

(g) Authorization of appropriations.—There is authorized to be appropriated to the Secretary to carry out this section \$20,000,000 for each of fiscal years 2027 through 2030.

Subtitle B—Addressing PFAS

SEC. 1231. FINDINGS AND PURPOSES.

(a) Findings.—Congress finds the following:

(1) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are a class of synthetic chemicals that have been used in firefighting foam, carpeting, packaging, cookware, textiles, furniture, industrial processes, and other products since the 1940s.

(2) PFAS persist in the environment, can accumulate in the human body, and have been detected in air, water, soil, food, biosolids, consumer products, wildlife, and human blood.

(3) PFAS are not naturally occurring and enter the environment through manufacturing, processing, distribution, use, release, disposal, and degradation of substances and products containing such chemicals.

(4) Exposure to PFAS has been associated with serious health risks, including cancer, reproductive and developmental harms, immune system effects, liver and kidney effects, and low infant birthweight.

(5) PFAS have been detected in drinking water used by millions of individuals in the United States.

(6) Federal regulation of PFAS has expanded, but remains incomplete, fragmented across multiple environmental statutes, and insufficient to address the full lifecycle of production, use, release, exposure, treatment, destruction, and accountability.

(7) Regulatory action, cleanup, exposure reduction, safer alternatives, and medical monitoring depend on scientific analysis of toxicity, exposure pathways, environmental fate and transport, treatment methods, destruction methods, and health effects.

(8) Federal research efforts relating to PFAS have been fragmented across agencies and should be coordinated to support public health, environmental protection, safer substitutes, treatment technology, destruction technology, and implementation by Federal, State, Tribal, and local governments.

(9) Removing PFAS from water imposes significant capital, operation, maintenance, monitoring, disposal, and compliance costs on community water systems, treatment works, schools, households, and affected communities.

(10) Such costs are currently borne in significant part by public water systems, treatment works, taxpayers, and ratepayers, even though such contamination resulted from the manufacture, processing, distribution, use, release, and disposal of PFAS in commerce.

(11) Manufacturers and other responsible parties should bear a fair share of the costs of testing, monitoring, treatment, cleanup, disposal, medical monitoring, research, and public accountability associated with PFAS.

(12) Individuals significantly exposed to PFAS should have access to appropriate legal and equitable remedies, including medical monitoring where warranted.

(b) Purposes.—The purposes of this subtitle are—

(1) to reduce exposure to PFAS in air, water, soil, food, consumer products, workplaces, schools, and communities;

(2) to codify, preserve, and strengthen Federal protections for drinking water, cleanup, testing, disclosure, treatment, and control of PFAS;

(3) to require testing, analytical standards, reporting, and controls for PFAS throughout their lifecycle;

(4) to protect drinking water systems, treatment works, schools, households, and disproportionately exposed communities from PFAS;

(5) to reduce Federal procurement and food-packaging exposure to PFAS;

(6) to ensure that manufacturers and responsible parties bear a fair share of the costs of contamination, treatment, cleanup, medical monitoring, research, and accountability; and

(7) to coordinate Federal research, development, and implementation of safer alternatives, treatment methods, destruction methods, exposure protections, and health protections.

SEC. 1232. SUPERFUND DESIGNATION AND CLEANUP ACCOUNTABILITY.

(a) Codification of CERCLA hazardous substance designation for PFOA and PFOS.—

(1) Incorporation of rule.—The provisions of the final rule promulgated by the Environmental Protection Agency, entitled "Designation of Perfluorooctanoic Acid (PFOA) and Perfluorooctanesulfonic Acid (PFOS) as CERCLA Hazardous Substances", as published in the Federal Register on May 8, 2024 ([89 Fed. Reg. 39124](#)), are incorporated into this Act and shall be treated as though such provisions are set forth in this subsection.

(2) Effect of incorporation.—The regulations incorporated under paragraph (1) are established as minimum hazardous substance designations by this Act, and may be weakened only by means of an Act of Congress. To the extent that any provision of such regulations does not conform with this Act, the provisions of this Act shall govern.

(3) Rule of construction.—Nothing in this subsection shall be construed to limit any existing authority of the Environmental Protection Agency to designate additional perfluoroalkyl or polyfluoroalkyl substances as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ([42 U.S.C. 9602\(a\)](#)) or to impose stricter cleanup, reporting, remediation, or enforcement requirements.

(b) Deadline for additional determinations.—Not later than July 1, 2029, the Administrator of the Environmental Protection Agency shall determine whether to designate all perfluoroalkyl and polyfluoroalkyl substances, other than those perfluoroalkyl and polyfluoroalkyl substances designated pursuant to subsection (a), as hazardous substances under section 102(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 ([42 U.S.C. 9602\(a\)](#)) individually or in groups.

(c) Review.—

(1) In general.—Not later than July 1, 2029, the Administrator of the Environmental Protection Agency shall submit to the appropriate congressional committees a report containing a review of actions by the Environmental Protection Agency to clean up contamination of the substances designated pursuant to subsection (a).

(2) Matters included.—The report under paragraph (1) shall include an assessment of cleanup progress and effectiveness, including the following:

(A) The number of sites where the Environmental Protection Agency has acted to remediate contamination of the substances designated pursuant to subsection (a).

(B) Which types of chemicals relating to such substances were present at each site and the extent to which each site was contaminated.

(C) An analysis of discrepancies in cleanup between Federal and non-Federal contamination sites.

(D) Any other elements the Administrator may determine necessary.

(3) Appropriate congressional committees defined.—In this subsection, the term "appropriate congressional committees" means the following:

(A) The Committee on Energy and Commerce of the House of Representatives.

(B) The Committee on the Environment and Public Works of the Senate.

SEC. 1233. TESTING, ANALYTICAL STANDARDS, AND CHEMICAL CONTROLS.

(a) Testing requirements.—Section 4(a) of the Toxic Substances Control Act ([15 U.S.C. 2603\(a\)](#)) is amended by adding at the end the following:

"(5) Perfluoroalkyl and polyfluoroalkyl substances rule.—

"(A) Rule.—Notwithstanding paragraphs (1) through (3), the Administrator shall, by rule, require that comprehensive toxicity testing be conducted on all chemical substances that are perfluoroalkyl or polyfluoroalkyl substances.

