

## **Attachment 1: Authorizing Legislation**

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1a: Authorizing Legislation for PFAS Exposure Assessment

1b: Authorizing Legislation for ATSDR

1c: Authorizing Legislation for NCEH

**1a: Authorizing Legislation for PFAS Exposure Assessments**

Section 8006 of the Consolidated Appropriations Act, 2018  
(see <https://www.congress.gov/115/bills/hr1625/BILLS-115hr1625enr.pdf>)  
and supplemental table

1 and in no case where the item for which funds are re-  
2 quested has been denied by the Congress: *Provided further*,  
3 That the Secretary of Defense shall notify the Congress  
4 promptly of all transfers made pursuant to this authority  
5 or any other authority in this Act: *Provided further*, That  
6 no part of the funds in this Act shall be available to pre-  
7 pare or present a request to the Committees on Appropria-  
8 tions for reprogramming of funds, unless for higher pri-  
9 ority items, based on unforeseen military requirements,  
10 than those for which originally appropriated and in no  
11 case where the item for which reprogramming is requested  
12 has been denied by the Congress: *Provided further*, That  
13 a request for multiple reprogrammings of funds using au-  
14 thority provided in this section shall be made prior to June  
15 30, 2018: *Provided further*, That transfers among military  
16 personnel appropriations shall not be taken into account  
17 for purposes of the limitation on the amount of funds that  
18 may be transferred under this section.

19 **SEC. 8006.** (a) With regard to the list of specific pro-  
20 grams, projects, and activities (and the dollar amounts  
21 and adjustments to budget activities corresponding to  
22 such programs, projects, and activities) contained in the  
23 tables titled **Explanation of Project Level Adjustments** in  
24 the explanatory statement regarding this Act, the obliga-  
25 tion and expenditure of amounts appropriated or other-

1 wise made available in this Act for those programs,  
2 projects, and activities for which the amounts appro-  
3 priated exceed the amounts requested are hereby required  
4 by law to be carried out in the manner provided by such  
5 tables to the same extent as if the tables were included  
6 in the text of this Act.

7 (b) Amounts specified in the referenced tables de-  
8 scribed in subsection (a) shall not be treated as subdivi-  
9 sions of appropriations for purposes of section 8005 of this  
10 Act: *Provided*, That section 8005 shall apply when trans-  
11 fers of the amounts described in subsection (a) occur be-  
12 tween appropriation accounts.

13 SEC. 8007. (a) Not later than 60 days after enact-  
14 ment of this Act, the Department of Defense shall submit  
15 a report to the congressional defense committees to estab-  
16 lish the baseline for application of reprogramming and  
17 transfer authorities for fiscal year 2018: *Provided*, That  
18 the report shall include—

19 (1) a table for each appropriation with a sepa-  
20 rate column to display the President's budget re-  
21 quest, adjustments made by Congress, adjustments  
22 due to enacted rescissions, if appropriate, and the  
23 fiscal year enacted level;

24 (2) a delineation in the table for each appro-  
25 priation both by budget activity and program,

