

Calendar No. 83

116TH CONGRESS
1ST SESSION

S. 1208

To amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2019

Mr. GRASSLEY (for himself, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. TESTER, Mr. CRAMER, Ms. KLOBUCHAR, Mr. LEAHY, Mr. CRUZ, Mr. TILLIS, Mr. DURBIN, Ms. HIRONO, Mr. WHITEHOUSE, Mr. COONS, Mrs. BLACKBURN, and Mr. DAINES) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

MAY 13, 2019

Reported by Mr. GRAHAM, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Protecting America’s
3 First Responders Act”.

4 **SEC. 2. PAYMENT OF DEATH AND DISABILITY BENEFITS**
5 **UNDER THE PUBLIC SAFETY OFFICERS’**
6 **DEATH BENEFITS PROGRAM.**

7 Section 1201 of title I of the Omnibus Crime Control
8 and Safe Streets Act of 1968 (34 U.S.C. 10281) is amend-
9 ed—

10 (1) in subsection (b), by striking the period at
11 the end and inserting the following: “, unless the
12 claim under this subsection has been pending for
13 more than 1 year, in which case the amount payable
14 shall be the amount that would be payable if the cat-
15 astrophic injury occurred on the date on which the
16 Bureau makes a final determination that the public
17 safety officer is entitled to a benefit payment under
18 this subsection.”;

19 (2) in subsection (e), by striking “\$3,000” and
20 inserting “\$6,000, adjusted in accordance with sub-
21 section (h).”;

22 (3) in subsection (h), by inserting “and the
23 level of the interim benefit payable immediately be-
24 fore such October 1 under subsection (e)” after
25 “subsection (a).”;

1 (4) by striking subsection (i) and inserting the
2 following:

3 “(i) The amount payable under subsection (a), with
4 respect to the death of a public safety officer, shall be the
5 greater of—

6 “(1) the amount payable under that subsection
7 as of the date of death of the public safety officer;
8 or

9 “(2) the amount that would be payable under
10 that subsection if the death of the public safety offi-
11 cer occurred on the date on which the Bureau makes
12 a final determination that the public safety officer is
13 entitled to a benefit payment under that sub-
14 section.”; and

15 (5) in subsection (m), by inserting “, (b),” after
16 “subsection (a)”.

17 **SEC. 3. DEFINITIONS FOR THE PURPOSES OF THE PUBLIC**
18 **SAFETY OFFICERS’ DEATH BENEFITS PRO-**
19 **GRAM.**

20 Section 1204 of title I of the Omnibus Crime Control
21 and Safe Streets Act of 1968 (34 U.S.C. 10284) is amend-
22 ed—

23 (1) by striking paragraph (1) and inserting the
24 following:

1 “(1) ‘catastrophic injury’ means an injury, the
2 direct and proximate consequences of which—

3 “(A) permanently prevent an individual
4 from performing any gainful work; or

5 “(B) cause an individual to become—

6 “(i) paraplegic;

7 “(ii) quadriplegic; or

8 “(iii) blind;”;

9 (2) in paragraph (3), in the matter preceding
10 subparagraph (A), by striking “at the time of the
11 public safety officer’s fatal or catastrophic injury”
12 and inserting “as of the date of the public safety of-
13 ficer’s death from a fatal injury or the date of deter-
14 mination of the public safety officer’s disability from
15 a catastrophic injury”;

16 (3) by redesignating paragraphs (5) through
17 (9) as paragraphs (6) through (10), respectively;
18 and

19 (4) by inserting after paragraph (4) the fol-
20 lowing:

21 “(5) ‘gainful work’—

22 “(A) means any activity usually performed
23 for pay or profit, regardless of whether a profit
24 is realized; and

1 “(B) does not include work performed in a
2 situation in which, after an individual sustains
3 an injury—

4 “(i) the individual—

5 “(I) re-enters the workforce; and

6 “(II) leaves the workforce after

7 less than 90 days because of the in-

8 ability of the individual to overcome

9 the injury;

10 “(ii) because of the injury—

11 “(I) the individual is permitted;

12 in carrying out work, to—

13 “(aa) perform at a lower

14 standard of productivity or effi-

15 ciency than other similarly situ-

16 ated employees;

17 “(bb) work irregular hours;

18 or

19 “(cc) take frequent rest pe-

20 riods; or

21 “(II) the individual is only able

22 to work within a framework of spe-

23 cially arranged circumstances, such as

24 a circumstance in which 1 or more

25 other individuals are required to assist

1 the individual in preparing for work
2 or traveling to and from work;