"(B) Requirements.—In issuing a rule under subparagraph (A), the Administrator—

"(i) may establish categories of perfluoroalkyl and polyfluoroalkyl substances based on hazard characteristics or chemical properties;

"(ii) shall require the development of information relating to perfluoroalkyl and polyfluoroalkyl substances that the Administrator determines is likely to be useful in evaluating the hazard and risk posed by such substances in land, air, and water (including drinking water and water used for agricultural purposes), as well as in products; and

"(iii) may allow for varied or tiered testing requirements based on hazard characteristics or chemical properties of perfluoroalkyl and polyfluoroalkyl substances or categories of perfluoroalkyl and polyfluoroalkyl substances.

"(C) Deadlines.—The Administrator shall issue—

"(i) a proposed rule under subparagraph (A) not later than 6 months after the date of enactment of this paragraph; and

"(ii) a final rule under subparagraph (A) not later than 2 years after the date of enactment of this paragraph."

(b) Persons subject to rule.—Section 4(b)(3) of the Toxic Substances Control Act ([15 U.S.C. 2603\(b\)\(3\)](#)) is amended—

(1) in subparagraph (A), by striking "subparagraph (B) or (C)" and inserting "subparagraph (B), (C), or (D)"; and

(2) by adding at the end the following:

"(D) A rule under subsection (a)(5) shall require the development of information by any person who manufactures or processes, or intends to manufacture or process, a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance."

(c) Perfluoroalkyl and polyfluoroalkyl substances.—Section 4 of the Toxic Substances Control Act ([15 U.S.C. 2603](#)) is amended by adding at the end the following:

"(i) Perfluoroalkyl and polyfluoroalkyl substances.—

"(1) Testing requirement rule.—

"(A) Protocols and methodologies.—In determining the protocols and methodologies to be included pursuant to subsection (b)(1) in a rule under subsection (a)(5), the Administrator shall allow for protocols and methodologies that test chemical substances that are perfluoroalkyl and polyfluoroalkyl substances as a class.

"(B) Period.—In determining the period to be included pursuant to subsection (b)(1) in a rule under subsection (a)(5), the Administrator shall ensure that the period is as short as possible while allowing for completion of the required testing.

"(2) Exemptions.—In carrying out subsection (c) with respect to a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance, the Administrator—

"(A) may only determine under subsection (c)(2) that information would be duplicative if the chemical substance with respect to which the application for exemption is submitted is in the same category, as established under subsection (a)(5)(B)(i), as a chemical substance for which information has been submitted to the Administrator in accordance with a rule, order, or consent agreement under subsection (a) or for which information is being developed pursuant to such a rule, order, or consent agreement; and

"(B) shall publish a list of all such chemical substances for which an exemption under subsection (c) is granted.

"(j) Analytical reference standards for PFAS.—

"(1) Submission.—

"(A) In general.—Not later than April 1, 2027, the Administrator shall, by order or rule, require persons who manufacture or process a covered chemical substance to—

"(i) submit to the Administrator an analytical reference standard for, or sample of, such covered chemical substance, including any such covered chemical substance manufactured or processed by the person during the 10-year period ending on the date of enactment of this subsection; and

"(ii) periodically resubmit such an analytical reference standard or sample, as determined appropriate by the Administrator.

"(B) Mixtures.—The Administrator may, by order or rule, require persons who manufacture or process a mixture containing a covered chemical substance to submit to the Administrator an analytical reference standard for, or sample of, such mixture.

"(2) Uses.—The Administrator may use an analytical reference standard or sample submitted under this subsection or provide an analytical reference standard or sample submitted under this subsection to a State, research institution, or another Federal agency, for—

"(A) the development of information, protocols, and methodologies, which may be carried out by an entity determined appropriate by the Administrator; and

"(B) activities relating to the implementation or enforcement of Federal or State requirements.

"(3) Prioritization.—In carrying out this subsection, the Administrator shall—

"(A) prioritize covered chemical substances that are included in the list of toxic chemicals subject to the requirements of section 313(c) of the Emergency Planning and Community Right-To-Know Act of 1986 ([42 U.S.C. 11023\(c\)](#)); and

"(B) for covered chemical substances not described in subparagraph (A), prioritize covered chemical substances based on production volume.

"(4) Prohibition.—No person receiving an analytical reference standard or sample submitted under this subsection may use or transfer the analytical reference standard or sample for a commercial purpose.

"(5) Definition.—In this subsection, the term 'covered chemical substance' means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom that is included in the chemical substance list compiled and published under section 8(b)."

(d) Manufacturing and processing notices for perfluoroalkyl and polyfluoroalkyl substances.—Section 5 of the Toxic Substances Control Act ([15 U.S.C. 2604](#)) is amended—

(1) in subsection (h), by adding at the end the following:

"(7) PFAS.—

"(A) In general.—Except as provided in subparagraph (B), this subsection does not apply to any chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance.

"(B) Drugs and devices.—Paragraph (3) applies to a chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance which is manufactured or processed, or proposed to be manufactured or processed, solely for purposes of—

"(i) scientific experimentation or analysis with respect to a drug or device (as such terms are defined in section 201 of the Federal Food, Drug, and Cosmetic Act) or personal protective equipment (as such term is defined in section 20005 of the CARES Act); or

"(ii) chemical research on, or analysis of, such a chemical substance for the development of a drug or device (as such terms are defined in section 201 of the Federal Food, Drug, and Cosmetic Act) or personal protective equipment (as such term is defined in section 20005 of the CARES Act)."; and

(2) by adding at the end the following:

"(j) Perfluoroalkyl and polyfluoroalkyl substances.—

"(1) Determination.—For a period of 5 years beginning on the date of enactment of this subsection, any chemical substance that is a perfluoroalkyl or polyfluoroalkyl substance for which a notice is submitted under subsection (a) shall be deemed to have been determined by the Administrator to present an unreasonable risk of injury to health or the environment under paragraph (3)(A) of such subsection.

"(2) Order.—Notwithstanding subsection (a)(3)(A), for a chemical substance described in paragraph (1) of this subsection, the Administrator shall issue an order under subsection (f)(3) to prohibit the manufacture, processing, and distribution in commerce of such chemical substance."

(e) PFAS data call.—Section 8(a)(7) of the Toxic Substances Control Act ([15 U.S.C. 2607\(a\)\(7\)](#)) is amended by inserting "that contains at least 1 fully fluorinated carbon atom," after "perfluoroalkyl or polyfluoroalkyl substance".

SEC. 1234. DRINKING WATER PROTECTIONS AND COMMUNITY ASSISTANCE.

