AMENDMENT TO
RULES COMMITTEE PRINT 118–10
OFFERED BY MS. STRICKLAND OF WASHINGTON

At the end of subtitle C of title III, add the following:

SEC. 3. COMPENSATION FUND FOR MILITARY FIREFIGHTERS.

(a) Program and Fund Established.—Not later than two years after the date of enactment of this Act, the Secretary of Defense, in consultation with the Department of Veterans Affairs, shall establish a program and fund to be known as the “Military Firefighters Compensation Fund”.

(b) Purpose of Program.—The purpose of the compensation program is to provide for timely, uniform, and adequate compensation to current and former military firefighters and, where applicable, survivors of such employees, suffering from illnesses incurred by such employees in the performance of duty for the Department of Defense and certain of its contractors and subcontractors due to exposure to per- and polyfluoroalkyl substances, or PFAS.
(c) PFAS EXPOSURE.—Current and former military firefighters shall, in the absence of substantial evidence to the contrary, be determined to have been exposed to PFAS in the performance of duty for the purposes of the compensation program if such firefighter was employed at a military installation, facility of the National Guard, of formerly used defense site during a period when PFAS would have been present at such facility.

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

(e) PAYMENTS IN THE CASE OF DECEASED PERSONS.—

(1) CLAIM FILED.—In the case of a military firefighter who is deceased at the time of payment of compensation under this section, whether or not the death is the result of the firefighter’s occupational illness, such payment may be made only as follows:

(A) If the military firefighter is survived by a spouse who is living at the time of payment, such payment shall be made to such surviving spouse.
(B) If there is no surviving spouse described in subparagraph (A), such payment shall be made in equal shares to all children of the military firefighter who are living at the time of payment.

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

(D) If there is no surviving spouse described in subparagraph (A), and if there are no children described in subparagraph (B) or parents described in subparagraph (C), such payment shall be made in equal shares to all grandchildren of the military firefighter who are living at the time of payment.

(E) If there is no surviving spouse described in subparagraph (A), and if there are no children described in subparagraph (B), parents described in subparagraph (C), or grandchildren described in subparagraph (D), then such payment shall be made in equal shares to
the grandparents of the military firefighter who
are living at the time of payment.

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

(i) a surviving spouse described in
subsection (A); and

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

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

(3) DEFINITIONS.—In this subsection:

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

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

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

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

(E) The term “spouse” means the wife or husband of a deceased individual who was married to such individual for at least one year immediately before such death.

(f) Medical Benefits Provided.—The Secretary shall furnish, to an individual receiving medical benefits under this section for an illness, the services, appliances, and supplies prescribed or recommended by a qualified physician for that illness.

(g) Transportation and Expenses.—The individual may be furnished necessary and reasonable transportation and expenses incident to the securing of such services, appliances, and supplies.

(h) Commencement of Benefits.—An individual receiving benefits under this section shall be furnished those benefits as of the date on which that individual sub-
mitted the claim for those benefits in accordance with this
section.

(i) DEFINITIONS.—In this section:

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

(2) The term “PFAS” means perfluoroalkyl
and polyfluoroalkyl substances.

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

(3) The term “polyfluoroalkyl substance”
means a man-made chemical with at least one fully
fluorinated carbon atom and at least one
nonfluorinated carbon atom.

(j) AUTHORIZATION FOR COMPENSATION FUND.—
There is hereby authorized such sums as may be necessary
to carry out this section.