

118TH CONGRESS  
1ST SESSION

# S. 1505

To reform and enhance the pay and benefits of Federal wildland firefighters,  
and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 9, 2023

Mr. BENNET introduced the following bill; which was read twice and referred  
to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To reform and enhance the pay and benefits of Federal  
wildland firefighters, and for other purposes.

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; DEFINITIONS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Tim Hart Wildland Firefighter Classification and Pay  
6 Parity Act” or “Tim’s Act”.

7 (b) **DEFINITIONS.**—In this Act:

8 (1) **DIRECTOR.**—The term “Director” means  
9 the Director of the Office of Personnel Management.

1           (2) FEDERAL WILDLAND FIREFIGHTER.—The  
2 term “Federal wildland firefighter” means any tem-  
3 porary, seasonal, or permanent position at the De-  
4 partment of Agriculture or the Department of the  
5 Interior, and Tribal Firefighters, that maintains  
6 group, emergency incident management, or fire  
7 qualifications, as established annually by the Stand-  
8 ards for Wildland Fire Position Qualifications pub-  
9 lished by the National Wildfire Coordinating Group,  
10 and primarily engages in or supports wildland fire  
11 management activities, including forestry and range-  
12 land technicians and positions concerning aviation,  
13 engineering heavy equipment operations, dispatch, or  
14 fire and fuels management.

15           (3) SECRETARIES.—The term “Secretaries”  
16 means the Secretary of Agriculture and the Sec-  
17 retary of the Interior.

18 **SEC. 2. SPECIAL BASE PAY RATES FOR WILDLAND FIRE-**  
19 **FIGHTERS.**

20           (a) IN GENERAL.—Title 5, United States Code, is  
21 amended by inserting after section 5332 the following:

22 **“§ 5332a. Special base rates of pay for wildland fire-**  
23 **fighters**

24           “(a) In this section—

1           “(1) the term ‘firefighter’ means an employee  
2           who—

3                   “(A) is a firefighter within the meaning of  
4                   section 8331(21) or section 8401(14);

5                   “(B) in the case of an employee who holds  
6                   a supervisory or administrative position and is  
7                   subject to subchapter III of chapter 83, but  
8                   who does not qualify to be considered a fire-  
9                   fighter within the meaning of section 8331(21),  
10                  would otherwise qualify if the employee had  
11                  transferred directly to such position after serv-  
12                  ing as a firefighter within the meaning of that  
13                  section;

14                  “(C) in the case of an employee who holds  
15                  a supervisory or administrative position and is  
16                  subject to chapter 84, but who does not qualify  
17                  to be considered a firefighter within the mean-  
18                  ing of section 8401(14), would otherwise qualify  
19                  if the employee had transferred directly to such  
20                  position after performing duties described in  
21                  section 8401(14)(A) for at least 3 years; and

22                  “(D) in the case of an employee who is not  
23                  subject to subchapter III of chapter 83 or chap-  
24                  ter 84, holds a position that the Office of Per-  
25                  sonnel Management determines would satisfy

1           subparagraph (A), (B), or (C) if the employee  
2           were subject to subchapter III of chapter 83 or  
3           chapter 84;

4           “(2) the term ‘General Schedule base rate’  
5           means an annual rate of basic pay established under  
6           section 5332, before any additions such as a locality-  
7           based comparability payment under section 5304 or  
8           5304a or a special rate supplement under section  
9           5305;

10          “(3) the term ‘special base rate’ means an an-  
11          nual rate of basic pay payable to a wildland fire-  
12          fighter, before any additions or reductions, that re-  
13          places the General Schedule base rate otherwise ap-  
14          plicable to the wildland firefighter and that is ad-  
15          ministered in the same manner as General Schedule  
16          base rates; and

17          “(4) the term ‘wildland firefighter’ means any  
18          temporary, seasonal, or permanent position at the  
19          Department of Agriculture or the Department of the  
20          Interior, or Tribal Firefighters, that maintains  
21          group, emergency incident management, or fire  
22          qualifications, as established annually by the Stand-  
23          ards for Wildland Fire Position Qualifications pub-  
24          lished by the National Wildfire Coordinating Group,  
25          and primarily engages in or supports wildland fire

1 management activities, including forestry and range-  
2 land technicians and positions concerning aviation,  
3 engineering heavy equipment operations, dispatch,  
4 training, development and technology, or fire and  
5 fuels management.

