

116TH CONGRESS
2D SESSION

S. 3607

AN ACT

To extend public safety officer death benefits to public safety officers whose death is caused by COVID–19, 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 “Safeguarding Amer-
3 ica’s First Responders Act of 2020”.

4 **SEC. 2. SENSE OF CONGRESS; PURPOSE.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that—

7 (1) an infectious disease pandemic known as
8 COVID–19 exists;

9 (2) to date, there is much still unknown about
10 COVID–19, but it is known that COVID–19 and re-
11 lated complications may be fatal;

12 (3) services provided by public safety officers
13 are nonetheless essential during this pandemic;

14 (4) due to the COVID–19 pandemic and what
15 is currently known about how the disease is spread,
16 public safety officers are uncharacteristically at risk
17 of contracting the disease; and

18 (5) although the Public Safety Officers’ Bene-
19 fits program currently covers deaths and permanent
20 and total disabilities resulting from infectious dis-
21 ease sustained by public safety officers in carrying
22 out their duties, the determination of claims involv-
23 ing personal injuries believed to have resulted from
24 COVID–19 or its complications may be uniquely
25 challenging or delayed given the lack of—

1 (A) definitive testing and medical records
 2 at this time; and

3 (B) a definitive uniform body of medical
 4 information about how the disease is spread or
 5 its effects.

6 (b) PURPOSE.—The purpose of this Act is to estab-
 7 lish a carefully drawn framework wherein claims under the
 8 Public Safety Officers’ Benefits program, arising under
 9 the unique circumstances described in subsection (a), can
 10 be processed expeditiously and under fair and clear stand-
 11 ards.

12 **SEC. 3. PUBLIC SAFETY OFFICER BENEFITS.**

13 (a) DEATH BENEFITS.—As determined by the Bu-
 14 reau of Justice Assistance, unless competent medical evi-
 15 dence establishes that the death of a public safety officer
 16 (as defined in section 1204 of title I of the Omnibus Crime
 17 Control and Safe Streets Act of 1968 (34 U.S.C. 10284))
 18 was directly and proximately caused by something other
 19 than COVID–19, COVID–19 (or complications therefrom)
 20 suffered by the public safety officer shall be presumed to
 21 constitute a personal injury within the meaning of section
 22 1201(a) of title I of the Omnibus Crime Control and Safe
 23 Streets Act of 1968 (34 U.S.C. 10281(a)), sustained in
 24 the line of duty by the officer and directly and proximately
 25 resulting in death, if—

1 (1) the officer engaged in a line of duty action
2 or activity between January 1, 2020, and December
3 31, 2021;

4 (2) the officer was diagnosed with COVID–19
5 (or evidence indicates that the officer had COVID–
6 19) during the 45-day period beginning on the last
7 day of duty of the officer; and

8 (3) evidence indicates that the officer had
9 COVID–19 (or complications therefrom) at the time
10 of the officer’s death.

11 (b) DISABILITY BENEFITS.—As determined by the
12 Bureau of Justice Assistance, COVID–19 (or complica-
13 tions therefrom) suffered by a public safety officer shall
14 be presumed to constitute a personal injury within the
15 meaning of section 1201(b) of title I of the Omnibus
16 Crime Control and Safe Streets Act of 1968 (34 U.S.C.
17 10281(b)), sustained in the line of duty by the officer, if—

18 (1) the officer engaged in a line of duty action
19 or activity between January 1, 2020, and December
20 31, 2021; and

21 (2) the officer was diagnosed with COVID–19
22 (or evidence indicates that the officer had COVID–

- 1 19) during the 45-day period beginning on the last
- 2 day of duty of the officer.

Passed the Senate May 14, 2020.

Attest:

Secretary.

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