICTION ON DEPARTMENT OF DEFENSE AC-**
10 **QUISITION OF COVERED ITEMS CONTAINING**
11 **OR PRODUCED USING CERTAIN SUBSTANCES.**

12 “(a) PROHIBITION BEGINNING APRIL 1, 2023.—

13 “(1) PROHIBITION.—During the period begin-
14 ning on April 1, 2023, and ending on April 1, 2025,
15 the Secretary of Defense may not acquire any cov-
16 ered item that contains perfluorooctane sulfonate
17 (PFOS) or perfluorooctanoic acid (PFOA).

18 “(2) COVERED ITEM DEFINED.—In this sub-
19 section, the term ‘covered item’ means—

1 “(A) nonstick cookware or cooking utensils
2 for use in galleys or dining facilities; and

3 “(B) upholstered furniture, carpets, and
4 rugs that have been treated with stain-resistant
5 coatings.

6 “(b) PROHIBITION BEGINNING APRIL 1, 2025.—

7 “(1) PROHIBITION.—Beginning on April 1,
8 2025, the Secretary of Defense may not acquire any
9 covered item that contains or is produced using any
10 of the following:

11 “(A) Perfluorooctane sulfonate (PFOS).

12 “(B) Perfluorooctanoic acid (PFOA).

13 “(C) Perfluorobutane sulfonate (PFBS).

14 “(D) Perfluorobutanoic acid (PFBA).

15 “(E) Perfluorohexanoic acid (PFHxA).

16 “(F) Perfluoroheptanoic acid (PFHpA).

17 “(G) Perfluorohexanesulfonic acid
18 (PFHxS).

19 “(H) Perfluoroheptane sulfonic acid
20 (PFHpS).

21 “(I) Perfluorononanoic acid (PFNA).

22 “(J) Perfluorodecanoic Acid (PFDA).

23 “(K) Perfluoroundecanoic acid (PFUnA).

24 “(L) Perfluorododecanoic acid (PFDoDA).

1 “(M) Perfluorooctanesulfonamide (PFOSA
2 or FOSA).

3 “(N) Hexafluoropropylene Oxide (HFPO)
4 Dimer Acid (GenX).

5 “(2) IMPLEMENTATION.—In carrying out this
6 subsection, the Secretary shall include the prohibi-
7 tion under paragraph (1) as a term in any contract
8 or other agreement entered into on or after April 1,
9 2025, by the Secretary for the acquisition of a cov-
10 ered item.

11 “(3) RULE OF CONSTRUCTION.—Nothing in
12 this subsection shall be construed as—

13 “(A) requiring the disposal of, or otherwise
14 affecting, covered items acquired by the Sec-
15 retary of Defense prior to April 1, 2025; or

16 “(B) imposing an obligation on the Sec-
17 retary to test covered items to confirm the ab-
18 sence of perfluoroalkyl substances or
19 polyfluoroalkyl substances.

20 “(4) DEFINITIONS.—In this subsection:

21 “(A) The term ‘covered item’ means—

22 “(i) non-stick cookware or food service
23 ware for use in galleys or dining facilities;

24 “(ii) food packaging materials;

1 “(iii) cleaning products, including
2 floor waxes;

3 “(iv) carpeting;

4 “(v) rugs, curtains, or upholstered
5 furniture;

6 “(vi) sunscreen;

7 “(vii) shoes and clothing for which
8 treatment with a perfluoroalkyl substance
9 or polyfluoroalkyl substance is not nec-
10 essary for an essential function; and

11 “(viii) such other items as may be de-
12 termined by the Secretary.

13 “(B) The term ‘perfluoroalkyl substance’
14 means a man-made chemical of which all of the
15 carbon atoms are fully fluorinated carbon
16 atoms.

17 “(C) The term ‘polyfluoroalkyl substance’
18 means a man-made chemical containing at least
19 one fully fluorinated carbon atom and at least
20 one nonfluorinated carbon atom.”.

21 (b) ANNUAL REPORTS.—

22 (1) REPORTS.—Not later than 270 days after
23 the date of the enactment of this Act, and annually
24 thereafter, the Secretary of Defense shall submit to
25 the Committees on Armed Services of the House of

1 Representatives and the Senate a report containing
2 a detailed description of the following:

3 (A) Steps taken to identify covered items
4 acquired by the Secretary of Defense that con-
5 tain or are produced using perfluoroalkyl sub-
6 stances or polyfluoroalkyl substances.

7 (B) Steps taken to limit the acquisition by
8 the Secretary of covered items that contain or
9 are produced using perfluoroalkyl substances or
10 polyfluoroalkyl substances.

11 (C) Planned steps of the Secretary to limit
12 the acquisition of covered items that contain or
13 are produced using perfluoroalkyl substances or
14 polyfluoroalkyl substances.

15 (2) DEFINITIONS.—In this subsection, the
16 terms “covered item”, “perfluoroalkyl substance”,
17 and “polyfluoroalkyl substance” have the meanings
18 given those terms in section 333(b) of the National
19 Defense Authorization Act for Fiscal Year 2021
20 (Public Law 116–283; 10 U.S.C. 3062 note; 134
21 Stat. 3531), as amended by subsection (a).