O-1	Budget Request	Final Bill
<b>4GTN OFFICE OF THE SECRETARY OF DEFENSE</b>	<b>1,488,344</b>	<b>1,485,899</b>
Major headquarters activities - unjustified growth		-5,278
Other programs and initiatives - unjustified growth		-12,121
OUSD AT&L - unjustified growth		-3,000
BRAC support - unjustified growth		-2,046
Program increase - readiness and environmental protection initiative		15,000
Program increase - information assurance scholarship program		5,000
<b>4GT1 SPECIAL OPERATIONS COMMAND</b>	<b>94,273</b>	<b>91,698</b>
Unjustified growth		-2,575
<b>4GTQ WASHINGTON HEADQUARTERS SERVICES</b>	<b>436,776</b>	<b>421,176</b>
Historical underexecution		-6,000
DIUx program - unjustified growth		-9,600
<b>999 OTHER PROGRAMS</b>	<b>14,806,404</b>	<b>14,706,381</b>
Classified adjustment		-100,023
<b>OVERESTIMATION OF CIVILIAN FTE TARGETS</b>		<b>-108,617</b>
<b>TRAVEL UNJUSTIFIED GROWTH</b>		<b>-50,000</b>
<b>PROGRAM INCREASE - IMPACT AID</b>		<b>30,000</b>
<b>PROGRAM INCREASE - IMPACT AID FOR CHILDREN WITH DISABILITIES</b>		<b>5,000</b>
<b>PFOS/PFOA STUDIES AND ANALYSIS</b>		<b>10,000</b>
<b>TRANSFER OPERATION AND MAINTENANCE FUNDS TO PROVIDE APPROPRIATIONS FOR THE DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND</b>		<b>-136,000</b>
<b>PROGRAM INCREASE - AWARDS FOR SERVICE DOGS</b>		<b>100</b>
<b>PROGRAM INCREASE - JOINT TRAVEL REGULATION LONG TERM TEMPORARY DUTY WAIVERS</b>		<b>100</b>

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(IN THOUSANDS OF DOLLARS)

	BUDGET REQUEST	FINAL BILL
270 MISSILE DEFENSE AGENCY.....	504,058	477,808
290 OFFICE OF ECONOMIC ADJUSTMENT.....	57,840	57,840
300 OFFICE OF THE SECRETARY OF DEFENSE.....	1,488,344	1,485,899
310 SPECIAL OPERATIONS COMMAND.....	94,273	91,698
320 WASHINGTON HEADQUARTERS SERVICES.....	436,776	421,176
OTHER PROGRAMS.....	14,806,404	14,706,381
TOTAL, BUDGET ACTIVITY 4.....	27,976,345	27,697,261
IMPACT AID.....	---	30,000
IMPACT AID FOR CHILDREN WITH DISABILITIES.....	---	5,000
OVERESTIMATION OF CIVILIAN FTE TARGETS .....	---	-108,617
UNJUSTIFIED GROWTH IN TRAVEL.....	---	-50,000
COMMENDATION PROGRAM FOR MILITARY WORKING DOGS AND THEIR HANDLERS (HOUSE FLOOR AMENDMENT #9).....	---	100
O&M TRANSFER TO DAWDF.....	---	-136,000
PFOS/PFOA STUDIES AND ANALYSIS.....	---	10,000
PROGRAM INCREASE--JOINT TRAVEL REGULATIONS--LONG-TERM TDY WAIVERS.....	---	100
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE.....	===== 34,585,817 =====	===== 34,059,257 =====

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## **1b: Authorizing Legislation for ATSDR**

### **Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and Superfund Amendments and Reauthorization Act of 1986 (SARA)**

<http://frwebgate.access.gpo.gov/cgi-bin/usc.cgi?ACTION=BROWSE&TITLE=42USCC103>

TITLE 42--THE PUBLIC HEALTH AND WELFARE  
CHAPTER 103--COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION,  
AND LIABILITY [42 U.S.C. 9604(i)(1),(4),(6)(A)(B)(C)(D)(E)(F)(G)(H), (b) (1)]

Section 9604. (i) Agency for Toxic Substances and Disease Registry; establishment, functions, etc.

**(i) Agency for Toxic Substances and Disease Registry; establishment, functions, etc.**

(1) There is hereby established within the Public Health Service an agency, to be known as the Agency for Toxic Substances and Disease Registry, which shall report directly to the Surgeon General of the United States. The Administrator of said Agency shall, with the cooperation of the Administrator of the Environmental Protection Agency, the Commissioner of the Food and Drug Administration, the Directors of the National Institute of Medicine, National Institute of Environmental Health Sciences, National Institute of Occupational Safety and Health, Centers for Disease Control and Prevention, the Administrator of the Occupational Safety and Health Administration, the Administrator of the Social Security Administration, the Secretary of Transportation, and appropriate State and local health officials, effectuate and implement the health related authorities of this chapter.