3 “(iii)(I) the individual practices a
4 hobby usually performed for pay or profit;
5 regardless of whether a profit is realized;
6 and

7 “(II) the primary intent of the indi-
8 vidual in practicing the hobby described in
9 subelause (I)—

10 “(aa) is physical, mental, or emo-
11 tional rehabilitation of the individual
12 from the injury; and

13 “(bb) is not realization of profit;
14 or

15 “(iv) the individual is given the oppor-
16 tunity to work—

17 “(I) despite the injury of the in-
18 dividual; and

19 “(II) on the basis of—

20 “(aa) a family relationship
21 of the individual;

22 “(bb) a past association of
23 the individual with the employer
24 giving the individual the oppor-
25 tunity to work; or

1 ~~“(cc) any other altruistic~~
 2 ~~reason;”.~~

3 **SEC. 4. RETROACTIVE APPLICABILITY.**

4 (a) **DEFINITIONS.**—For the purposes of this sec-
 5 tion—

6 (1) the term ~~“covered beneficiary”~~ means an in-
 7 dividual who—

8 (A) is, or was, a child or spouse of a cov-
 9 ered individual described in paragraph (3)(B);
 10 and

11 (B) would have been eligible for edu-
 12 cational assistance under subpart 2 of part I of
 13 title I of the Omnibus Crime Control and Safe
 14 Streets Act of 1968 (34 U.S.C. 10301 et seq.)
 15 if the amendments made by section 3 of this
 16 Act had been in effect on the date on which the
 17 determination described in paragraph (3)(B)(i)
 18 of this subsection was made;

19 (2) the term ~~“covered claimant”~~ means an indi-
 20 vidual who is a claimant on the estate of a deceased
 21 covered individual—

22 (A) described in paragraph (3)(B); and

23 (B) who died on or before the date of en-
 24 actment of this Act;

25 (3) the term ~~“covered individual”~~ means—

(A) a beneficiary of a benefit under the Public Safety Officers' Death Benefit Program that was paid—

(i) with respect to a death or disability of a public safety officer sustained as the direct or proximate result of a personal injury sustained in the line of duty; and

(ii) during the covered period; or

(B) a public safety officer who—

(i) was determined during the covered period to be ineligible for a benefit payment under section 1201(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281(b)); and

(ii) would have been eligible for a benefit payment under subpart I of that title due to the disability of the public safety officer if the amendments made by section 3 had been in effect on the date on which the determination described in clause (i) was made;

(4) the term “covered period” means the period—

1 (A) beginning on the date of enactment of
 2 title XIII of the Crime Control Act of 1990
 3 (Public Law 101–647; 104 Stat. 4834); and

4 (B) ending on the day before the date of
 5 enactment of the Protecting America’s First
 6 Responders Act;

7 (5) the term “public safety officer” has the
 8 meaning given the term in section 1204 of title I of
 9 the Omnibus Crime Control and Safe Streets Act of
 10 1968 (34 U.S.C. 10284); and

11 (6) the term “Public Safety Officers’ Death
 12 Benefit Program” means the program established
 13 under part L of title I of the Omnibus Crime Con-
 14 trol and Safe Streets Act of 1968 (34 U.S.C. 10281
 15 et seq.);

16 (b) **APPLICABILITY.**—The amendments made by sec-
 17 tions 2 and 3 shall apply to a death or disability of a public
 18 safety officer sustained as the direct or proximate result
 19 of a personal injury sustained in the line of duty—

20 (1) subject to subsection (e), during the covered
 21 period; or

22 (2) on or after the date of enactment of this
 23 Act.

24 (c) **PAYMENT.**—

1 ~~(1) IN GENERAL.—~~Subject to paragraph ~~(2)~~,
 2 upon application of a covered individual, covered
 3 beneficiary, or covered claimant, the Bureau of Jus-
 4 tice Assistance shall make a lump sum payment to
 5 the covered individual, covered beneficiary, or cov-
 6 ered claimant in the amount equal to the difference,
 7 if any, between—

8 ~~(A)~~ in the case of a covered individual—

9 ~~(i)~~ the amount of the total benefit
 10 payment the covered individual would have
 11 received under the Public Safety Officers'
 12 Death Benefit Program as of the date of
 13 the lump sum payment, if the amendments
 14 made by sections 2 and 3 had been in ef-
 15 fect on the date on which the covered indi-
 16 vidual—