6 “(b)(1) Notwithstanding section 5332, a wildland  
7 firefighter is entitled to a special base rate of pay at  
8 grades 1 through 15 of the General Schedule, as pre-  
9 scribed by this subsection. This special base rate shall re-  
10 place the otherwise applicable General Schedule base rate  
11 and shall be basic pay for all purposes, including the pur-  
12 pose of computing a locality-based comparability payment  
13 under section 5304 or 5304a. Such special base rates shall  
14 be computed as described in paragraphs (2) and (3) and  
15 adjusted at the time of adjustments in the General Sched-  
16 ule.

17 “(2) The minimum rate of basic pay for any wildland  
18 firefighter in levels 1 through 5 of the General Schedule  
19 shall—

20 “(A) be not less than the rate of pay for step  
21 3 of GS-6, as adjusted by the pay locality des-  
22 ignated as ‘Rest of U.S.’ under section 5304; and

23 “(B) not be greater than the minimum rate of  
24 basic pay provided to GS-6 under paragraph (3).

1       “(3) The special base rates for a wildland firefighter  
2 in levels 6 through 15 of the General Schedule shall be  
3 derived by increasing the otherwise applicable General  
4 Schedule base rate on the date of enactment of this Act  
5 by the applicable percentage for the wildland firefighter’s  
6 grade as shown below and rounding the result to the near-  
7 est whole dollar:

8               “GS–6, 27 percent.

9               “GS–7, 24 percent.

10              “GS–8, 21 percent.

11              “GS–9, 18 percent.

12              “GS–10, 15 percent.

13              “GS–11, 12 percent.

14              “GS–12, 9 percent.

15              “GS–13, 6 percent.

16              “GS–14, 3 percent.

17              “GS–15, 1.5 percent.

18       “(4) When the special base rate is expressed as an  
19 hourly, daily, weekly, or biweekly rate, the rate is com-  
20 puted from the appropriate annual rate of basic pay de-  
21 rived under paragraph (2) or (3) in accordance with the  
22 rules prescribed by section 5504(b).”.

23       (b) EFFECTIVE DATE.—The amendments made by  
24 subsections (a) and (d) shall be effective on the first day

1 of the first applicable pay period beginning on or after  
2 October 1, 2023.

3 (c) CLERICAL AMENDMENT.—The table of sections  
4 for chapter 53 of title 5, United States Code, is amended  
5 by inserting after the item relating to section 5332 the  
6 following:

“5332a. Special base rates of pay for wildland firefighters.”.

7 (d) PREVAILING RATE EMPLOYEES.—Section 5343  
8 of title 5, United States Code, is amended by adding at  
9 the end the following:

10 “(g) For prevailing rate employees described in sec-  
11 tion 5342(a)(2)(A) who qualify as a ‘wildland firefighter’  
12 based on the definitions of ‘firefighter’ and ‘wildland fire-  
13 fighter’ in section 5332a(a), the Secretary of Agriculture  
14 or the Secretary of the Interior (as applicable) shall in-  
15 crease the wage rates of such employees by amounts (de-  
16 termined at the sole and exclusive discretion of the appli-  
17 cable Secretary after consultation with the other Sec-  
18 retary) that are generally consistent with the percentage  
19 increases given to wildland firefighters in the General  
20 Schedule under section 5332a. Such an increased wage  
21 rate shall be basic pay for the same purposes as the wage  
22 rate otherwise established under this section. An increase  
23 under this subsection may not cause an employee’s wage  
24 rate to increase beyond a rate that would produce an

1 annualized rate in excess of the annual rate for level IV  
2 of the Executive Schedule.”.

3 **SEC. 3. WILDLAND FIRE INCIDENT STANDBY PREMIUM PAY.**

4 (a) IN GENERAL.—Title 5, United States Code, is  
5 amended by inserting after section 5545b the following:

6 **“§ 5545c. Incident standby premium pay for employ-**  
7 **ees engaged in wildland firefighting**

8 “(a) In this section—

9 “(1) the term ‘covered employee’ means an em-  
10 ployee of the Forest Service or the Department of  
11 the Interior who—

12 “(A) qualifies as a wildland firefighter  
13 based on the definitions of ‘firefighter’ and  
14 ‘wildland firefighter’ in section 5332a(a); or

