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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R.

To direct the Secretary of Defense to establish a compensation fund for military firefighters exposed to PFAS.

IN THE HOUSE OF REPRESENTATIVES

Ms. STRICKLAND introduced the following bill; which was referred to the Committee on _____

A BILL

To direct the Secretary of Defense to establish a compensation fund for military firefighters exposed to PFAS.

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. COMPENSATION FUND FOR MILITARY FIRE-**
4 **FIGHTERS.**

5 (a) PROGRAM AND FUND ESTABLISHED.—Not later
6 than two years after the date of enactment of this Act,
7 the Secretary of Defense shall establish a program and
8 fund to be known as the “Military Firefighters Compensa-
9 tion Fund”.

1 (b) PURPOSE OF PROGRAM.—The purpose of the
2 compensation program is to provide for timely, uniform,
3 and adequate compensation to current and former military
4 firefighters and, where applicable, survivors of such em-
5 ployees, suffering from illnesses incurred by such employ-
6 ees in the performance of duty for the Department of De-
7 fense and certain of its contractors and subcontractors due
8 to exposure to per- and polyfluoroalkyl substances, or
9 PFAS.

10 (c) PFAS EXPOSURE.—Current and former military
11 firefighters shall, in the absence of substantial evidence
12 to the contrary, be determined to have been exposed to
13 PFAS in the performance of duty for the purposes of the
14 compensation program if such firefighter was employed at
15 a military installation, facility of the National Guard, of
16 formerly used defense site during a period when PFAS
17 would have been present at such facility.

18 (d) COMPENSATION PROVIDED.—A current or former
19 military firefighter, or the survivor of such firefighter if
20 the firefighter is deceased, shall receive compensation for
21 the disability or death of that employee from that employ-
22 ee’s occupational illness.

23 (e) PAYMENTS IN THE CASE OF DECEASED PER-
24 SONS.—

1 (1) CLAIM FILED.—In the case of a military
2 firefighter who is deceased at the time of payment
3 of compensation under this section, whether or not
4 the death is the result of the firefighter's occupa-
5 tional illness, such payment may be made only as
6 follows:

7 (A) If the military firefighter is survived
8 by a spouse who is living at the time of pay-
9 ment, such payment shall be made to such sur-
10 viving spouse.

11 (B) If there is no surviving spouse de-
12 scribed in subparagraph (A), such payment
13 shall be made in equal shares to all children of
14 the military firefighter who are living at the
15 time of payment.

16 (C) If there is no surviving spouse de-
17 scribed in subparagraph (A) and if there are no
18 children described in subparagraph (B), such
19 payment shall be made in equal shares to the
20 parents of the military firefighter who are living
21 at the time of payment.

22 (D) If there is no surviving spouse de-
23 scribed in subparagraph (A), and if there are
24 no children described in subparagraph (B) or
25 parents described in subparagraph (C), such

1 payment shall be made in equal shares to all
2 grandchildren of the military firefighter who are
3 living at the time of payment.

4 (E) If there is no surviving spouse de-
5 scribed in subparagraph (A), and if there are
6 no children described in subparagraph (B), par-
7 ents described in subparagraph (C), or grand-
8 children described in subparagraph (D), then
9 such payment shall be made in equal shares to
10 the grandparents of the military firefighter who
11 are living at the time of payment.

12 (F) Notwithstanding the other provisions
13 of this paragraph, if there is—

14 (i) a surviving spouse described in
15 subparagraph (A); and

16 (ii) at least one child of the military
17 firefighter who is living and a minor at the
18 time of payment and who is not a recog-
19 nized natural child or adopted child of
20 such surviving spouse, then half of such
21 payment shall be made to such surviving
22 spouse, and the other half of such payment
23 shall be made in equal shares to each child
24 of the military firefighter who is living and
25 a minor at the time of payment.

1 (2) BEFORE FILING OF CLAIM.—If a current or
2 former military firefighter eligible for payment dies
3 before filing a claim under this section, a survivor of
4 that firefighter who may receive payment under
5 paragraph (1) may file a claim for such payment.

6 (3) DEFINITIONS.—In this subsection:

7 (A) The term “child” includes a recognized
8 natural child, a stepchild who lived with an in-
9 dividual in a regular parent-child relationship,
10 or an adopted child.

11 (B) The term “grandchild” means the
12 child of a child of an individual.

13 (C) The term “grandparent” means the
14 parent of a parent of an individual.

15 (D) The term “parent” includes fathers
16 and mothers through adoption.

17 (E) The term “spouse” means the wife or
18 husband of a deceased individual who was mar-
19 ried to such individual for at least one year im-
20 mediately before such death.

21 (f) MEDICAL BENEFITS PROVIDED.—The Secretary
22 shall furnish, to an individual receiving medical benefits
23 under this section for an illness, the services, appliances,
24 and supplies prescribed or recommended by a qualified
25 physician for that illness.

1 (g) TRANSPORTATION AND EXPENSES.—The indi-
2 vidual may be furnished necessary and reasonable trans-
3 portation and expenses incident to the securing of such
4 services, appliances, and supplies.

5 (h) COMMENCEMENT OF BENEFITS.—An individual
6 receiving benefits under this section shall be furnished
7 those benefits as of the date on which that individual sub-
8 mitted the claim for those benefits in accordance with this
9 section.

10 (i) DEFINITIONS.—In this section:

11 (1) The term “military firefighter” means a
12 member of the Armed Forces or a civilian employee
13 of the Department of Defense whose military occu-
14 pational specialty or primary duties are fire suppres-
15 sion and prevention.

16 (2) The term “military installation” has the
17 meaning given such term in section 2801(c)(4) of
18 title 10, United States Code.

19 (3) The term “PFAS” means perfluoroalkyl
20 and polyfluoroalkyl substances.

21 (4) The term “perfluoroalkyl substance” means
22 a man-made chemical of which all the carbon atoms
23 are fully fluorinated carbon atoms.

24 (5) The term “polyfluoroalkyl substance”
25 means a man-made chemical with at least one fully

1 fluorinated carbon atom and at least one
2 nonfluorinated carbon atom.

3 (j) AUTHORIZATION FOR COMPENSATION FUND.—

4 There is hereby authorized such sums as may be necessary
5 to carry out this section.