(a) Codification of PFAS national primary drinking water regulation.—

(1) Incorporation of rule.—The provisions of the final rule promulgated by the Environmental Protection Agency, entitled "PFAS National Primary Drinking Water Regulation", as published in the Federal Register on April 26, 2024 ([89 Fed. Reg. 32532](#)), are incorporated into this Act and shall be treated as though such provisions are set forth in this subsection.

(2) Effect of incorporation.—The regulations incorporated under paragraph (1) are established as the minimum national primary drinking water regulation for PFAS by this Act, and may be weakened only by means of an Act of Congress. To the extent that any provision of such regulations does not conform with this Act, the provisions of this Act shall govern.

(3) Rule of construction.—Nothing in this subsection shall be construed to limit any existing authority of the Environmental Protection Agency to impose stricter national primary drinking water regulations, monitoring requirements, treatment requirements, public notification

requirements, health advisories, or other requirements relating to perfluoroalkyl or polyfluoroalkyl substances under the Safe Drinking Water Act ([42 U.S.C. 300f et seq.](#)).

(b) Additional PFAS drinking water regulations and health advisories.—

(1) Regulation of additional substances.—

(A) Determination.—The Administrator of the Environmental Protection Agency shall make a determination under section 1412(b)(1)(A) of the Safe Drinking Water Act ([42 U.S.C. 300g–1\(b\)\(1\)\(A\)](#)), using the criteria described in clauses (i) through (iii) of that section, whether to regulate a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not subject to the national primary drinking water regulation incorporated under subsection (a) not later than 18 months after the later of—

(i) the date on which the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances is listed on the list of contaminants for consideration of regulation under section 1412(b)(1)(B)(i) of the Safe Drinking Water Act ([42 U.S.C. 300g–1\(b\)\(1\)\(B\)\(i\)](#)); and

(ii) the date on which—

(I) the Administrator has received the results of monitoring under section 1445(a)(2)(B) of the Safe Drinking Water Act ([42 U.S.C. 300j–4\(a\)\(2\)\(B\)](#)) for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; or

(II) the Administrator has received reliable water data or water monitoring surveys for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances from a Federal or State agency that the Administrator determines to be of a quality sufficient to make a determination under section 1412(b)(1)(A) of the Safe Drinking Water Act ([42 U.S.C. 300g–1\(b\)\(1\)\(A\)](#)).

(B) Primary drinking water regulations.—

(i) In general.—For each perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances that the Administrator determines to regulate under subparagraph (A), the Administrator—

(I) not later than 18 months after the date on which the Administrator makes the determination, shall propose a national primary drinking water regulation for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

(II) may publish the proposed national primary drinking water regulation described in subclause (I) concurrently with the publication of the determination to regulate the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(ii) Deadline.—

(I) In general.—Not later than 1 year after the date on which the Administrator publishes a proposed national primary drinking water regulation under clause (i)(I), and subject to subclause (II), the Administrator shall take final action on the proposed national primary drinking water regulation.

(II) Extension.—The Administrator, on publication of notice in the Federal Register, may extend the deadline under subclause (I) by not more than 6 months.

(2) Health advisory.—

(A) In general.—Subject to subparagraph (B), the Administrator shall publish a health advisory under section 1412(b)(1)(F) of the Safe Drinking Water Act ([42 U.S.C. 300g–1\(b\)\(1\)\(F\)](#)) for a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances not subject to a national primary drinking water regulation not later than 1 year after the later of—

(i) the date on which the Administrator finalizes a toxicity value for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances; and

(ii) the date on which the Administrator validates an effective quality control and testing procedure for the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances.

(B) Waiver.—The Administrator may waive the requirements of subparagraph (A) with respect to a perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl and polyfluoroalkyl substances if the Administrator determines that there is a substantial likelihood that the perfluoroalkyl or polyfluoroalkyl substance or class of perfluoroalkyl or polyfluoroalkyl substances will not occur in drinking water with sufficient frequency to justify the publication of a health advisory, and publishes such determination, including the information and analysis used, and basis for, such determination, in the Federal Register.

(c) Assistance to Territories for addressing emerging contaminants, with a focus on perfluoroalkyl and polyfluoroalkyl substances.—Section 1452(t) of the Safe Drinking Water Act ([42 U.S.C. 300j–12\(t\)](#)) is amended—

(1) in paragraph (1), by striking "Amounts" and inserting "Subject to paragraph (2)";

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

"(2) Assistance to territories.—The Administrator shall reserve not less than 2 percent of the amounts made available under this subsection to provide grants to the Virgin Islands, the Commonwealth of the Northern Mariana Islands, American Samoa, and Guam for the purpose of addressing emerging contaminants, with a focus on perfluoroalkyl and polyfluoroalkyl substances."

(d) Establishment of PFAS infrastructure grant program.—Part E of the Safe Drinking Water Act ([42 U.S.C. 300j et seq.](#)) is amended by adding at the end the following new section:

"Sec. 1459H. Assistance for community water systems affected by PFAS.

"(a) Establishment.—Not later than 180 days after the date of enactment of this section, the Administrator shall establish a program to award grants to affected community water systems to pay for capital costs associated with the implementation of eligible treatment technologies.

"(b) Applications.—

"(1) Guidance.—Not later than 12 months after the date of enactment of this section, the Administrator shall publish guidance describing the form and timing for community water systems to apply for grants under this section.

"(2) Required information.—The Administrator shall require a community water system applying for a grant under this section to submit—

"(A) information showing the presence of PFAS in water of the community water system; and

"(B) except in the case of an application solely for capital costs described in subsection (f)(2), a certification that the treatment technology in use by the community water system at the time of application is not sufficient to meet all applicable Federal and State standards, and all applicable health advisories published pursuant to [section 1412\(b\)\(1\)\(F\)](#), for PFAS.

"(c) List of eligible treatment technologies.—Not later than 150 days after the date of enactment of this section, and every 2 years thereafter, the Administrator shall publish a list of treatment technologies that the Administrator determines are the most effective at removing PFAS from drinking water.

"(d) Priority for funding.—In awarding grants under this section, the Administrator shall prioritize an affected community water system that—

"(1) serves a disadvantaged community;

"(2) will provide at least a 10-percent cost share for the cost of implementing an eligible treatment technology;

"(3) demonstrates the capacity to maintain the eligible treatment technology to be implemented using the grant; or

"(4) is located within an area with respect to which the Administrator has published a determination under the first sentence of [section 1424\(e\)](#) relating to an aquifer that is the sole or principal drinking water source for the area.