15 “(B) is certified by the applicable agency  
16 to perform wildland fire incident related duties  
17 during the period such employee is assigned to  
18 a qualifying incident;

19 “(2) the term ‘designated sleep and rest period’  
20 means the hours during an incident deployment that  
21 a covered employee is deemed to be in sleep or rest  
22 status for pay computation purposes, regardless of  
23 actual hours spent in that status;



1           “(3) the term ‘incident standby premium pay’  
2 means pay to which a covered employee is entitled  
3 under subsection (c);

4           “(4) the term ‘prescribed fire incident’ means a  
5 wildland fire originating from a planned ignition in  
6 accordance with applicable laws, policies, and regula-  
7 tions to meet specific objectives;

8           “(5) the term ‘qualifying incident’ means a  
9 wildfire incident, a prescribed fire incident, or a se-  
10 verity incident, but excludes an initial response inci-  
11 dent involving a single operational period of less  
12 than 36 hours (unless a longer period is approved by  
13 an authorized agency official due to exceptional cir-  
14 cumstances) if the employee is in continual work  
15 status with no designated sleep and rest period es-  
16 tablished by the agency;

17           “(6) the term ‘severity incident’ means an inci-  
18 dent in which a covered employee is pre-positioned  
19 in an area where conditions indicate there is a high  
20 risk of wildfires; and

21           “(7) the term ‘wildfire incident’ means a  
22 wildland fire originating from an unplanned ignition,  
23 such as lightning, volcanos, unauthorized and acci-  
24 dental human-caused fires, and prescribed fires that  
25 are declared wildfires.

1       “(b) A covered employee is eligible for incident stand-  
2 by premium pay under this section when meeting all of  
3 the following conditions:

4           “(1) The employee is deployed to the field by  
5 the employing agency to respond to a qualifying inci-  
6 dent.

7           “(2) The employee is placed by the employing  
8 agency in continuous duty status during the incident  
9 deployment.

10          “(3) Any periods of sleeping and resting occur  
11 in a field location associated with the duty assign-  
12 ment.

13          “(c) A covered employee who meets the conditions in  
14 subsection (b) is entitled to incident standby premium pay  
15 for designated sleep and rest periods, and such pay shall  
16 be the only compensation payable to the employee for  
17 those periods, notwithstanding any other law. Such pre-  
18 mium pay shall be paid at an hourly rate equal to 50 per-  
19 cent of the employee’s hourly rate of basic pay, rounded  
20 to the nearest whole cent. In determining an employee’s  
21 minimum wage and overtime pay entitlements under the  
22 Fair Labor Standards Act, incident standby premium pay  
23 and associated hours shall be disregarded.

24          “(d) A covered employee’s designated sleep and rest  
25 periods shall be fixed at 9 hours for every 24-hour duty

1 period associated with a qualifying incident, including nec-  
2 essary travel time. If the hours of an incident deployment  
3 are not an exact multiple of 24-hour periods, the ratio of  
4  $9/24$  shall be multiplied by hours for the less-than-24-  
5 hours period of duty to derive the designated sleep and  
6 rest period for that duty period, with the result rounded  
7 to the nearest fractional increment established by the  
8 agency in tracking hours of work.

9 “(e) Incident standby premium pay under this sec-  
10 tion—

11 “(1) is not considered part of the basic pay of  
12 an employee for any purpose;

13 “(2) may not be considered in determining an  
14 employee’s lump-sum payment for accumulated and  
15 accrued annual leave under section 5551 or section  
16 5552;

17 “(3) may not be used in determining pay under  
18 section 8114 (related to workers’ compensation); and

19 “(4) may not be considered in determining pay  
20 for hours of paid leave or other paid time off during  
21 which the premium pay is not payable.”.

22 (b) OTHER EMPLOYEES.—Title 5, United States  
23 Code, is further amended—

24 (1) in section 5544, by—

25 (A) adding the following:

1 “(d) A prevailing rate employee described in section  
2 5342(a)(2)(a) shall receive incident standby premium pay  
3 under the same terms and conditions that apply to a cov-  
4 ered employee under section 5545c if such employee is em-  
5 ployed by the Forest Service or the Department of the  
6 Interior and—

7 “(1) qualifies as a wildland firefighter based on  
8 the definitions of ‘firefighter’ and ‘wildland fire-  
9 fighter’ in section 5332a(a); or