17 ~~(I)~~ received the final benefit pay-
 18 ment under the Public Safety Offi-
 19 cers' Death Benefit Program; or

20 ~~(II)~~ was determined to be ineli-
 21 gible for a benefit payment under sec-
 22 tion 1201(b) of title I of the Omnibus
 23 Crime Control and Safe Streets Act of
 24 1968 (~~34 U.S.C. 10281(b)~~); and

1 (ii) the amount of the total benefit
2 payment the covered individual received
3 under the Public Safety Officers' Death
4 Benefit Program before the date of enact-
5 ment of this Act;

6 (B) in the case of a covered beneficiary,
7 the amount of the total benefit payment the
8 covered beneficiary would have received under
9 subpart 2 of part L of title I of the Omnibus
10 Crime Control and Safe Streets Act of 1968
11 (34 U.S.C. 10301 et seq.) if the amendments
12 made by section 3 of this Act had been in effect
13 on the date on which the determination de-
14 scribed in subsection (a)(3)(B)(i) of this section
15 was made; and

16 (C) in the case of a covered claimant, the
17 amount of the total benefit payment the covered
18 individual on whose estate the covered claimant
19 is a claimant would have received under the
20 Public Safety Officers' Death Benefit Program
21 as of the date of the lump sum payment, if the
22 amendments made by sections 2 and 3 had
23 been in effect on the date on which the deter-
24 mination described in subsection (a)(3)(B)(i) of
25 this section was made.

1 (2) APPLICATION.—A covered individual desir-
 2 ing a lump sum payment under paragraph (1) shall
 3 apply to the Bureau of Justice Assistance for such
 4 lump sum payment not later than 3 years after the
 5 date of enactment of this Act.

6 **SEC. 5. DUE DILIGENCE IN PAYING BENEFIT CLAIMS**
 7 **UNDER THE PUBLIC SAFETY OFFICERS'**
 8 **DEATH BENEFITS PROGRAM.**

9 Section 1206(b) of title I of the Omnibus Crime Con-
 10 trol and Safe Streets Act of 1968 (34 U.S.C. 10288(b))
 11 is amended by striking “the Bureau may not” and all that
 12 follows and inserting the following: “the Bureau—

13 “(1) shall use all available investigative tools,
 14 including subpoenas, to—

15 “(A) expedite the processing of the benefit
 16 claim; and

17 “(B) obtain necessary information or docu-
 18 mentation from third parties, including public
 19 agencies; and

20 “(2) may not abandon the benefit claim unless
 21 the Bureau has used the investigative tools available
 22 to the Bureau to obtain the necessary information or
 23 documentation, including subpoenas.”.

1 **SEC. 6. EDUCATIONAL ASSISTANCE TO DEPENDENTS OF**
 2 **PUBLIC SAFETY OFFICERS KILLED OR DIS-**
 3 **ABLED IN THE LINE OF DUTY.**

4 Section 1216(b) of title I of the Omnibus Crime Con-
 5 trol and Safe Streets Act of 1968 (34 U.S.C. 10306(b))
 6 is amended, in the first sentence, by striking “may” and
 7 inserting “shall”.

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Protecting America’s*
 10 *First Responders Act”.*

11 **SEC. 2. PAYMENT OF DEATH AND DISABILITY BENEFITS**
 12 **UNDER THE PUBLIC SAFETY OFFICERS’**
 13 **DEATH BENEFITS PROGRAM.**

14 *Section 1201 of title I of the Omnibus Crime Control*
 15 *and Safe Streets Act of 1968 (34 U.S.C. 10281) is amend-*
 16 *ed—*

17 *(1) in subsection (b), by striking the period at*
 18 *the end and inserting the following: “, unless the*
 19 *claim under this subsection has been pending for*
 20 *more than 1 year, in which case the amount payable*
 21 *shall be the amount that would be payable if the cata-*
 22 *strophic injury occurred on the date on which the Bu-*
 23 *reau makes a final determination that the public safe-*
 24 *ty officer is entitled to a benefit payment under this*
 25 *subsection.”;*

1 (2) in subsection (c), by striking “\$3,000” and
2 inserting “\$6,000, adjusted in accordance with sub-
3 section (h),”;

4 (3) in subsection (h), by inserting “and the level
5 of the interim benefit payable immediately before such
6 October 1 under subsection (c)” after “subsection (a)”;

7 (4) by striking subsection (i) and inserting the
8 following:

9 “(i) The amount payable under subsection (a), with
10 respect to the death of a public safety officer, shall be the
11 greater of—

12 “(1) the amount payable under that subsection
13 as of the date of death of the public safety officer; or

14 “(2) the amount that would be payable under
15 that subsection if the death of the public safety officer
16 occurred on the date on which the Bureau makes a
17 final determination that the public safety officer is
18 entitled to a benefit payment under that subsection.”;

19 and

20 (5) in subsection (m), by inserting “, (b),” after
21 “subsection (a)”.

