

The Honorable Salud Carbajal
Representative for California's 24th Congressional District
House Committee on Ed & Labor Hearing Testimony

Chairman Scott, Ranking Member Foxx, and Members of the Committee:

Thank you for the opportunity today to testify in support of my bipartisan legislation, H.R. 2499 – the Federal Firefighter Fairness Act that I have introduced with Representatives Bacon, Takano and Fitzpatrick.

This Congress marks the third time I have introduced this piece of legislation since I was elected to represent the Central Coast of California in 2016. In all these years, this is the first time this critical bill has received a hearing, and for that, I want to thank and acknowledge the leadership of Chairman Scott who is bringing it before members of the Education and Labor committee for consideration.

The Federal Firefighter Fairness Act ensures federal firefighters receive the same access to disability and retirement benefits as their peers who are state, county, or municipal firefighters and who often fight the same exact fires. It would create the same presumption for federal firefighters who become disabled by serious diseases, like certain cancers, lung disease, heart disease and infectious diseases, contracted the illness on the job.

Under current federal law, federal firefighters are required to precisely identify an incident or exposure that caused a disease for it to be considered job-related. The burden of proving that one specific incident or exposure led to a disease is extremely difficult for firefighters to meet, because they work in so many environments and conditions.

Fighting fires is hard and dangerous work. In one study conducted by Harvard University, scientists measured air contaminant levels at more than 200 structural fires. Benzene, a chemical linked to many cancers, was found in 181 out of 197 samples from fire scenes. Multiple studies have shown that there are over 100 chemicals that can be found in smoke, showing just how difficult it can be for federal firefighters to prove an illness they contracted was caused by one specific chemical or incident.

Most state, local, and municipal firefighters already benefit from something called a “presumptive illness” law. These laws link a particular occupation with certain diseases or conditions that have been connected to their work.

California was the first state to pass a firefighters presumptive illness law in 1982. Today, 49 out of 50 states have presumptive illness laws that cover state and local firefighters. Sadly, not one of these laws cover federal firefighters. This is the gap and inequity that I hope to fix with the Federal Firefighters Fairness Act, which is overwhelmingly supported by my colleagues with 95 cosponsors along with the International Association of Federal Firefighters (IAFF) and the American Federation of Government Employees (AFGE).

Last month, over a thousand firefighters put their lives on the line to battle the Alisal Fire in my district on the Central Coast of California. I am so thankful for the federal, state, and local firefighters who worked together to put out the blaze and keep our community safe. All of them performed the same job, but experience a disparity in health benefits.

It is not fair that federal firefighters are being denied access to benefits that their local counterparts receive, especially when they fight the same fires and expose themselves to the same risks.

California experienced unprecedented wildfire seasons in 2020 and 2021, and scientists are projecting that wildfires will continue to increase in frequency and severity. Now more than ever, we need to do right by our federal fighters and pass this vital legislation.

Our firefighters cannot continue to put themselves in harms way to protect us all, only to be denied health care benefits simply because they cannot prove a work-related illness was linked to one chemical or incident. Firefighters of all types are heroes and deserve the same respect and benefits for the hard and necessary job they perform. It is time to pass a presumptive illness law for our federal firefighters and not continue to treat them as second-class firefighters.

I will work with my colleagues and continue to fight to protect those who serve our country in any capacity. We must push this measure across the finish line. Thank you again for the opportunity to speak on my legislation, H.R. 2499 – the Federal Firefighter Fairness Act.