10 “(2) is certified by the applicable agency to per-  
11 form wildland fire incident related duties during the  
12 period such employee is assigned to a qualifying inci-  
13 dent (as defined in section 5545c(a)(5)).”; and

14 (B) amending the section heading to read:

15 “**Wage-board overtime, Sunday rates,**  
16 **and other premium pay”;**

17 (2) in section 5545, by adding at the end the  
18 following:

19 “(e) For an employee of the Forest Service or the  
20 Department of the Interior who is temporarily deployed  
21 to perform wildland fire incident related duties, subsection  
22 (c)(2) shall not apply to hours during such temporary de-  
23 ployment notwithstanding any other provision of law.”;

24 (3) in section 5545a, by adding at the end the  
25 following:

1 “(l) For an employee of the Forest Service or the De-  
2 partment of the Interior who is temporarily deployed to  
3 perform wildland fire incident related duties, subsection  
4 (c)(2) shall not apply to hours during such temporary de-  
5 ployment notwithstanding any other provision of law.”;  
6 and

7 (4) in section 5547(a), by inserting “5545c,”  
8 after “5545a.”

9 (c) EFFECTIVE DATE.—The amendments made by  
10 this section shall be effective on the first day of the first  
11 applicable pay period beginning on or after October 1,  
12 2023.

13 (d) CLERICAL AMENDMENTS.—The table of sections  
14 for chapter 55 of title 5, United States Code, is amended  
15 by—

16 (1) amending the item relating to section 5544  
17 to read as follows:

“5544. Wage-board overtime, Sunday rates, and other premium pay.”;

18 and

19 (2) inserting after the item relating to section  
20 5545b the following new item:

“5545c. Incident standby premium pay for employees engaged in wildland fire-  
fighting.”.

1 **SEC. 4. SPECIAL LIMITATIONS ON PAY FOR WILDLAND**  
2 **FIREFIGHTERS.**

3 (a) IN GENERAL.—Title 5, United States Code, is  
4 amended—

5 (1) by inserting after section 5547 the fol-  
6 lowing:

7 **“§ 5547a. Special limitations on premium pay for em-**  
8 **ployees engaged in wildland firefighting**

9 “(a) In this section—

10 “(1) the term ‘covered employee’ means an em-  
11 ployee of the Forest Service or the Department of  
12 the Interior who—

13 “(A) qualifies as a wildland firefighter  
14 based on the definitions of ‘firefighter’ and  
15 ‘wildland firefighter’ in section 5332a(a); or

16 “(B) is certified by the applicable agency  
17 to perform wildland fire incident related duties  
18 during the period such employee is assigned to  
19 a qualifying incident;

20 “(2) the term ‘covered services’ means services  
21 performed by an employee that are determined by  
22 the Secretary of the Interior or the Secretary of Ag-  
23 riculture, as applicable, to primarily involve emer-  
24 gency wildfire suppression activities, including any  
25 periods of duty when the employee is sleeping or

1 resting during an extended period of deployment to  
2 engage in those activities;

3 “(3) the term ‘emergency wildland fire suppres-  
4 sion activities’ means initial-response and extended-  
5 response activities that directly relate to suppression  
6 of a wildfire, including activities associated with a  
7 severity incident but excluding activities associated  
8 with a prescribed fire incident (as those terms are  
9 defined section 5545c); and

10 “(4) the term ‘premium pay’ means the pre-  
11 mium pay paid under the provisions of law cited in  
12 section 5547(a), except as otherwise provided in sub-  
13 section (h).

14 “(b) Any premium pay earned by a covered employee  
15 for covered services shall be disregarded in calculating the  
16 aggregate of such employee’s basic pay and premium pay  
17 for purposes of applying a limitation under section 5547.

18 “(c) Any premium pay that is disregarded under sub-  
19 section (b) shall be disregarded in calculating such em-  
20 ployee’s aggregate pay for purposes of applying the limita-  
21 tion in section 5307.

22 “(d) Pay that is disregarded under subsection (b)  
23 may not be paid to the extent it would cause the aggregate  
24 of the employee’s basic pay, premium pay, and hazard pay  
25 under section 5545(d) payable in the applicable calendar

1 year to exceed the rate of basic pay payable for a position  
2 at level II of the Executive Schedule under section 5313,  
3 as in effect at the end of such calendar year. Any premium  
4 pay that is subject to a biweekly limitation under section  
5 5547(c) must be paid first before other premium pay in  
6 applying the level II limitation.