1 **SEC. 3. DEFINITIONS FOR THE PURPOSES OF THE PUBLIC**
 2 **SAFETY OFFICERS' DEATH BENEFITS PRO-**
 3 **GRAM.**

4 *Section 1204 of title I of the Omnibus Crime Control*
 5 *and Safe Streets Act of 1968 (34 U.S.C. 10284) is amend-*
 6 *ed—*

7 *(1) by striking paragraph (1) and inserting the*
 8 *following:*

9 *“(1) ‘catastrophic injury’ means an injury, the*
 10 *direct and proximate consequences of which—*

11 *“(A) permanently prevent an individual*
 12 *from performing any gainful work; or*

13 *“(B) cause an individual to become—*

14 *“(i) paraplegic;*

15 *“(ii) quadriplegic; or*

16 *“(iii) blind;”;*

17 *(2) in paragraph (3), in the matter preceding*
 18 *subparagraph (A), by striking “at the time of the*
 19 *public safety officer’s fatal or catastrophic injury”*
 20 *and inserting “as of the date of the public safety offi-*
 21 *cer’s death from a fatal injury or the date of deter-*
 22 *mination of the public safety officer’s disability from*
 23 *a catastrophic injury”;*

24 *(3) in paragraph (4), by inserting “, including*
 25 *an individual who, in the capacity of the individual*
 26 *as such a member, engages in scene security or traffic*

1 *management as the primary or only duty of the indi-*
 2 *vidual during emergency response” before the semi-*
 3 *colon;*

4 *(4) by redesignating paragraphs (5) through (9)*
 5 *as paragraphs (6) through (10), respectively; and*

6 *(5) by inserting after paragraph (4) the fol-*
 7 *lowing:*

8 *“(5) ‘gainful work’—*

9 *“(A) means any activity usually performed*
 10 *for pay or profit, regardless of whether a profit*
 11 *is realized; and*

12 *“(B) does not include work performed in a*
 13 *situation in which, after an individual sustains*
 14 *an injury—*

15 *“(i) the individual—*

16 *“(I) re-enters the workforce; and*

17 *“(II) leaves the workforce after*
 18 *less than 90 days because of the inabil-*
 19 *ity of the individual to overcome the*
 20 *injury;*

21 *“(ii) because of the injury—*

22 *“(I) the individual is permitted,*
 23 *in carrying out work, to—*

24 *“(aa) perform at a lower*
 25 *standard of productivity or effi-*

1 *ciency than other similarly situ-*
2 *ated employees;*

3 *“(bb) work irregular hours;*
4 *or*

5 *“(cc) take frequent rest peri-*
6 *ods; or*

7 *“(II) the individual is only able*
8 *to work within a framework of spe-*
9 *cially arranged circumstances, such as*
10 *a circumstance in which 1 or more*
11 *other individuals are required to assist*
12 *the individual in preparing for work*
13 *or traveling to and from work;*

14 *“(iii)(I) the individual practices a*
15 *hobby usually performed for pay or profit,*
16 *regardless of whether a profit is realized;*
17 *and*

18 *“(II) the primary intent of the indi-*
19 *vidual in practicing the hobby described in*
20 *subclause (I)—*

21 *“(aa) is physical, mental, or emo-*
22 *tional rehabilitation of the individual*
23 *from the injury; and*

24 *“(bb) is not realization of profit;*
25 *or*

1 “(iv) the individual is given the oppor-
2 tunity to work—

3 “(I) despite the injury of the indi-
4 vidual; and

5 “(II) on the basis of—

6 “(aa) a family relationship
7 of the individual;

8 “(bb) a past association of
9 the individual with the employer
10 giving the individual the oppor-
11 tunity to work; or

12 “(cc) any other altruistic
13 reason;”.