"(e) No increased bonding authority.—Amounts awarded to affected community water systems under this section may not be used as a source of payment of, or security for (directly or indirectly), in whole or in part, any obligation the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986.

"(f) Authorization of appropriations.—

"(1) In general.—There is authorized to be appropriated to carry out this section \$500,000,000 for each of fiscal years 2027 through 2031.

"(2) Special rule.—Of the amounts authorized to be appropriated by paragraph (1), \$25,000,000 are authorized to be appropriated for each of fiscal years 2027 and 2028 for grants under subsection (a) to pay for capital costs associated with the implementation of eligible treatment technologies during the period beginning on October 1, 2017, and ending on the date of enactment of this section.

"(g) Definitions.—In this section:

"(1) Affected community water system.—The term 'affected community water system' means a community water system that is affected by the presence of PFAS in the water in the community water system.

"(2) Disadvantaged community.—The term 'disadvantaged community' has the meaning given that term in [section 1452](#).

"(3) Eligible treatment technology.—The term 'eligible treatment technology' means a treatment technology included on the list published under subsection (c).

"(4) PFAS.—The term 'PFAS' means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom."

(e) School drinking water testing and filtration grant program.—Part F of the Safe Drinking Water Act ([42 U.S.C. 300j–21 et seq.](#)) is amended by adding at the end the following:

"Sec. 1466. School PFAS testing and filtration grant program.

"(a) In general.—Not later than 1 year after the date of enactment of this section, the Administrator shall establish a program to make grants to States and Indian Tribes to assist local educational agencies, public water systems that serve schools and child care programs under the jurisdiction of those local educational agencies, and qualified nonprofit organizations in—

"(1) testing for perfluoroalkyl and polyfluoroalkyl substances in drinking water at such schools and child care program facilities that is conducted by a qualified entity, as determined by the Administrator or the applicable State;

"(2) installation, maintenance, and repair of water filtration systems effective for reducing perfluoroalkyl and polyfluoroalkyl substances in drinking water at such schools and child care program facilities that contain a level of any perfluoroalkyl or polyfluoroalkyl substance that exceeds—

"(A) an applicable maximum contaminant level established by the Administrator under [section 1412](#); or

"(B) an applicable standard established by the applicable State that is more stringent than the level described in subparagraph (A); or

"(3) safe disposal of spent water filtration equipment used to reduce perfluoroalkyl and polyfluoroalkyl substances in drinking water at schools and child care program facilities.

"(b) Direct grants.—The Administrator may make a grant for activities described in subsection (a) directly available to—

"(1) a local educational agency or public water system that is located in a State that does not participate in the grant program established under subsection (a); or

"(2) a qualified nonprofit organization, as determined by the Administrator.

"(c) Application.—To be eligible to receive a grant under this section, a State, Indian Tribe, local educational agency, public water system, or qualified nonprofit organization shall submit to the Administrator an application at such time, in such manner, and containing such information as the Administrator may require.

"(d) Guidance; public availability.—As a condition of receiving a grant under this section, a State, Indian Tribe, local educational agency, public water system, or qualified nonprofit organization shall—

"(1) expend grant funds in accordance with any applicable State regulation or guidance regarding the reduction of perfluoroalkyl and polyfluoroalkyl substances in drinking water at schools or child care program facilities that is not less stringent than any applicable guidance issued by the Administrator;

"(2) make publicly available, including, to the maximum extent practicable, on the website of the State, Indian Tribe, local educational agency, public water system, or qualified nonprofit organization, a copy of the results of any testing carried out with grant funds received under this section; and

"(3) notify parent, teacher, and employee organizations of the availability of the results described in paragraph (2).

"(e) Limitation.—Not more than 5 percent of the grant funds accepted by a State, Indian Tribe, local educational agency, public water system, or qualified nonprofit organization for a fiscal year under this section may be used to pay the administrative costs of carrying out activities described in subsection (a).

"(f) Definitions.—In this section, the terms 'child care program' and 'local educational agency' have the meaning given such terms in [section 1464\(d\)](#).

"(g) Authorization of appropriation.—There is authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2027 through 2031, to remain available until expended."

(f) Household well water testing website.—

(1) In general.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall establish a website containing information relating to the testing of household well water.

(2) Contents.—The Administrator shall include on the website established under paragraph (1) the following:

(A) Information on how to have an inspector, who is certified by a qualified third party, test the groundwater that is the source for a household water well.

(B) A list of laboratories that analyze water samples and are certified by a State or the Administrator.

(C) State-specific information, developed in coordination with each State, on naturally occurring and human-induced contaminants.

(D) Information that, using accepted risk communication techniques, clearly communicates whether a test result value exceeds a level determined by the Administrator or the applicable State to pose a health risk.

(E) Information on treatment options, including information relating to water treatment systems certified to the relevant NSF/ANSI American National Standard for drinking water treatment units by a third-party certification body accredited by the ANSI National Accreditation Board.

(F) A directory of whom to contact to report a test result value that exceeds a level determined by the Administrator or the applicable State to pose a health risk.

(G) Information on financial assistance that is available for homeowners to support water treatment, including grants under section 306E of the Consolidated Farm and Rural Development Act ([7 U.S.C. 1926e](#)) and State resources.

(H) Information about the health risks associated with consuming water contaminated with perfluoroalkyl and polyfluoroalkyl substances as well as recommendations for individuals who believe they may have consumed such contaminated water.

(I) Any other information the Administrator considers appropriate.

(3) Access.—The Administrator shall ensure information on the website established under paragraph (1) is presented in a manner that provides meaningful access to such information for individuals with limited English proficiency.

(4) Coordination.—The Administrator shall coordinate with the Secretary of Health and Human Services, the Secretary of Agriculture, and appropriate State agencies in carrying out this subsection.

(5) Authorization of appropriations.—There is authorized to be appropriated to carry out this subsection \$1,000,000 for fiscal year 2027.

SEC. 1235. AIR, WASTEWATER, DISPOSAL, AND INDUSTRIAL DISCLOSURE.

(a) Listing of perfluoroalkyl and polyfluoroalkyl substances as hazardous air pollutants.—

(1) Listing.—

(A) Initial listing.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall issue a final rule adding perfluorooctanoic acid and its salts, and perfluorooctanesulfonic acid and its salts, to the list of hazardous air pollutants under section 112(b) of the Clean Air Act ([42 U.S.C. 7412\(b\)](#)).