7 “(e) Application of the limit in subsection (d) or sub-  
8 section (h) to a covered employee may be waived at the  
9 sole and exclusive discretion of the Secretary of the Inte-  
10 rior or the Secretary of Agriculture, as applicable. Before  
11 authorizing such a waiver for employees of their respective  
12 agencies, each Secretary, after consulting with the other  
13 Secretary, shall prescribe criteria that will be applied in  
14 making a determination to grant a waiver.

15 “(f) Any additional pay resulting from application of  
16 this section may not be used in computing a lump-sum  
17 payment for accumulated and accrued annual leave under  
18 section 5551 or section 5552.

19 “(g) The Departments of the Interior and Agri-  
20 culture shall maintain records that document uses of the  
21 authority provided by this section.

22 “(h)(1) For prevailing rate employees described in  
23 section 5342(a)(2)(A) who meet the requirements in sub-  
24 section (a)(l) to qualify as a covered employee, premium  
25 pay may not be paid to the extent it would cause the ag-



1 gregate of the employee’s basic pay and premium pay in  
2 the applicable calendar year to exceed the rate of basic  
3 pay payable for a position at level II of the Executive  
4 Schedule under section 5313, as in effect at the end of  
5 such calendar year.

6 “(2) For the purposes of this subsection, the term  
7 ‘basic pay’ means wages, environmental differential pay,  
8 and night shift differential pay, and the term ‘premium  
9 pay’ means overtime pay, Sunday premium pay, and holi-  
10 day premium pay.”; and

11 (2) in section 5541(2)(xi), by inserting “, sec-  
12 tion 5547a(h),” after “section 5544”.

13 (b) CALENDAR YEAR 2023.—For the purpose of ap-  
14 plying section 5547 and section 1701 of division B of Pub-  
15 lic Law 117–43 (5 U.S.C. 5547 note) in calendar year  
16 2023, incident standby premium pay shall be included in  
17 premium pay that is subject to the limits established in  
18 those sections.

19 (c) EFFECTIVE DATE.—The amendments made by  
20 subsection (a) shall take effect on the first day of the first  
21 pay period that has a payment date in January 2024. Sub-  
22 section (b) shall be effective on the first day of the first  
23 applicable pay period beginning on or after October 1,  
24 2023.

1 (d) CLERICAL AMENDMENT.—The table of sections  
 2 for chapter 55 of title 5, United States Code, is further  
 3 amended by inserting after the item for section 5547 the  
 4 following new item:

“5547a. Special limitations on premium pay for employees engaged in wildland  
 firefighting.”.

5 **SEC. 5. REST AND RECUPERATION LEAVE FOR EMPLOYEES**  
 6 **ENGAGED IN WILDLAND FIREFIGHTING.**

7 (a) IN GENERAL.—Title 5, United States Code, is  
 8 amended by inserting after section 6329d the following:

9 **“§ 6329e. Rest and recuperation leave for employees**  
 10 **engaged in wildland firefighting**

11 “(a) In this section—

12 “(1) the term ‘applicable Secretary’ means the  
 13 Secretary of Agriculture or the Secretary of the In-  
 14 terior;

15 “(2) the term ‘covered employee’ means an em-  
 16 ployee of the Forest Service or the Department of  
 17 the Interior who—

18 “(A) qualifies as a ‘wildland firefighter’  
 19 based on the definitions of ‘firefighter’ and  
 20 ‘wildland firefighter’ in section 5332a(a) (apply-  
 21 ing the definition of ‘employee’ in section  
 22 6301(2) in lieu of the definition of ‘employee’ in  
 23 section 5331(a)); or

1           “(B) is certified by the applicable agency  
2           to perform wildland fire incident related duties  
3           during the period such employee is assigned to  
4           a qualifying incident; and

5           “(3) the term ‘qualifying incident’ has the  
6           meaning given that term in section 5545c(a)(5).

7           “(b) A covered employee may receive paid rest and  
8           recuperation leave following the completion of service  
9           under a qualifying incident, subject to policies established  
10          at the sole and exclusive discretion of the Secretary of the  
11          Agriculture or the Secretary of the Interior, as applicable.  
12          Each Secretary shall prescribe such policies after con-  
13          sulting with the other Secretary.

