

116TH CONGRESS
2D SESSION

S. _____

To extend public safety officer death benefits to public safety officers whose death is caused by COVID–19, and for other purposes.

IN THE SENATE OF THE UNITED STATES

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

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Safeguarding Amer-
5 ica’s First Responders Act of 2020”.

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

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

9 (1) an infectious disease pandemic known as
10 COVID–19 exists;

1 (2) services provided by public safety officers
2 are essential during this pandemic;

3 (3) due to the COVID–19 pandemic, public
4 safety officers are uncharacteristically at risk of con-
5 tracting the disease;

6 (4) the contraction of COVID–19 and COVID–
7 19 related diseases may be fatal;

8 (5) the process by which the contraction of
9 COVID–19 must be established under the current
10 statutory framework in order to receive benefits
11 under the Public Safety Officers’ Benefits program
12 is overly burdensome, to the point of impossibility
13 for public safety officers or their surviving family
14 members or designees to receive the benefits that
15 they would otherwise qualify for; and

16 (6) although the Public Safety Officers’ Bene-
17 fits program currently covers deaths resulting from
18 infectious disease sustained by public safety officers
19 in carrying out their duties, it is apparent that, due
20 to the statutory requirements necessary to establish
21 that such disease was incurred in the line of duty
22 and that a public safety officer’s death was directly
23 attributable to the disease, the current statutory
24 framework overall may be impractical for processing
25 death claims involving COVID-19, at this time,

1 when so little is known about the disease and how
2 it is spread.

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

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

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

23 (1) the officer engaged in a line of duty action
24 or activity between January 1, 2020, and December
25 31, 2021;

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

5 (3) evidence indicates that the officer had
6 COVID-19 (or complications therefrom) at the time
7 of the officer's death.