(B) Additional listings.—Not later than 5 years after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall determine whether to issue,

in accordance with section 112 of the Clean Air Act ([42 U.S.C. 7412](#)), any final rules adding perfluoroalkyl and polyfluoroalkyl substances, other than those perfluoroalkyl and polyfluoroalkyl substances listed pursuant to subparagraph (A), to the list of hazardous air pollutants under section 112(b) of such Act.

(2) Source categories.—Not later than 365 days after any final rule is issued pursuant to paragraph (1), the Administrator of the Environmental Protection Agency shall revise the list under section 112(c)(1) of the Clean Air Act ([42 U.S.C. 7412\(c\)\(1\)](#)) to include categories and subcategories of major sources and area sources of perfluoroalkyl and polyfluoroalkyl substances listed pursuant to such final rule.

(b) Prohibition on unsafe waste incineration of PFAS.—Section 3004 of the Solid Waste Disposal Act ([42 U.S.C. 6924](#)) is amended by adding at the end the following new subsection:

"(z) PFAS wastes.—

"(1) Firefighting foam.—Not later than 6 months after the date of enactment of this subsection, the Administrator shall promulgate regulations requiring that when materials containing perfluoroalkyl and polyfluoroalkyl substances are disposed or are designated for disposal—

"(A) all incineration is conducted in a manner that eliminates perfluoroalkyl and polyfluoroalkyl substances while also minimizing perfluoroalkyl and polyfluoroalkyl substances emitted into the air to the extent feasible;

"(B) all such materials that are designated for disposal are stored in accordance with the requirement under [part 264 of title 40](#), Code of Federal Regulations; and

"(C) all incineration is conducted at a facility that has been permitted to receive waste regulated under this subtitle.

"(2) Penalties.—For purposes of section 3008(d), a material subject to a requirement under this subsection shall be considered a hazardous waste identified or listed under this subtitle."

(c) Disclosure of introductions of PFAS.—

(1) In general.—The introduction of any perfluoroalkyl or polyfluoroalkyl substance by the owner or operator of an industrial source shall be unlawful unless such owner or operator first notifies the owner or operator of the applicable treatment works of—

(A) the identity and quantity of such substance;

(B) whether such substance is susceptible to treatment by such treatment works; and

(C) whether such substance would interfere with the operation of the treatment works.

(2) Violations.—A violation of this subsection shall be treated in the same manner as a violation of a regulation promulgated under subsection 307(b) of the Federal Water Pollution Control Act ([33 U.S.C. 1317\(b\)](#)).

(3) Definitions.—In this subsection:

(A) Introduction.—The term "introduction" means the introduction of pollutants into treatment works, as described in section 307(b) of the Federal Water Pollution Control Act ([33 U.S.C. 1317\(b\)](#)).

(B) Treatment works.—The term "treatment works" has the meaning given that term in section 212 of the Federal Water Pollution Control Act ([33 U.S.C. 1292](#)).

(d) Risk-communication strategy.—The Administrator of the Environmental Protection Agency shall develop a risk-communication strategy to inform the public about the hazards or potential hazards of perfluoroalkyl and polyfluoroalkyl substances, or categories of perfluoroalkyl and polyfluoroalkyl substances, by—

(1) disseminating information about the risks or potential risks posed by such substances or categories in land, air, water (including drinking water and water used for agricultural purposes), and products;

(2) notifying the public about exposure pathways and mitigation measures through outreach and educational resources; and

(3) consulting with States that have demonstrated effective risk-communication strategies for best practices in developing a national risk-communication strategy.

(e) Clean Water Act effluent limitations guidelines and standards and water quality criteria for PFAS.—

(1) Deadlines.—

(A) Water quality criteria.—Not later than 3 years after the date of enactment of this subsection, the Administrator shall publish in the Federal Register human health water quality criteria under section 304(a)(1) of the Federal Water Pollution Control Act ([33 U.S.C. 1314](#)) for each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of such substances.

(B) Effluent limitations guidelines and standards for priority industry categories.—As soon as practicable, but not later than 4 years after the date of enactment of this subsection, the Administrator shall publish in the Federal Register a final rule establishing, for each priority industry category, effluent limitations guidelines and standards, in accordance with the Federal Water Pollution Control Act, for the discharge (including a discharge into a publicly owned treatment works) of each measurable perfluoroalkyl substance, polyfluoroalkyl substance, and class of such substances.

(2) Notification.—The Administrator shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Environment and Public Works of the Senate of each publication made under this subsection.

(3) Implementation assistance for publicly owned treatment works.—

(A) In general.—The Administrator shall award grants to owners and operators of publicly owned treatment works, to be used to implement effluent limitations guidelines and standards developed by the Administrator for a perfluoroalkyl substance, polyfluoroalkyl substance, or class of such substances.

(B) Authorization of appropriations.—There is authorized to be appropriated to the Administrator to carry out this paragraph \$200,000,000 for each of fiscal years 2027 through 2031, to remain available until expended.

(4) No increased bonding authority.—Amounts awarded to an owner or operator of a publicly owned treatment works under this subsection may not be used as a source of payment of, or security for (directly or indirectly), in whole or in part, any obligation the interest on which is exempt from the tax imposed under chapter 1 of the Internal Revenue Code of 1986.

(5) Definitions.—In this subsection:

(A) Administrator.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(B) Effluent limitation.—The term "effluent limitation" has the meaning given that term in section 502 of the Federal Water Pollution Control Act ([33 U.S.C. 1362](#)).

(C) Measurable.—The term "measurable" means, with respect to a chemical substance or class of chemical substances, capable of being measured using test procedures established under section 304(h) of the Federal Water Pollution Control Act ([33 U.S.C. 1314](#)).

(D) Perfluoroalkyl substance.—The term "perfluoroalkyl substance" means a chemical of which all of the carbon atoms are fully fluorinated carbon atoms.

(E) Polyfluoroalkyl substance.—The term "polyfluoroalkyl substance" means a chemical containing at least 1 fully fluorinated carbon atom and at least 1 carbon atom that is not a fully fluorinated carbon atom.

(F) Priority industry category.—The term "priority industry category" means the following point source categories:

(i) Organic chemicals, plastics, and synthetic fibers, as identified in [part 414 of title 40](#), Code of Federal Regulations (or successor regulations).

(ii) Pulp, paper, and paperboard, as identified in [part 430 of title 40](#), Code of Federal Regulations (or successor regulations).

(iii) Textile mills, as identified in [part 410 of title 40](#), Code of Federal Regulations (or successor regulations).

