



SECTION BY SECTION

House Committee on Education and Labor

Chairman Robert C. "Bobby" Scott

Federal Firefighters Fairness Act of 2022 (H.R. 2499)

Section 1. Short Title

This section specifies that the bill may be cited as the *Federal Firefighters Fairness Act of 2022*.

Section 2. Certain Diseases Presumed to be Work-Related Cause of Disability or Death for Federal Employees in Fire Protection Activities

Section 2(a) amends the *Federal Employees Compensation Act* (chapter 81 of title 5, United States Code) to create a section that facilitates federal firefighters' access to workers' compensation coverage for certain listed diseases for which firefighters have a significant risk.

- It establishes a list of diseases that are deemed proximately caused by employment if developed by a federal employee who has worked for a minimum of five years in fire protection activities.
- It also establishes an initial list of diseases deemed proximately caused by employment for the eligible covered employees. The initial list includes the following diseases: bladder cancer, brain cancer, chronic obstructive pulmonary disease, colorectal cancer, esophageal cancer, kidney cancer, leukemias, lung cancer, mesothelioma, multiple myeloma, non-Hodgkin lymphoma, prostate cancer, skin cancer (melanoma), testicular cancer, thyroid cancer, and sudden cardiac event or stroke not later than 24 hours after working in fire protection activities.
- The Secretary of Labor would be permitted to add additional diseases to the list if he or she determines, based on the weight of the best available scientific evidence, that there is a significant risk to employees in fire protection activities of developing the disease. In making that determination, the Secretary is authorized to rely on authorities such as the National Institute for Occupational Safety and Health.
- The amended FECA language also establishes a petition process by which any person may propose additions to the initial disease list. The Secretary of Labor must grant or deny each petition with written explanation within 18 months of receipt.
- Finally, it defines the relevant terms. The eligible covered employees, "federal employees in fire protection activities," are defined by job duties (including wildlands fire management) and a minimum of 5 years of service. The term "Secretary" is defined to mean the Secretary of Labor.

Section 2(b) requires the Secretary of Labor to inform claimants of the opportunity to enroll in the National Firefighter Registry, or a similar public health research initiative.

Section 2(c) requires the Secretary of Labor to evaluate the latest science on breast cancer risks for firefighters and determine whether breast cancer should be added to the list within 3 years of passage of the Act. The Secretary must submit a report of the findings and determination to Congress.

Section 2(d) states that the presumption applies only to compensation claims filed on or after the date of enactment.