14 **SEC. 4. RETROACTIVE APPLICABILITY.**

15 (a) *DEFINITIONS.*—For the purposes of this section—

16 (1) the term “covered beneficiary” means an in-
17 dividual who—

18 (A) is, or was, a child or spouse of a covered
19 individual described in paragraph (3)(B); and

20 (B) would have been eligible for educational
21 assistance under subpart 2 of part L of title I
22 of the Omnibus Crime Control and Safe Streets
23 Act of 1968 (34 U.S.C. 10301 et seq.) if the
24 amendments made by section 3 of this Act had
25 been in effect on the date on which the deter-

1 *mination described in paragraph (3)(B)(i) of*
 2 *this subsection was made;*

3 *(2) the term “covered claimant” means an indi-*
 4 *vidual who is a claimant on the estate of a deceased*
 5 *covered individual—*

6 *(A) described in paragraph (3)(B); and*

7 *(B) who died on or before the date of enact-*
 8 *ment of this Act;*

9 *(3) the term “covered individual” means—*

10 *(A) a beneficiary of a benefit under the*
 11 *Public Safety Officers’ Death Benefit Program*
 12 *that was paid—*

13 *(i) with respect to a death or disability*
 14 *of a public safety officer sustained as the di-*
 15 *rect or proximate result of a personal in-*
 16 *jury sustained in the line of duty; and*

17 *(ii) during the covered period; or*

18 *(B) a public safety officer who—*

19 *(i) was determined during the covered*
 20 *period to be ineligible for a benefit payment*
 21 *under section 1201(b) of title I of the Omni-*
 22 *bus Crime Control and Safe Streets Act of*
 23 *1968 (34 U.S.C. 10281(b)); and*

24 *(ii) would have been eligible for a ben-*
 25 *efit payment under subpart L of that title*

1 *due to the disability of the public safety of-*
 2 *ficer if the amendments made by section 3*
 3 *had been in effect on the date on which the*
 4 *determination described in clause (i) was*
 5 *made;*

6 (4) *the term “covered period” means the pe-*
 7 *riod—*

8 (A) *beginning on the date of enactment of*
 9 *title XIII of the Crime Control Act of 1990 (Pub-*
 10 *lic Law 101–647; 104 Stat. 4834); and*

11 (B) *ending on the day before the date of en-*
 12 *actment of the Protecting America’s First Re-*
 13 *sponders Act;*

14 (5) *the term “public safety officer” has the mean-*
 15 *ing given the term in section 1204 of title I of the*
 16 *Omnibus Crime Control and Safe Streets Act of 1968*
 17 *(34 U.S.C. 10284); and*

18 (6) *the term “Public Safety Officers’ Death Ben-*
 19 *efit Program” means the program established under*
 20 *part L of title I of the Omnibus Crime Control and*
 21 *Safe Streets Act of 1968 (34 U.S.C. 10281 et seq.).*

22 (b) *APPLICABILITY.—The amendments made by sec-*
 23 *tions 2 and 3 shall apply to a death or disability of a public*
 24 *safety officer sustained as the direct or proximate result of*
 25 *a personal injury sustained in the line of duty—*

1 (1) *subject to subsection (c), during the covered*
 2 *period; or*

3 (2) *on or after the date of enactment of this Act.*

4 (c) *PAYMENT.—*

5 (1) *IN GENERAL.—Subject to paragraph (2),*
 6 *upon application of a covered individual, covered*
 7 *beneficiary, or covered claimant, the Bureau of Jus-*
 8 *tice Assistance shall make a lump sum payment to*
 9 *the covered individual, covered beneficiary, or covered*
 10 *claimant in the amount equal to the difference, if*
 11 *any, between—*

12 (A) *in the case of a covered individual—*

13 (i) *the amount of the total benefit pay-*
 14 *ment the covered individual would have re-*
 15 *ceived under the Public Safety Officers’*
 16 *Death Benefit Program as of the date of the*
 17 *lump sum payment, if the amendments*
 18 *made by sections 2 and 3 had been in effect*
 19 *on the date on which the covered indi-*
 20 *vidual—*

21 (I) *received the final benefit pay-*
 22 *ment under the Public Safety Officers’*
 23 *Death Benefit Program; or*

24 (II) *was determined to be ineli-*
 25 *gible for a benefit payment under sec-*

1 tion 1201(b) of title I of the Omnibus
2 Crime Control and Safe Streets Act of
3 1968 (34 U.S.C. 10281(b)); and

4 (ii) the amount of the total benefit
5 payment the covered individual received
6 under the Public Safety Officers' Death
7 Benefit Program before the date of enact-
8 ment of this Act;