(iv) Electroplating, as identified in [part 413 of title 40](#), Code of Federal Regulations (or successor regulations).

(v) Metal finishing, as identified in [part 433 of title 40](#), Code of Federal Regulations (or successor regulations).

(vi) Leather tanning and finishing, as identified in [part 425 of title 40](#), Code of Federal Regulations (or successor regulations).

(vii) Paint formulating, as identified in [part 446 of title 40](#), Code of Federal Regulations (or successor regulations).

(viii) Electrical and electronic components, as identified in [part 469 of title 40](#), Code of Federal Regulations (or successor regulations).

(ix) Plastics molding and forming, as identified in [part 463 of title 40](#), Code of Federal Regulations (or successor regulations).

(G) Treatment works.—The term "treatment works" has the meaning given that term in section 212 of the Federal Water Pollution Control Act ([33 U.S.C. 1292](#)).

(f) Investigation of prevention of contamination by GenX.—The Administrator of the Environmental Protection Agency shall investigate methods and means to prevent contamination by GenX of ground and surface waters, including source waters used for drinking water purposes.

SEC. 1236. PFAS-FREE PRODUCTS STANDARDS AND FEDERAL PROCUREMENT.

(a) Definitions.—In this section:

(1) Covered item.—The term "covered item" means—

(A) nonstick cookware and a cooking utensil; and

(B) furniture, carpet, and any rug treated with stain-resistant coating.

(2) Covered product.—The term "covered product" means—

(A) a pot;

(B) a pan;

(C) a cooking utensil;

(D) carpet;

(E) a rug;

(F) clothing;

(G) upholstered furniture;

(H) a stain resistant, water resistant, or grease resistant coating not subject to requirements under section 409 of the Federal Food, Drug, and Cosmetic Act;

(I) food packaging material;

(J) an umbrella;

(K) luggage; or

(L) a cleaning product.

(3) Executive agency.—The term "executive agency" has the meaning given the term in [section 133 of title 41](#), United States Code.

(4) PFAS.—The term "PFAS" means a perfluoroalkyl or polyfluoroalkyl substance with at least 1 fully fluorinated carbon atom.

(5) PFOA.—The term "PFOA" means perfluorooctanoic acid.

(6) PFOS.—The term "PFOS" means perfluorooctane sulfonate.

(b) Label for PFAS-free products.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Environmental Protection Agency shall—

(1) revise the Safer Choice Standard of the Safer Choice Program to identify the requirements for a covered product to meet in order to be labeled with a Safer Choice label, including a requirement that any such covered product does not contain any PFAS; or

(2) establish a voluntary label that is available to be used by any manufacturer of any covered product that the Administrator has reviewed and found does not contain any PFAS.

(c) Prohibition against food packaging containing intentionally added PFAS.—

(1) In general.—Section 301 of the Federal Food, Drug, and Cosmetic Act ([21 U.S.C. 331](#)) is amended by adding at the end the following:

"(fff) (1) The introduction or delivery for introduction into interstate commerce of food packaging containing intentionally added PFAS.

"(2) The term 'PFAS' means a perfluoroalkyl substance or a polyfluoroalkyl substance that is man-made with at least 1 fully fluorinated carbon atom."

(2) Applicability.—The amendment made by paragraph (1) applies beginning on July 1, 2027.

(d) Prohibition on procurement of certain items containing PFOS or PFOA.—

(1) Prohibition.—The head of an executive agency may not renew or enter into a contract for the procurement of a covered item that contains PFOS or PFOA.

(2) Priority procurement of products not containing PFAS.—The head of an executive agency shall prioritize the procurement of covered items, where available and practicable, that do not contain PFAS.

(3) Federal facility contracts.—A contract entered into by the head of an executive agency for the operation, management, maintenance, food service, custodial service, or supply of a Federal facility shall require the contractor to comply with paragraphs (1) and (2) with respect to any covered item purchased, supplied, used, or made available under the contract.

(4) Effective date.—This subsection shall take effect on April 1, 2027.

SEC. 1237. RESEARCH, EVALUATION, AND COORDINATION.

(a) Definitions.—In this section:

(1) National Academies.—The term "National Academies" means the National Academies of Sciences, Engineering, and Medicine.

(2) PFAS.—The term "PFAS" means per- and polyfluoroalkyl substances, including mixtures of such substances.

(b) PFAS interagency working group.—Section 332(b) of William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 ([15 U.S.C. 8963\(b\)](#)) is amended—

(1) in paragraph (19), by striking "and" at the end;

(2) by redesignating paragraph (20) as paragraph (21); and

(3) by inserting after paragraph (19) the following:

"(20) the Consumer Product Safety Commission; and".

(c) Research assessments of PFAS.—

(1) In general.—Not later than 90 days after the date on which amounts are appropriated for fiscal year 2027 to carry out this subsection, the Administrator of the Environmental Protection Agency, in consultation with the Director of the National Science Foundation, the Secretary of Defense, the Director of the National Institutes of Health, and other Federal agencies with expertise relevant to understanding PFAS exposure, behavior, and toxicity, shall enter into an agreement with the National Academies to conduct a study and submit a report in accordance with this subsection to further address research and knowledge gaps identified by the Federal Government Human Health PFAS Research Workshop held on October 26 and 27, 2020, and identify research and development needed to identify, categorize, evaluate, and address individual or total PFAS.

(2) Study and report on human exposure estimation.—

(A) In general.—The study required to be conducted under paragraph (1) shall, at a minimum—

(i) consider lifecycle information on the manufacture, use, and disposal of PFAS-containing products to identify potential human exposure sources, including occupational exposures, and potential exposure pathways for the public;

(ii) evaluate the fate and transport of PFAS and their breakdown products;

(iii) if feasible, estimate human exposure to individual or total PFAS to determine relative source contributions for various exposure pathways (such as air, water, soil, or food);

(iv) determine the range of solubility, stability, and volatility of PFAS most likely to be found in the environment and the resulting prevalence in animals and humans;

(v) give consideration as to whether chemical category-based approaches would be appropriate for evaluating PFAS toxicity and exposure;

(vi) identify research needed to advance exposure estimation to individual or total PFAS; and

(vii) identify research needed to advance toxicity and hazard assessment of individual or total PFAS.

(B) Report.—Not later than 540 days after the date on which the agreement described in paragraph (1) is finalized, the National Academies shall submit to Congress a report containing the findings and recommendations of the study described in subparagraph (A) and shall make such report available on a publicly accessible website.

