

109TH CONGRESS
1ST SESSION

S. 1143

To provide death and disability benefits for aerial firefighters who work on a contract basis for a public agency and suffer death or disability in the line of duty, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 26, 2005

Mr. ENZI introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide death and disability benefits for aerial firefighters who work on a contract basis for a public agency and suffer death or disability 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Aerial Firefighter Re-
5 lief Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Pilots and crew members of aircraft used to
2 fight wildfires generally work on a contract basis
3 with a State or Federal agency and, as a result, are
4 not eligible for death or disability benefits should
5 they be killed or injured in the line of duty.

6 (2) Employer death benefits and life insurance
7 for aerial firefighters are expensive, and a family of
8 an aerial firefighter who dies in the line of duty has
9 to cope not only with the loss of a loved one, but
10 also the additional financial loss of a wage earner.

11 (3) It is vital that Congress continue to encour-
12 age the recruitment and retention of skilled and ex-
13 perience aerial firefighters.

14 **SEC. 3. ELIGIBILITY OF AERIAL FIREFIGHTERS FOR PUB-**
15 **LIC SAFETY OFFICER DEATH BENEFITS.**

16 (a) IN GENERAL.—Section 1204(8) of the Omnibus
17 Crime Control and Safe Streets Act of 1968 (42 U.S.C.
18 3796b(8)) is amended—

19 (1) in subparagraph (B) by striking “or” at the
20 end;

21 (2) in subparagraph (C) by striking the period
22 at the end and inserting “; or”; and

23 (3) by adding at the end the following new sub-
24 paragraph:

1 “(D) an individual serving a public agency,
2 or a contractor or subcontractor at any tier of
3 a public agency, in an official capacity, with or
4 without compensation, as a pilot or a crew
5 member of an aircraft carrying out a fire-
6 fighting mission on behalf of such public agen-
7 cy, if the injury involved occurs during the pe-
8 riod beginning with the moment in which the
9 aircraft first moves under its own power for the
10 purpose of flight and ending with the moment
11 in which the aircraft comes to rest after land-
12 ing.”.

13 (b) APPLICABILITY.—The amendments made by sub-
14 section (a) shall apply with respect to injuries occurring
15 on or after September 29, 1976.

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