14          “(c) Rest and recuperation leave granted under this  
15          section shall be used during scheduled hours within the  
16          covered employee’s tour of duty established for leave-  
17          charging purposes and shall be paid in the same manner  
18          as annual leave. Rest and recuperation leave must be used  
19          immediately after a qualifying incident and may not be  
20          set aside for later use. A covered employee may not receive  
21          any payment for unused rest and recuperation leave.

22          “(d) A covered employee with an intermittent work  
23          schedule shall be excused from duty during the same pe-  
24          riod of time that other covered employees in the same cir-  
25          cumstances are entitled to rest and recuperation leave and

1 shall receive a payment as if the covered employee with  
2 an intermittent work schedule were entitled to rest and  
3 recuperation leave under subsections (b) and (c).”.

4 (b) EFFECTIVE DATE.—The amendments made by  
5 subsection (a) shall be effective on the first day of the  
6 first applicable pay period beginning on or after October  
7 1, 2023.

8 (c) CLERICAL AMENDMENT.—The table of sections  
9 for subchapter II of chapter 63 of title 5, United States  
10 Code, is amended by inserting after the item relating to  
11 section 6329d the following new item:

“6329e. Rest and recuperation leave for employees engaged in wildland fire-  
fighting.”.

12 **SEC. 6. HEALTH PROVISIONS.**

13 (a) DATABASE; RECOMMENDATIONS.—Not later than  
14 one year after the date of enactment of this Act, the Secre-  
15 taries shall—

16 (1) establish and maintain a publicly accessible,  
17 searchable database on a website, to be called the  
18 “Federal Wildland Firefighter Cancer and Cardio-  
19 vascular Disease Database”, to track chronic disease  
20 caused by on-the-job environmental exposure over  
21 the lifetimes of current and former Federal wildland  
22 firefighters;

23 (2) update such database not less than on a  
24 yearly basis; and

1           (3) develop and adhere to recommendations on  
2 mitigation strategies to minimize exposure to envi-  
3 ronmental hazards for Federal wildland firefighters.

4           (b) MENTAL HEALTH.—

5           (1) MENTAL HEALTH PROGRAM.—Not later  
6 than January 1, 2024, the Secretaries shall establish  
7 and carry out a program for Federal wildland fire-  
8 fighters for mental health awareness and support.  
9 Such program shall include the following:

10                   (A) A mental health awareness campaign.

11                   (B) A mental health education and train-  
12 ing program that includes an on-boarding cur-  
13 riculum.

14                   (C) An extensive peer-to-peer mental  
15 health support network for Federal wildland  
16 firefighters and their immediate family.

17                   (D) Expansion of the Critical Incident  
18 Stress Management Program, to develop and  
19 retain a larger pool of qualified mental health  
20 professionals who are familiar with the experi-  
21 ences of the emergency response workforce. The  
22 Program shall monitor and track mental health  
23 in the profession to better understand the scope  
24 of the issue and provide ongoing assistance and  
25 professional long term care to patients.

1           (E) Establish and carry out a new and dis-  
2           tinct mental health support service specific to  
3           Federal wildland firefighters and their imme-  
4           diate family, with culturally relevant and trau-  
5           ma informed mental health professionals who  
6           are readily available, and not subject to any  
7           limit on the number of sessions or service pro-  
8           vided.

9           (2) MENTAL HEALTH LEAVE.—Each Federal  
10          wildland firefighter shall be entitled to 7 consecutive  
11          days of leave, without loss or reduction in pay, dur-  
12          ing any calendar year. Leave provided under this  
13          paragraph shall not—

14                 (A) accumulate for use in succeeding  
15                 years; and

16                 (B) be considered to be annual or vacation  
17                 leave for purposes of section 5551 or 5552 of  
18                 title 5, United States Code, or for any other  
19                 purpose.

20          (c) COORDINATION.—In carrying out subsections (a)  
21          and (b), the Secretaries may enter into partnerships or  
22          cooperative agreements with other Federal agencies, uni-  
23          versities, or non-profit institutions.

24          (d) OWCP.—The Office of Workers' Compensation  
25          Programs within the Department of Labor shall—

1           (1) recognize post-traumatic stress disorder and  
2           psychological stress-related injuries or illnesses cor-  
3           related to fire protection, suppression, and incident  
4           support activities, and ensure long term coverage for  
5           the duration of the illnesses; and

6           (2) expand the Special Claims Unit to ensure  
7           adequate unit staffing levels are sufficient to expe-  
8           dite the claims process and shorten response times  
9           to wildland firefighter and incident support per-  
10          sonnel injured or effected on the job in order to al-  
11          leviate the psychological and financial burdens  
12          placed on the patient and their families.