(d) Research assessment of management and treatment alternatives for PFAS contamination in the environment.—

(1) In general.—Not later than 90 days after the date on which amounts are appropriated for fiscal year 2027 to carry out this subsection, the Administrator of the Environmental Protection Agency and the Director of the National Science Foundation, in consultation with the Secretary of Defense and other Federal agencies with expertise relevant to the development of PFAS alternatives and the management and treatment of PFAS, shall jointly enter into an agreement with the National Academies to conduct a study and submit a report in accordance with this subsection to better understand the research and development needed to advance the understanding of the extent and implications of human and environmental contamination by PFAS, how to manage and treat such contamination, and the development of safe alternatives.

(2) Scope of study.—The study described in paragraph (1) shall, at a minimum, include the following:

(A) An assessment of the best available strategies for PFAS treatment, site remediation, and safe disposal, including demonstration or pilot projects related to destruction methods and alternative materials or tools for firefighters.

(B) A description of the research gaps relating to such issues, including consideration of emerging or future PFAS and potential classification methods.

(C) Recommendations on how the Federal Government can best address the research needs identified pursuant to subparagraph (B) through increased collaboration or coordination of existing and new programs.

(D) Recommendations on how research can best incorporate considerations of socioeconomic issues into the development of research proposals and the conduct of research.

(3) Report.—Not later than 540 days after the date on which the agreement described in paragraph (1) is finalized, the National Academies shall submit to Congress a report containing the findings and recommendations of the study described in paragraph (2) and shall make such report available on a publicly accessible website.

(e) Implementation plan.—Not later than 180 days after submission to Congress of the latest of the National Academies reports under subsections (c) and (d), the Director of the Office of Science and Technology Policy, in coordination with all relevant Federal agencies, shall submit to Congress an implementation plan for increased collaboration and coordination of Federal PFAS research, development, and demonstration activities. In preparing such an implementation plan, the Director shall take into consideration the recommendations included in the reports under subsections (c) and (d).

(f) Authorization of appropriations for National Academies reports.—There is authorized to be appropriated for fiscal year 2027 \$3,000,000 to the Administrator of the Environmental Protection Agency to carry out subsections (c) and (d).

(g) Extension of authorization for PFAS research and development.—Section 7362(b) of the National Defense Authorization Act for Fiscal Year 2020 ([15 U.S.C. 8962\(b\)](#)) is amended by striking "2024" and inserting "2030".

SEC. 1238. MANUFACTURER USER FEES AND TREATMENT TRUST FUND.

(a) Definitions.—In this section:

(1) Administrator.—The term "Administrator" means the Administrator of the Environmental Protection Agency.

(2) Affected facility.—The term "affected facility" means—

(A) a community water system that has operation and maintenance costs associated with the removal of PFAS from water of the community water system; or

(B) a treatment works that has operation and maintenance costs associated with the removal of PFAS from effluent prior to discharge from the treatment works.

(3) Community water system.—The term "community water system" has the meaning given that term in section 1401 of the Safe Drinking Water Act ([42 U.S.C. 300f](#)).

(4) Disadvantaged community.—The term "disadvantaged community" has the meaning given that term in section 1452 of the Safe Drinking Water Act ([42 U.S.C. 300j-12](#)).

(5) Manufacture.—The term "manufacture" has the meaning given that term in section 3 of the Toxic Substances Control Act ([15 U.S.C. 2602](#)).

(6) PFAS.—The term "PFAS" means a perfluoroalkyl or polyfluoroalkyl substance with at least one fully fluorinated carbon atom.

(7) Treatment works.—The term "treatment works" has the meaning given that term in section 212 of the Federal Water Pollution Control Act ([33 U.S.C. 1292](#)).

(b) PFAS manufacturer user fee.—

(1) In general.—The Administrator shall, by rule, establish fees for the manufacture of PFAS, which shall be assessed to each person manufacturing PFAS based on the amount of PFAS manufactured by the person.

(2) Initial fee.—Not later than 12 months after the date of enactment of this Act, the Administrator shall establish fees under paragraph (1) that are sufficient to ensure the collection of not less than \$2,000,000,000 per year.

(3) Review and update.—Not less frequently than every 2 years, the Administrator shall review the fees established under paragraph (1) and update such fees as necessary to ensure that the fee collections are—

(A) not less than the amount required under paragraph (2); and

(B) sufficient to cover at least 25 percent of the operation and maintenance costs associated with the removal of PFAS by affected facilities.

(c) PFAS Treatment Trust Fund.—

(1) Establishment.—There is established in the Treasury of the United States a trust fund to be known as the "PFAS Treatment Trust Fund", consisting of such amounts as may be appropriated to such Trust Fund.

(2) Transfer to Trust Fund of amounts equivalent to user fees.—There are hereby appropriated to the PFAS Treatment Trust Fund amounts equivalent to the fees collected under subsection (b).

(3) Expenditures from Trust Fund.—Amounts in the PFAS Treatment Trust Fund shall be available, without further appropriation, only for purposes of making expenditures to carry out subsection (d).

(d) Support for operation and maintenance of community water systems and treatment works.—

(1) Grants.—The Administrator shall make grants to affected facilities to pay for operation and maintenance costs associated with the removal of PFAS.

(2) Applications.—

(A) Guidance.—Not later than 12 months after the date of enactment of this Act, the Administrator shall publish guidance describing the form and timing for affected facilities to apply for grants under this subsection.

(B) Required information.—The Administrator shall require an affected facility applying for a grant under this subsection to submit information showing the presence of PFAS in water at the facility.

(3) Priority.—The Administrator shall prioritize for funding grants to affected facilities serving disadvantaged communities.

SEC. 1239. ACCOUNTABILITY AND MEDICAL MONITORING.

(a) Cause of action and remedies.—The Toxic Substances Control Act is amended by inserting after section 24 ([15 U.S.C. 2623](#)) the following:

"Sec. 25. Individuals exposed to perfluoroalkyl and polyfluoroalkyl substances.

"(a) Definition of PFAS.—In this section, the term 'PFAS' means a perfluoroalkyl or polyfluoroalkyl substance with at least 1 fully fluorinated carbon atom.

