

116TH CONGRESS
2D SESSION

H. R. 5637

To amend title 38, United States Code, to establish presumptions of service connection for diseases associated with firefighting.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 16, 2020

Ms. SPANBERGER (for herself, Mr. BACON, Ms. SLOTKIN, Ms. STEFANIK, Mr. COLE, Mr. MITCHELL, Ms. HOULAHAN, Mr. FITZPATRICK, and Mr. GOTTHEIMER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish presumptions of service connection for diseases associated with firefighting.

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. SHORT TITLE.**

4 This Act may be cited as the “Michael Lecik Military
5 Firefighters Protection Act”.

1 **SEC. 2. PRESUMPTIONS OF SERVICE CONNECTION FOR DIS-**
2 **EASES ASSOCIATED WITH FIREFIGHTING.**

3 (a) ESTABLISHMENT.—Subchapter II of chapter 11
4 of title 38, United States Code, is amended by adding at
5 the end the following new section:

6 **“§ 1119. Presumptions of service connection for dis-**
7 **eases associated with firefighting**

8 “(a) SERVICE CONNECTION.—For the purposes of
9 section 1110 of this title, and subject to section 1113 of
10 this title, a disease specified in subsection (b) becoming
11 manifest in a veteran described in subsection (c) to a de-
12 gree of disability specified in subsection (d) and within the
13 period specified in subsection (e) shall be considered to
14 have been incurred in or aggravated during active military,
15 naval, or air service, notwithstanding that there is no
16 record of evidence of such disease during a period of such
17 service.

18 “(b) SPECIFIED DISEASES.—The diseases specified
19 in this subsection are the following:

20 “(1) Heart disease.

21 “(2) Lung disease.

22 “(3) Brain cancer.

23 “(4) Cancer of the blood or lymphatic systems.

24 “(5) Leukemia.

25 “(6) Lymphoma (except Hodgkin’s disease).

26 “(7) Multiple myeloma.

1 “(8) Bladder cancer.

2 “(9) Kidney cancer.

3 “(10) Cancer of the reproductive system (in-
4 cluding testicular cancer).

5 “(11) Cancer of the digestive system.

6 “(12) Colon cancer.

7 “(13) Liver cancer.

8 “(14) Skin cancer.

9 “(15) Lung cancer.

10 “(16) Breast cancer.

11 “(17) Each additional disease (if any) that the
12 Secretary determines in regulations prescribed under
13 this section—

14 “(A) warrants a presumption of service
15 connection by reason of having positive associa-
16 tion with firefighting; and

17 “(B) becomes manifest within the period
18 (if any) prescribed in such regulations in a vet-
19 eran described in subsection (c), notwithstand-
20 ing subsection (e).

21 “(c) COVERED VETERANS.—A veteran described in
22 this subsection is a veteran who—

23 “(1) is trained in fire suppression; and

24 “(2) served on active duty in a military occupa-
25 tional specialty or career field with a primary re-

1 sponsibility for firefighting or damage control for at
2 least five years in the aggregate.

3 “(d) DEGREE OF DISABILITY.—The degree of dis-
4 ability specified in this subsection is 10 percent or more.

5 “(e) PERIOD.—The period specified in this subsection
6 is within 15 years of the date on which the veteran sepa-
7 rated from active military, naval, or air service.

8 “(f) EFFECTIVE DATE OF AWARD.—The effective
9 date of an award under this section shall be determined
10 in accordance with section 5110 of this title.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of such chapter is amended by inserting
13 after the item relating to section 1118 the following new
14 item:

“1119. Presumptions of service connection for diseases associated with fire-
fighting.”.

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