

# Dept. of Justice: AG Kaul calls on U.S. Senate to pass legislation to protect the public from toxic ‘forever’ chemicals

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MADISON, Wis. – Attorney General Josh Kaul joined a coalition of 15 attorneys general in calling on the U.S. Senate to pass a Fiscal Year 2022 National Defense Authorization Act (NDAA) with needed protections to combat exposures to poly- and perfluoroalkyl (PFAS) “forever” chemicals — a class of highly toxic and environmentally persistent chemicals that pose serious threats to public health— in communities across the country.

“Combatting PFAS contamination protects the health of Wisconsinites,” said Attorney General Josh Kaul. “Including these provisions in the NDAA will help in identifying, cleaning up, and reducing future PFAS contamination.”

In a [letter](#) sent to the U.S. Senate, the coalition urges Senate leaders provide the U.S. Department of Defense (DoD) with the tools necessary to conduct remediation and removal of PFAS contamination to protect public health and the environment. According to the letter, states are currently spending tens of millions of dollars to fight the serious health dangers PFAS contamination poses, and the threat to the public and the environment from the chemicals is growing. The coalition expressly endorses the Senate Armed Services Committee’s conclusion that to adequately address the persistence and toxicity of PFAS chemicals, we need a “whole of government” approach.

The attorneys general urge the Senate to adopt additional protections that appear in the House NDAA bill, which was recently passed by a strong bipartisan majority.

These provisions include:

- Requiring the DoD to use enforceable state standards for the clean-up of PFAS contamination when they are stricter than current federal regulations;
- Prohibiting DoD from procuring certain PFAS-containing items including food packaging, sunscreen, cleaning products, and textiles;
- Establishing a two-year deadline for completing PFAS testing at DoD and National Guard sites;
- Requiring the DoD to publish and make publicly available the results of drinking and groundwater testing for PFAS conducted on or near current or former military sites, including National Guard sites;
- Requiring the DoD to report on the status of clean-up at identified PFAS sites across the country;
- Establishing a moratorium on PFAS incineration; and
- Ensuring that identified loopholes in reporting under EPA's Toxics Release Inventory for PFAS are addressed.

PFAS are man-made chemicals that have been used to produce countless consumer products since the 1940s, including textiles with Scotchgard™; Teflon™ products, including non-stick cookware; food packaging; and waterproof clothing. Firefighting-foam-containing PFAS has also been used for decades by the U.S. military, airports, industrial facilities, and local fire departments. PFAS are estimated to be detectable in the blood stream of 99 percent of the U.S. population.

PFAS have been recognized to be highly toxic to humans and animals, and they are extremely resistant to degradation in the environment — that is why PFAS are known as “forever chemicals.” Certain PFAS are linked to serious adverse health effects in humans and animals; for example, exposure to the two most studied types of PFAS are associated with kidney and testicular cancer, thyroid disease, liver damage, immune system effects, and other conditions.

Joining Attorney General Kaul in sending the letter are the attorneys general of Connecticut, Delaware, Iowa, Maine, Maryland, Minnesota, New Mexico, New York, North Carolina, Oregon, Pennsylvania, and Virginia, as well as the District of Columbia.