13 **SEC. 7. RETIREMENT FOR FIREFIGHTERS.**

14          (a) DEPOSIT SERVICE.—Notwithstanding any other  
15          provision of law, any service performed by an individual  
16          as a Federal wildland firefighter on or after January 1,  
17          1989, for which retirement deductions under chapter 84  
18          of title 5, United States Code, have not been made shall  
19          be creditable under such chapter, but only if such fire-  
20          fighter—

21               (1) submits a written election to the Director;  
22          and

23               (2) the deposit requirements of section 8411(f)  
24          of such title had been met with respect to such serv-  
25          ice.

1 (b) DISABILITY ANNUITY.—Beginning on the date of  
2 enactment of this Act, any Federal wildland firefighter  
3 who suffers from a disease described in section  
4 8143b(b)(2) of title 5, United States Code, due to environ-  
5 mental job-related exposure, including smoke inhalation,  
6 silicate inhalation, and firefighting toxic exposure, shall be  
7 considered to be disabled for purposes of section 8451 of  
8 such title. Such section 8451 shall be applied to any such  
9 firefighter by substituting “12 months” for “18 months”.

10 (c) INCLUDING OVERTIME AS BASIC PAY.—Section  
11 8331(3) of title 5, United States Code, is amended—

12 (1) in subparagraph (H), by striking “and” at  
13 the end;

14 (2) in subparagraph (I), by inserting “and”  
15 after the semicolon;

16 (3) by inserting after subparagraph (I) the fol-  
17 lowing:

18 “(J) with respect to a Federal wildland  
19 firefighter (as that term is defined in section  
20 1(b) of the Tim Hart Wildland Firefighter  
21 Classification and Pay Parity Act), overtime  
22 pay received on or after the date of enactment  
23 of this subparagraph;” and

24 (4) in the undesignated matter following sub-  
25 paragraph (J) (as added by paragraph (3)), by strik-



1 ing “subparagraphs (B) through (I) of this para-  
 2 graph” and inserting “subparagraphs (B) through  
 3 (J) of this paragraph,”.

4 (d) SEPARATE NORMAL-COST PERCENTAGE.—Sec-  
 5 tion 8423(a)(1)(B)(i) of title 5, United States Code, is  
 6 amended by inserting after “firefighters,” the following:  
 7 “Federal wildland firefighter (as that term is defined in  
 8 section 1 of the Tim Hart Wildland Firefighter Classifica-  
 9 tion and Pay Parity Act),”.

10 **SEC. 8. PAY PARITY FOR FEDERAL STRUCTURAL FIRE-**  
 11 **FIGHTERS.**

12 (a) IN GENERAL.—Not later than 1 year after the  
 13 date of enactment of this Act, any pay, benefits, and bo-  
 14 nuses provided to any Federal structural firefighter shall  
 15 be comparable with the pay, benefits, and bonuses pro-  
 16 vided for Federal wildland firefighters under this Act and  
 17 the amendments made by this Act. Not later than 1 year  
 18 after the date the pay scale is established under section  
 19 5332a of title 5, United States Code, as added by section  
 20 2 of this Act, the Director shall submit a report to Con-  
 21 gress on whether pay for such Federal structural fire-  
 22 fighters is competitive with Federal wildland firefighters.

23 (b) FEDERAL STRUCTURAL FIREFIGHTER DE-  
 24 FINED.—In this section, the term “Federal structural fire-  
 25 fighter”—

1           (1) has the meaning given the term “fire-  
2           fighter” in section 8401 of chapter 84 of title 5,  
3           United States Code; and

4           (2) does not include any Federal wildland fire-  
5           fighter.

6 **SEC. 9. OTHER MATTERS.**

7           (a) ANNUAL ADJUSTMENTS.—Notwithstanding any  
8           other provision of law, beginning in the first pay period  
9           beginning on or after the date that the pay scale is estab-  
10          lished under section 5332a of title 5, United States Code,  
11          as added by section 2 of this Act, and annually thereafter,  
12          the basic rate of pay for each Federal wildland firefighter  
13          occupying a position within such pay scale shall be in-  
14          creased by not less than the percentage equal to the per-  
15          cent change in the Consumer Price Index (all items—  
16          United States city average), published monthly by the Bu-  
17          reau of Labor Statistics, for December of the preceding  
18          year over such Consumer Price Index for the December  
19          of the year prior to the preceding year, adjusted to the  
20          nearest one-tenth of 1 percent.