(4) The Administrator of the ATSDR shall provide consultations upon request on health issues relating to exposure to hazardous or toxic substances, on the basis of available information, to the Administrator of EPA, State officials, and local officials. Such consultations to individuals may be provided by States under cooperative agreements established under this chapter.

(6) (A) The Administrator of ATSDR shall perform a health assessment for each facility on the National Priorities List established under section 9605 of this title. Such health assessment shall be completed not later than December 10, 1988, for each facility proposed for inclusion on such list prior to October 17, 1986, or not later than one year after the date of proposal for inclusion on such list for each facility proposed for inclusion on such list after October 17, 1986.

(B) The Administrator of ATSDR may perform health assessments for releases or facilities where individual persons or licensed physicians provide information that individuals have been exposed to a hazardous substance, for which the probable source of such exposure is a release. In addition to other methods (formal or informal) of providing such information, such individual persons or licensed physicians may submit a petition to

the Administrator of ATSDR providing such information and requesting a health assessment. If such a petition is submitted and the Administrator of ATSDR does not initiate a health assessment, the Administrator of ATSDR shall provide a written explanation of why a health assessment is not appropriate.

(C) In determining the priority in which to conduct health assessments under this subsection, the Administrator of ATSDR, in consultation with the Administrator of EPA, shall give priority to those facilities at which there is documented evidence of the release of hazardous substances, at which the potential risk to human health appears highest, and for which in the judgment of the Administrator of ATSDR existing health assessment data are inadequate to assess the potential risk to human health as provided in subparagraph (F). In determining the priorities for conducting health assessments under this subsection, the Administrator of ATSDR shall consider the National Priorities List schedules and the needs of the Environmental Protection Agency and other Federal agencies pursuant to schedules for remedial investigation and feasibility studies.

(D) Where a health assessment is done at a site on the National Priorities List, the Administrator of ATSDR shall complete such assessment promptly and, to the maximum extent practicable, before the completion of the remedial investigation and feasibility study at the facility concerned.

(E) Any State or political subdivision carrying out a health assessment for a facility shall report the results of the assessment to the Administrator of ATSDR and the Administrator of EPA and shall include recommendations with respect to further activities which need to be carried out under this section. The Administrator of ATSDR shall state such recommendation in any report on the results of any assessment carried out directly by the Administrator of ATSDR for such facility and shall issue periodic reports which include the results of all the assessments carried out under this subsection.

(F) For the purposes of this subsection and section 9611 (c)(4) of this title, the term "health assessments" shall include preliminary assessments of the potential risk to human health posed by individual sites and facilities, based on such factors as the nature and extent of contamination, the existence of potential pathways of human exposure (including ground or surface water contamination, air emissions, and food chain contamination), the size and potential susceptibility of the community within the likely pathways of exposure, the comparison of expected human exposure levels to the short-term and long-term health effects associated with identified hazardous substances and any available recommended exposure or tolerance limits for such hazardous substances, and the comparison of existing morbidity and mortality data on diseases that may be associated with the observed levels of exposure. The Administrator of ATSDR shall use appropriate data, risk assessments, risk evaluations and studies available from the Administrator of EPA.

(G) The purpose of health assessments under this subsection shall be to assist in determining whether actions under paragraph (11) of this subsection should be taken to reduce human exposure to hazardous substances from a facility and whether additional information on human exposure and associated health risks is needed and should be acquired by conducting epidemiological studies under paragraph (7), establishing a



registry under paragraph (8), establishing a health surveillance program under paragraph (9), or through other means. In using the results of health assessments for determining additional actions to be taken under this section, the Administrator of ATSDR may consider additional information on the risks to the potentially affected population from all sources of such hazardous substances including known point or nonpoint sources other than those from the facility in question.

