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APPENDIX TO PART 32—PSOB HEARING AND APPEAL PROCEDURES

AUTHORITY: Part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3711 *et seq.*).

SOURCE: 57 FR 24913, June 11, 1992, unless otherwise noted.

Subpart A—Introduction

§ 32.1 Purpose and OMB control number.

(a) The purpose of this part is to implement the Public Safety Officers' Benefits Act of 1976, as amended, which authorizes the Bureau of Justice Assistance, Office of Justice Programs, to pay a benefit of \$100,000, adjusted in accordance with § 32.3(b), to specified survivors or public safety officers found to have died as the direct and proximate result of a personal injury sustained in the line of duty, and to claimant public safety officers found to have been permanently and totally disabled as the direct result of a catastrophic injury sustained in the line of duty. The Act

also authorizes funds to establish national programs to assist the families of public safety officers who have died in the line of duty. (The Act is part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, 42 U.S.C. 3711 *et seq.*)

(b) The information collection requirements in this part have been approved by the Office of Management and Budget and have been assigned OMB control number 1121-0166.

§ 32.2 Definitions.

(a) *The Act* means the Public Safety Officers' Benefits Act of 1976, 42 U.S.C. 3796, *et seq.*, Public Law 94-430, 90 Stat. 1346 (September 29, 1976), as amended.

(b)(1) *Bureau* or *BJA* means the Bureau of Justice Assistance of the Office of Justice Programs;

(2) *PSOB* means the Public Safety Officers' Benefits Program of the Bureau of Justice Assistance.

(c) *Line of duty* means:

(1) Any action which an officer whose primary function is crime control or reduction, enforcement of the criminal law, or suppression of fires is obligated or authorized by rule, regulations, condition of employment or service, or law to perform, including those social, ceremonial, or athletic functions to which the officer is assigned, or for which the officer is compensated, by the public agency he serves. For other officers, "line of duty" means any action the officer is so obligated or authorized to perform in the course of controlling or reducing crime, enforcing the criminal law, or suppressing fires; and

(2) Any action which an officially recognized or designated public employee member of a rescue squad or ambulance crew is obligated or authorized by rule, regulation, condition of employment or service, or law to perform.

(d) *Direct and proximate, direct, or proximate* means that the antecedent event is a substantial factor in the result.

(e) *Personal injury* or *injury* means any traumatic injury, as well as diseases which are caused by or result from such an injury, but not occupational diseases.