

118TH CONGRESS
1ST SESSION

H. R. 5259

To direct the Secretary of Defense to include in periodic health assessments of members of the Armed Forces an evaluation of whether the member has been exposed to perfluoroalkyl substances and polyfluoroalkyl substances, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 22, 2023

Ms. SLOTKIN (for herself, Mr. POSEY, and Mr. TURNER) introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To direct the Secretary of Defense to include in periodic health assessments of members of the Armed Forces an evaluation of whether the member has been exposed to perfluoroalkyl substances and polyfluoroalkyl substances, and for other purposes.

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 Exposure As-
5 sessment and Documentation Act”.

1 **SEC. 2. INCLUSION OF EXPOSURE TO PERFLUOROALKYL**
2 **AND POLYFLUOROALKYL SUBSTANCES AS**
3 **PART OF PERIODIC HEALTH ASSESSMENTS.**

4 (a) PERIODIC HEALTH ASSESSMENT.—The Sec-
5 retary of Defense shall ensure that any periodic health as-
6 sessment provided to a member of the Armed Forces in-
7 cludes an evaluation of whether the member has been—

8 (1) based or stationed at a military installation
9 identified by the Department of Defense as a loca-
10 tion with a known or suspected release of
11 perfluoroalkyl substances or polyfluoroalkyl sub-
12 stances during the period in which the member was
13 based or stationed at the military installation; or

14 (2) exposed to such substances, including by
15 evaluating any information in the health record of
16 the member.

17 (b) SEPARATION HISTORY AND PHYSICAL EXAMINA-
18 TIONS.—Section 1145(a)(5) of title 10, United States
19 Code, is amended by adding at the end the following new
20 subparagraph:

21 “(D) The Secretary concerned shall ensure that each
22 physical examination of a member under subparagraph
23 (A) includes an assessment of whether the member was—

24 “(i) based or stationed at a military installation
25 identified by the Department as a location with a
26 known or suspected release of perfluoroalkyl sub-

1 stances or polyfluoroalkyl substances during the pe-
2 riod in which the member was based or stationed at
3 the military installation; or

4 “(ii) exposed to such substances, including by
5 assessing any information in the health record of the
6 member.”.

7 (c) DEPLOYMENT ASSESSMENTS.—Section
8 1074f(b)(2) of title 10, United States Code, is amended
9 by adding at the end the following new subparagraph:

10 “(E) An assessment of whether the member
11 was—

12 “(i) based or stationed at a military instal-
13 lation identified by the Department as a loca-
14 tion with a known or suspected release of
15 perfluoroalkyl substances or polyfluoroalkyl sub-
16 stances during the period in which the member
17 was based or stationed at the military installa-
18 tion; or

19 “(ii) exposed to such substances, including
20 by assessing any information in the health
21 record of the member.”.

1 **SEC. 3. PROVISION OF BLOOD TESTING FOR MEMBERS OF**
2 **THE ARMED FORCES, FORMER MEMBERS OF**
3 **THE ARMED FORCES, AND THEIR FAMILIES**
4 **TO DETERMINE EXPOSURE TO**
5 **PERFLUOROALKYL SUBSTANCES OR**
6 **POLYFLUOROALKYL SUBSTANCES.**

7 (a) MEMBERS OF THE ARMED FORCES.—

8 (1) IN GENERAL.—If a covered evaluation of a
9 member of the Armed Forces results in a positive
10 determination of potential exposure to perfluoroalkyl
11 substances or polyfluoroalkyl substances, the Sec-
12 retary of Defense shall provide to that member, dur-
13 ing that covered evaluation, blood testing to deter-
14 mine and document potential exposure to such sub-
15 stances.

16 (2) INCLUSION IN HEALTH RECORD.—The re-
17 sults of blood testing of a member of the Armed
18 Forces conducted under paragraph (1) shall be in-
19 cluded in the health record of the member.

20 (b) FORMER MEMBERS OF THE ARMED FORCES AND
21 FAMILY MEMBERS.—The Secretary shall pay for blood
22 testing to determine and document potential exposure to
23 perfluoroalkyl substances or polyfluoroalkyl substances for
24 any covered individual, at the election of the individual,
25 either through the TRICARE program for individuals oth-

1 erwise eligible for such program or through the use of
2 vouchers to obtain such testing.

