

119TH CONGRESS
2D SESSION

S. _____

To amend title 5, United States Code, to improve access to workers’ compensation for civilian Federal employees exposed to toxic burn pits, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mrs. GILLIBRAND introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend title 5, United States Code, to improve access to workers’ compensation for civilian Federal employees exposed to toxic burn pits, 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.**

4 This Act may be cited as the “Kenya Merritt Renew-
5 ing our Promise to Address Chemical Toxicity Act of
6 2026” or the “Renewing our PACT Act of 2026”.

1 **SEC. 2. CERTAIN DISEASES DEEMED TO BE PROXIMATELY**
2 **CAUSED BY EMPLOYMENT FOR FEDERAL EM-**
3 **PLOYEES EXPOSED TO TOXIC BURN PITS.**

4 (a) ESTABLISHMENT OF PRESUMPTION.—Sub-
5 chapter I of chapter 81 of title 5, United States Code,
6 is amended by inserting after section 8143b the following:

7 **“§ 8143c. Employees exposed to burn pits and toxic**
8 **hazards in foreign contingency oper-**
9 **ations**

10 “(a) DEFINITIONS.—In this section:

11 “(1) CONTINGENCY OPERATION.—The term
12 ‘contingency operation’ has the meaning given the
13 term in section 101 of title 10.

14 “(2) ELIGIBLE EMPLOYEE.—The term ‘eligible
15 employee’ means an employee of the Department of
16 Justice, the Department of State, the Department of
17 Defense, the Department of Homeland Security, the
18 Department of the Treasury, the Department of
19 Commerce, the Department of Agriculture, or an
20 element of the intelligence community, or a Federal
21 law enforcement officer, who, on or after August 2,
22 1990, carried out the job responsibilities of that em-
23 ployee for not fewer than 30 total days in a country
24 or territory while the United States was conducting
25 a contingency operation in that country or territory.

1 “(3) FEDERAL LAW ENFORCEMENT OFFICER.—
2 The term ‘Federal law enforcement officer’ has the
3 meaning given the term in section 2 of the Law En-
4 forcement Congressional Badge of Bravery Act of
5 2008 (34 U.S.C. 50301).

6 “(4) INTELLIGENCE COMMUNITY.—The term
7 ‘intelligence community’ has the meaning given the
8 term in section 3 of the National Security Act of
9 1947 (50 U.S.C. 3003).

10 “(b) PRESUMPTION OF EMPLOYMENT CONNECTION
11 FOR CERTAIN DISEASES ASSOCIATED WITH EXPOSURE
12 TO BURN PITS AND OTHER TOXINS.—For a claim under
13 this subchapter of disability or death of an eligible em-
14 ployee, a disease specified on the list established under
15 subsection (c), as updated under that subsection, shall be
16 deemed to have been incurred in or aggravated during the
17 employment of that eligible employee, notwithstanding
18 that there is no record of evidence of such disease during
19 the period of such employment.

20 “(c) LIST OF DISEASES DEEMED PROXIMATELY
21 CAUSED BY EMPLOYMENT.—

22 “(1) ESTABLISHMENT OF INITIAL LIST.—There
23 is established under this section a list of diseases
24 that aligns with the diseases specified in section
25 1120(b) of title 38, including all diseases with re-

1 spect to which the Secretary of Veterans Affairs pre-
2 scribed regulations in the manner described in para-
3 graph (15) of such section 1120(b) before the date
4 of enactment of this section.

5 “(2) ADDITIONS TO LIST.—

6 “(A) LIMITATION.—On and after the date
7 of enactment of this section, a disease may not
8 be added to the list established under para-
9 graph (1) unless the Secretary of Veterans Af-
10 fairs adds that disease to the list under section
11 1120(b) of title 38 pursuant to regulations de-
12 scribed in paragraph (15) of such section
13 1120(b).

14 “(B) APPLICATION.—Not later than 90
15 days after the date that the Secretary of Vet-
16 erans Affairs finalizes regulations described in
17 subparagraph (A), the Secretary of Labor shall,
18 by direct final rule, add the same disease to the
19 list established under paragraph (1).

20 “(3) MAINTENANCE BY SECRETARY OF
21 LABOR.—The Secretary of Labor shall maintain the
22 list established and updated under this subsection.”.

23 (b) CLERICAL AMENDMENT.—The table of sections
24 for subchapter I of chapter 81 of title 5, United States

1 Code, is amended by inserting after the item relating to
2 section 8143b the following:

“8143c. Employees exposed to burn pits and toxic hazards in foreign contin-
gency operations.”.

3 (c) APPLICATION.—The amendments made by this
4 section shall apply to a claim for compensation filed on
5 or after the date of enactment of this Act.

6 (d) REPORT ON IMPLEMENTATION.—Not later than
7 1 year after the date of enactment of this Act, the Sec-
8 retary of Labor shall submit to the Committee on Home-
9 land Security and Governmental Affairs of the Senate and
10 the Committee on Education and the Workforce of the
11 House of Representatives a report on the progress of im-
12 plementing this Act and the amendments made by this
13 Act, including the number of individuals who are eligible
14 employees, as defined in section 8143c(a) of title 5, United
15 States Code, as added by subsection (a) of this section.