

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 2525

To require the Director of the National Institute of Standards and Technology to conduct a study of personal protective equipment worn by firefighters to determine the prevalence and concentration of per- and polyfluoroalkyl substances, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended
to be proposed by Mr. GARDNER

Viz:

- 1 Strike all after the enacting clause and insert the fol-
- 2 lowing:
- 3 **SECTION 1. SHORT TITLE.**
- 4 This Act may be cited as the “Guaranteeing Equip-
- 5 ment Safety for Firefighters Act of 2019”.

1 **SEC. 2. NATIONAL INSTITUTE OF STANDARDS AND TECH-**
2 **NOLOGY STUDY ON PER- AND**
3 **POLYFLUOROALKYL SUBSTANCES IN PER-**
4 **SONAL PROTECTIVE EQUIPMENT WORN BY**
5 **FIREFIGHTERS.**

6 (a) IN GENERAL.—Not later than 3 years after the
7 date of the enactment of this Act, the Director of the Na-
8 tional Institute of Standards and Technology shall, in
9 partnership with the Director of the National Institute for
10 Occupational Safety and Health, complete a study of the
11 contents and composition of new and unused personal pro-
12 tective equipment worn by firefighters.

13 (b) CONTENTS OF STUDY.—In carrying out the study
14 required by subsection (a), the Director of the National
15 Institute of Standards and Technology shall examine—

16 (1) the identity, prevalence, and concentration
17 of per- and polyfluoroalkyl substances (commonly
18 known as “PFAS”) in the personal protective equip-
19 ment worn by firefighters;

20 (2) the conditions and extent to which per- and
21 polyfluoroalkyl substances are released into the envi-
22 ronment over time from the degradation of personal
23 protective equipment from normal use by fire-
24 fighters; and

1 (3) the relative risk of exposure to per- and
2 polyfluoroalkyl substances faced by firefighters
3 from—

4 (A) their use of personal protective equip-
5 ment; and

6 (B) degradation of personal protective
7 equipment from normal use by firefighters.

8 (c) REPORTS.—

9 (1) PROGRESS REPORTS.—Not less frequently
10 than once each year for the duration of the study
11 conducted under subsection (a), the Director shall
12 submit to Congress a report on the progress of the
13 Director in conducting such study.

14 (2) FINAL REPORT.—Not later than 90 days
15 after the date on which the Director completes the
16 study required by subsection (a), the Director shall
17 submit to Congress a report describing—

18 (A) the findings of the Director with re-
19 spect to the study; and

20 (B) recommendations on what additional
21 research or technical improvements to personal
22 protective equipment materials or components
23 should be pursued to avoid unnecessary occupa-
24 tional exposure among firefighters to per- and

1 polyfluoroalkyl substances through personal
2 protective equipment.

3 **SEC. 3. RESEARCH ON PER- AND POLYFLUOROALKYL SUB-**
4 **STANCES IN PERSONAL PROTECTIVE EQUIP-**
5 **MENT WORN BY FIREFIGHTERS.**

6 (a) IN GENERAL.—Not later than 180 days after the
7 date of the submittal of the report required by section
8 2(c)(2), the Director of the National Institute of Stand-
9 ards and Technology shall—

10 (1) issue a solicitation for research proposals to
11 carry out the research recommendations identified in
12 the report submitted under section 2(c); and

13 (2) award grants to applicants that submit re-
14 search proposals to develop safe alternatives to per-
15 and polyfluoroalkyl substances in personal protective
16 equipment.

17 (b) CRITERIA.—The Director shall select research
18 proposals to receive a grant under subsection (a) on the
19 basis of merit, using criteria identified by the Director,
20 including the likelihood that the research results will ad-
21 dress the findings of the Director with respect to the study
22 conducted under section 2(a).

23 (c) ELIGIBLE ENTITIES.—Any entity or group of 2
24 or more entities may submit to the Director a research

1 proposal in response to the solicitation for research pro-
2 posals under subsection (a), including—

- 3 (1) State and local agencies;
- 4 (2) public institutions, including public institu-
5 tions of higher education;
- 6 (3) private corporations; and
- 7 (4) nonprofit organizations.

8 (d) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—There is authorized to be
10 appropriated to the Director such sums as may be
11 necessary to carry out this section.

12 (2) SUPPLEMENT NOT SUPPLANT.—Funds
13 made available to carry out this section shall supple-
14 ment and not supplant funds made available to the
15 Director for other purposes.

16 **SEC. 4. AUTHORITY FOR DIRECTOR OF THE NATIONAL IN-**
17 **STITUTE OF STANDARDS AND TECHNOLOGY**
18 **TO CONSULT WITH EXPERTS ON MATTERS**
19 **RELATING TO PER- AND POLYFLUOROALKYL**
20 **SUBSTANCES.**

21 In carrying out this Act, the Director of the National
22 Institute of Standards and Technology may consult with
23 Federal agencies, nongovernmental organizations, State
24 and local governments, and science and research institu-
25 tions determined by the Director to have scientific or ma-

- 1 terial interest in reducing unnecessary occupational expo-
- 2 sure to per- and polyfluoroalkyl substances by firefighters.