9 (B) in the case of a covered beneficiary, the
10 amount of the total benefit payment the covered
11 beneficiary would have received under subpart 2
12 of part L of title I of the Omnibus Crime Control
13 and Safe Streets Act of 1968 (34 U.S.C. 10301
14 et seq.) if the amendments made by section 3 of
15 this Act had been in effect on the date on which
16 the determination described in subsection
17 (a)(3)(B)(i) of this section was made; and

18 (C) in the case of a covered claimant, the
19 amount of the total benefit payment the covered
20 individual on whose estate the covered claimant
21 is a claimant would have received under the
22 Public Safety Officers' Death Benefit Program as
23 of the date of the lump sum payment, if the
24 amendments made by sections 2 and 3 had been
25 in effect on the date on which the determination

1 *described in subsection (a)(3)(B)(i) of this sec-*
 2 *tion was made.*

3 (2) *APPLICATION.—A covered individual, covered*
 4 *beneficiary, or covered claimant desiring a lump sum*
 5 *payment under paragraph (1) shall apply to the Bu-*
 6 *reau of Justice Assistance for such lump sum pay-*
 7 *ment not later than 3 years after the date of enact-*
 8 *ment of this Act.*

9 **SEC. 5. DUE DILIGENCE IN PAYING BENEFIT CLAIMS UNDER**
 10 **THE PUBLIC SAFETY OFFICERS' DEATH BENE-**
 11 **FITS PROGRAM.**

12 *Section 1206(b) of title I of the Omnibus Crime Con-*
 13 *trol and Safe Streets Act of 1968 (34 U.S.C. 10288(b)) is*
 14 *amended by striking “the Bureau may not” and all that*
 15 *follows and inserting the following: “the Bureau—*

16 *“(1) shall use all available investigative tools, in-*
 17 *cluding subpoenas, to—*

18 *“(A) expedite the processing of the benefit*
 19 *claim; and*

20 *“(B) obtain necessary information or docu-*
 21 *mentation from third parties, including public*
 22 *agencies; and*

23 *“(2) may not abandon the benefit claim unless*
 24 *the Bureau has used the investigative tools available*

1 to the Bureau to obtain the necessary information or
2 documentation, including subpoenas.”.

3 **SEC. 6. EDUCATIONAL ASSISTANCE TO DEPENDENTS OF**
4 **PUBLIC SAFETY OFFICERS KILLED OR DIS-**
5 **ABLED IN THE LINE OF DUTY.**

6 Section 1216(b) of title I of the Omnibus Crime Con-
7 trol and Safe Streets Act of 1968 (34 U.S.C. 10306(b)) is
8 amended, in the first sentence, by striking “may” and in-
9 serting “shall”.

10 **SEC. 7. COLLECTION OF DATA ON KILLED OR DISABLED**
11 **LAW ENFORCEMENT OFFICERS.**

12 Section 534(a) of title 28, United States Code, is
13 amended—

14 (1) in paragraph (3), by striking “and” at the
15 end;

16 (2) in paragraph (4), by striking the period at
17 the end and inserting “; and”; and

18 (3) by adding at the end the following:

19 “(5) operate a central clearinghouse for statistics
20 on law enforcement officers under the Uniform Crime
21 Reporting Program, including data on law enforce-
22 ment officers who, while performing their duties,
23 were—

24 “(A) feloniously killed;

25 “(B) accidentally killed;

1 “(C) feloniously assaulted; or

2 “(D) severely and permanently disabled.”.

3 **SEC. 8. GAO REPORT ON MEDICAL COSTS.**

4 (a) *DEFINITION.*—In this section, the term “disabled
5 officer” means a public safety officer to whom a benefit is
6 payable under subpart 1 of part L of title I of the Omnibus
7 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
8 10281 et seq.) based on the permanent and total disability
9 of the officer, as described in section 1201(b) of that subpart
10 (34 U.S.C. 10281(b)).

11 (b) *REPORT.*—Not later than 180 days after the date
12 of enactment of this Act, the Comptroller General of the
13 United States shall submit to the Committee on the Judici-
14 ary of the Senate and the Committee on the Judiciary of
15 the House of Representatives a report that estimates the av-
16 erage medical costs incurred by a disabled officer over the
17 lifetime of the officer after sustaining the injury that caused
18 the disability.

Calendar No. 83

116TH CONGRESS
1ST Session

S. 1208

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes.

MAY 13, 2019

Reported with an amendment