21          (b) COMPENSATION COMPARABLE TO NON-FEDERAL  
22          FIREFIGHTERS.—Not later than 1 year after the date the  
23          pay scale is established under section 5332a of title 5,  
24          United States Code, as added by section 2 of this Act,  
25          the Secretaries shall submit a report to Congress on

1 whether pay, benefits, and bonuses provided to Federal  
2 wildland firefighters are comparable to the pay, benefits,  
3 and bonuses provided for non-Federal firefighters in the  
4 State or locality where Federal wildland firefighters are  
5 based.

6 (c) HAZARDOUS DUTY PAY.—Each Federal wildland  
7 firefighter carrying out work completed during prescribed  
8 fire, parachuting, tree climbing over 20 feet, hazard tree  
9 removal, and other hazardous work as identified by the  
10 Secretaries, shall be entitled to be paid the appropriate  
11 differential under section 5545(d) of title 5, United States  
12 Code, as if such employee was covered by such section.  
13 The Director may prescribe regulations to carry out this  
14 subsection.

15 (d) OTHER MATTERS.—

16 (1) UNPAID LEAVE TO CARE FOR FAMILY MEM-  
17 BER.—A Federal wildland firefighter not covered by  
18 the Family and Medical Leave Act of 1993 or sub-  
19 chapter V of chapter 63 of title 5, United States  
20 Code, shall be allowed a period of unpaid leave, dur-  
21 ing each calendar year, not to exceed 180 days in  
22 order to care for the spouse, or a son, daughter, or  
23 parent, of the employee, if such spouse, son, daugh-  
24 ter, or parent has a serious health condition. Leave

1 provided under this paragraph shall not accumulate  
2 for use in subsequent years.

3 (2) RECRUITMENT AND RETENTION BONUS.—

4 In order to promote the recruitment and retention of  
5 Federal wildland firefighters, the Director, in coordi-  
6 nation with the Secretaries, shall establish a pro-  
7 gram under which a recruitment or retention bonus  
8 of not less than \$1,000 may be paid to a Federal  
9 wildland firefighter in an amount as determined ap-  
10 propriate by the Director and the Secretaries. The  
11 minimum amount of such bonus in the previous sen-  
12 tence shall be increased each year by the Consumer  
13 Price Index in the manner prescribed under sub-  
14 section (a). Any bonus under this subsection—

15 (A) shall be paid to any primary or sec-  
16 ondary Federal wildland firefighter upon the  
17 date that such firefighter successfully completes  
18 a work capacity test; and

19 (B) may not be paid to any such fire-  
20 fighter more than once per calendar year.

21 (3) HOUSING ALLOWANCE.—The Secretaries, if  
22 the Secretaries are not already providing reasonable  
23 housing accommodations, shall provide a housing al-  
24 lowance to any Federal wildland firefighter deployed  
25 to a location more than 50 miles from their primary

1 residence. Such allowance shall be in an amount de-  
2 termined appropriate by the Secretaries and ad-  
3 justed based on the cost of housing in the area of  
4 deployment.

5 (4) CAREER TRANSITION.—

6 (A) IN GENERAL.—Not later than one year  
7 after the date of enactment of this Act, the Sec-  
8 retaries shall establish, maintain, coordinate,  
9 and operate a voluntary tuition assistance pro-  
10 gram for Federal wildland firefighters occu-  
11 pying a permanent position that encompass a  
12 broad range of educational experiences (either  
13 in-person or through distance-learning), includ-  
14 ing academic skills development, vocational pro-  
15 grams, career and technical programs, and pro-  
16 grams leading to the award of undergraduate  
17 and graduate degrees.

18 (B) AMOUNT.—The program under sub-  
19 paragraph (A) shall provide, not more than  
20 once during each calendar year, a payment of  
21 not less than \$4,000 to each Federal wildland  
22 firefighter who elects to participate in the pro-  
23 gram.

24 (C) REVIEW.—The Secretaries shall con-  
25 duct an annual review of whether the amount

- 1 provided under subparagraph (B) is adequate,
- 2 in consideration of inflation and other effects.

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