3 (c) DEFINITIONS.—In this section:

4 (1) The term “covered evaluation” means—

5 (A) a periodic health assessment conducted
6 in accordance with section 2(a);

7 (B) a separation history and physical ex-
8 amination conducted under section 1145(a)(5)
9 of title 10, United States Code, as amended by
10 section 2(b); and

11 (C) a deployment assessment conducted
12 under section 1074f(b)(2) of such title, as
13 amended by section 2(c).

14 (2) The term “covered individual” means a
15 former member of the Armed Forces or a family
16 member of a member or former member of the
17 Armed Forces who lived at a location (or the sur-
18 rounding area of such a location) identified by the
19 Department of Defense as a location with a known
20 or suspected release of perfluoroalkyl substances or
21 polyfluoroalkyl substances during the period in
22 which the individual lived at that location (or sur-
23 rounding area).

1 (3) The term “TRICARE program” has the
2 meaning given that term in section 1072(7) of title
3 10, United States Code.

4 **SEC. 4. DOCUMENTATION OF EXPOSURE TO**
5 **PERFLUOROALKYL SUBSTANCES OR**
6 **POLYFLUOROALKYL SUBSTANCES.**

7 (a) SHARING OF INFORMATION.—The Secretary of
8 Defense and the Secretary of Veterans Affairs shall enter
9 into a memorandum of understanding providing for the
10 sharing by the Department of Defense with the Depart-
11 ment of Veterans Affairs of the results of covered evalua-
12 tions regarding the exposure by a member of the Armed
13 Forces to perfluoroalkyl substances or polyfluoroalkyl sub-
14 stances.

15 (b) REGISTRY.—

16 (1) ESTABLISHMENT.—The Secretary of De-
17 fense shall establish a registry of members of the
18 Armed Forces who have been exposed to, or are sus-
19 pected to have been exposed to, perfluoroalkyl sub-
20 stances or polyfluoroalkyl substances.

21 (2) INCLUSION IN REGISTRY.—The Secretary
22 shall include a member of the Armed Forces in the
23 registry established under paragraph (1) if a covered
24 evaluation of the member establishes that the mem-
25 ber—

1 (A) was based or stationed at a location
2 identified by the Department of Defense as a
3 location with a known or suspected release of
4 perfluoroalkyl substances or polyfluoroalkyl sub-
5 stances during the period in which the member
6 was based or stationed at the location; or

7 (B) was exposed to such substances.

8 (3) BLOOD TESTING.—The results of any blood
9 test conducted under section 3(a) shall be included
10 in the registry established under paragraph (1) for
11 any member of the Armed Forces included in the
12 registry.

13 (4) ELECTION.—A member of the Armed
14 Forces may elect not to be included in the registry
15 established under paragraph (1).

16 (c) PROVISION OF INFORMATION.—The Secretary of
17 Defense shall provide to a member of the Armed Forces
18 more information on perfluoroalkyl substances and
19 polyfluoroalkyl substances and the potential impact of ex-
20 posure to such substances if a covered evaluation of such
21 member establishes that the member—

22 (1) was based or stationed at a location identi-
23 fied by the Department of Defense as a location
24 with a known or suspected release of perfluoroalkyl
25 substances or polyfluoroalkyl substances during the

1 period in which the member was based or stationed
2 at the location; or

3 (2) was exposed to such substances.

4 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
5 tion may be construed to preclude eligibility of a veteran
6 for benefits under the laws administered by the Secretary
7 of Veterans Affairs by reason of the exposure of the vet-
8 eran to perfluoroalkyl substances or polyfluoroalkyl sub-
9 stances not being recorded in a covered evaluation.

10 (e) COVERED EVALUATION DEFINED.—In this sec-
11 tion, the term “covered evaluation” means—

12 (1) a periodic health assessment conducted in
13 accordance with section 2(a);

14 (2) a separation history and physical examina-
15 tion conducted under section 1145(a)(5) of title 10,
16 United States Code, as amended by section 2(b);
17 and

18 (3) a deployment assessment conducted under
19 section 1074f(b)(2) of such title, as amended by sec-
20 tion 2(c).

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