(H) At the completion of each health assessment, the Administrator of ATSDR shall provide the Administrator of EPA and each affected State with the results of such assessment, together with any recommendations for further actions under this subsection or otherwise under this chapter. In addition, if the health assessment indicates that the release or threatened release concerned may pose a serious threat to human health or the environment, the Administrator of ATSDR shall so notify the Administrator of EPA who shall promptly evaluate such release or threatened release in accordance with the hazard ranking system referred to in section 9605 (a)(8)(A) of this title to determine whether the site shall be placed on the National Priorities List or, if the site is already on the list, the Administrator of ATSDR may recommend to the Administrator of EPA that the site be accorded a higher priority.

**(b) Investigations, monitoring, coordination, etc., by President**

(1) Information; studies and investigations

Whenever the President is authorized to act pursuant to subsection (a) of this section, or whenever the President has reason to believe that a release has occurred or is about to occur, or that illness, disease, or complaints thereof may be attributable to exposure to a hazardous substance, pollutant, or contaminant and that a release may have occurred or be occurring, he may undertake such investigations, monitoring, surveys, testing, and other information gathering as he may deem necessary or appropriate to identify the existence and extent of the release or threat thereof, the source and nature of the hazardous substances, pollutants or contaminants involved, and the extent of danger to the public health or welfare or to the environment. In addition, the President may undertake such planning, legal, fiscal, economic, engineering, architectural, and other studies or investigations as he may deem necessary or appropriate to plan and direct response actions, to recover the costs thereof, and to enforce the provisions of this chapter.

## **1c: Authorizing Legislation for NCEH**

### **Public Health Service Act**

[http://www.house.gov/legcoun/Comps/PHSA\\_CMD.pdf](http://www.house.gov/legcoun/Comps/PHSA_CMD.pdf)

#### TITLE III—GENERAL POWERS AND DUTIES OF PUBLIC HEALTH SERVICE PART A—RESEARCH AND INVESTIGATION IN GENERAL

SEC. 301. [241]. (a) The Secretary shall conduct in the Service, and encourage, cooperate with, and render assistance to other appropriate public authorities, scientific institutions, and scientists in the conduct of, and promote the coordination of, research, investigations, experiments, demonstrations, and studies relating to the causes, diagnosis, treatment, control, and prevention of physical and mental diseases and impairments of man, including water purification, sewage treatment, and pollution of lakes and streams. In carrying out the foregoing the Secretary is authorized to—

- 1) collect and make available through publications and other appropriate means, information as to, and the practical application of, such research and other activities;
- 2) make available research facilities of the Service to appropriate public authorities, and to health officials and scientists engaged in special study;
- 3) make grants-in-aid to universities, hospitals, laboratories, and other public or private institutions, and to individuals for such research projects as are recommended by the advisory council to the entity of the Department supporting such projects and make, upon recommendation of the advisory council to the appropriate entity of the Department, grants-in-aid to public or nonprofit universities, hospitals, laboratories, and other institutions for the general support of their research;
- 4) secure from time to time and for such periods as he deems advisable, the assistance and advice of experts, scholars, and consultants from the United States or abroad;
- 5) for purposes of study, admit and treat at institutions, hospitals, and stations of the Service, persons not otherwise eligible for such treatment;
- 6) make available, to health officials, scientists, and appropriate public and other nonprofit institutions and organizations, technical advice and assistance on the application of statistical methods to experiments, studies, and surveys in health and medical fields;
- 7) enter into contracts, including contracts for research in accordance with and subject to the provisions of law applicable to contracts entered into by the military departments under title 10, United States Code, sections 2353 and 2354, except that determination, approval, and certification required thereby shall be by the Secretary of Health, Education, and Welfare; and
- 8) adopt, upon recommendations of the advisory councils to the appropriate entities of the Department or, with respect to mental health, the National Advisory Mental Health Council, such additional means as the Secretary considers necessary or appropriate to carry out the purposes of this section.

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