"(b) Cause of action.—An individual who is significantly exposed to PFAS or has reasonable grounds to suspect that the individual was significantly exposed to PFAS may bring a claim, individually or on behalf of a class of similarly situated individuals, in any district court of the United States for appropriate legal and equitable relief against any person that—

"(1) engaged in any portion of a manufacturing process that created the PFAS to which the individual was significantly exposed, including any telomer, fluorosurfactant, or toll manufacturing process leading to the creation of the PFAS to which the individual was significantly exposed; and

"(2) foresaw or reasonably should have foreseen that the creation or use of PFAS would result in human exposure to PFAS.

"(c) Medical monitoring.—

"(1) In general.—A court may award medical monitoring to an individual or class of individuals bringing a claim under subsection (b) if—

"(A) the individual or class has been significantly exposed to PFAS;

"(B) as a result of that exposure, the individual or class has suffered an increased risk of developing a disease associated with exposure to PFAS;

"(C) as a result of that increased risk, there is a reasonable basis for the individual or class to undergo periodic diagnostic medical examinations of a nature or frequency that is different from or additional to what would be prescribed in the absence of the exposure; and

"(D) those medical examinations are effective in detecting a disease associated with exposure to PFAS.

"(2) Presumption of significant exposure.—

"(A) Individuals.—An individual plaintiff shall be presumed to have been significantly exposed to PFAS under paragraph (1)(A) if the individual—

"(i) demonstrates that—

"(I) the defendant engaged in any portion of a manufacturing process that created the PFAS to which the individual was exposed, including any telomer, fluorosurfactant, or toll manufacturing process leading to the creation of the PFAS to which the individual was exposed; and

"(II) the PFAS described in subclause (I) were released into 1 or more areas where the individual would have been exposed for a cumulative period of not less than 1 year; or

"(ii) offers testing results that demonstrate that PFAS or metabolites of PFAS have been or are currently detected in the body or blood serum of the individual.

"(B) Class actions.—In a class action, a presumption of significant exposure to PFAS under paragraph (1)(A) shall be established for the class by—

"(i) demonstrating that—

"(I) the defendant engaged in any portion of a manufacturing process that created the PFAS to which the class members were exposed, including any telomer,

fluorosurfactant, or toll manufacturing process leading to the creation of the PFAS to which the class members were exposed; and

"(II) the PFAS described in subclause (I) were released into 1 or more areas where a representative portion of the class members would have been exposed for a cumulative period of not less than 1 year; or

"(ii) offering testing results that demonstrate that PFAS or metabolites of PFAS have been or are currently detected in the bodies of a representative portion of class members that share sufficient common exposure characteristics with the class.

"(3) Rebutting the presumption.—

"(A) In general.—A defendant may rebut a presumption of significant exposure with respect to an individual plaintiff or class member for which testing results are not offered under subparagraph (A)(ii) or (B)(ii) of paragraph (2) by offering results for that individual or class member of testing that—

"(i) uses a generally accepted method for detecting the particular PFAS or metabolites of PFAS at issue;

"(ii) is performed by an independent provider agreed on by both parties; and

"(iii) confirms that the relevant PFAS or metabolites of PFAS likely were not present in the body of the individual or class member at the relevant time in a sufficient quantity to qualify as significant exposure under paragraph (1)(A).

"(B) Costs.—A defendant shall be responsible for the costs of testing under subparagraph (A).

"(C) Independent provider.—If both parties cannot agree on an independent provider under subparagraph (A)(ii), the court shall appoint an independent provider.

"(4) Increased risk of developing disease.—

"(A) In general.—If there is insufficient toxicological data to reasonably determine whether an individual or class has suffered an increased risk of developing a disease associated with exposure to any individual PFAS or group of PFAS under paragraph (1)(B), a court may lower the standard for scientific proof with regard to the increased risk of developing that disease until independent and reliable toxicological data is available with respect to that individual PFAS or group of PFAS.

"(B) Ordering studies.—To make available independent and reliable toxicological data described in subparagraph (A) with respect to an individual PFAS or group of PFAS, a court may order new or additional epidemiological, toxicological, or other studies or investigations of that individual PFAS or group of PFAS as part of a medical monitoring remedy awarded under paragraph (1).

"(d) Sense of Congress.—It is the sense of Congress that courts should encourage more reliable and independent research into the latent health effects of PFAS.

"(e) Effect on State law claims and remedies.—Nothing in this section—

"(1) preempts, alters, bars, or precludes any State law claims or remedies, including any State law claims or remedies for an injury addressed by this section; or

"(2) provides an exclusive claim or remedy.".

(b) Clerical amendment.—The table of contents for the Toxic Substances Control Act ([Public Law 94–469](#); 90 Stat. 2003) is amended by inserting after the item relating to section 24 the following:

"25. Individuals exposed to perfluoroalkyl and polyfluoroalkyl substances.".

Subtitle C—Pollution Fees

SEC. 1241. FINDINGS AND PURPOSE.

(a) Findings.—Congress finds that—

(1) Americans have a Constitutional duty to secure the blessings of liberty to ourselves and our posterity. America's children are our posterity, and they are on track to inherit avoidable pollution, depleted resources, and degraded environmental systems unless public policy changes course.

(2) Responsible adults clean up their messes, and responsible lawmakers try to prevent those messes from being made in the first place. Pollution fees create a market incentive to pollute less, waste less, conserve more, and place the cost of pollution on the persons that profit from polluting activities rather than on children, communities, taxpayers, workers, or future generations.

(3) Pollution fees also serve as clawbacks to the payments made under the American Union Jobs Program. By reducing excess purchasing power in pollution-intensive sectors, such fees can help reduce inflation while supporting the long-term goal of improving the inheritance of future generations.

(4) Greenhouse gas pollution imposes costs on public health, infrastructure, agriculture, ecosystems, oceans, national security, and future generations. A carbon fee is a widely recognized way to account for the external costs of fossil fuel use and to encourage the transition to cleaner energy, cleaner industry, and lower-emission consumption.

(5) Carbon border fee adjustments can protect domestic producers from unfair competition by imported goods made in jurisdictions with weaker greenhouse gas controls. Carbon border fee adjustments can also encourage international cooperation to reduce global greenhouse gas emissions.

(6) Plastic pollution and microplastics impose persistent costs on human health, water systems, oceans, wildlife, soils, food systems, and waste-management systems. A tax on virgin plastic resin and plastic products can reduce unnecessary plastic use, encourage reuse and substitution, and increase demand for recovered and nonpersistent materials.

(7) Methane is a powerful greenhouse gas, and emissions from venting, flaring, leakage, and other avoidable releases impose public costs. A methane waste emissions fee would encourage capture and use instead of meaningless release to the atmosphere.