

115TH CONGRESS  
2D SESSION

# S. 2878

To improve the tracking of data on, and benefits paid to, public safety officers who are killed or disabled in the line of duty.

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IN THE SENATE OF THE UNITED STATES

MAY 17, 2018

Mr. GRAHAM (for himself, Mr. WHITEHOUSE, and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To improve the tracking of data on, and benefits paid to, public safety officers who are killed or disabled in the line of duty.

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 “Helping Extend Re-  
5 sponding Officers Expansive Support Act of 2018” or the  
6 “HEROES Act of 2018”.

1 **SEC. 2. COLLECTION OF DATA ON KILLED OR DISABLED**  
 2 **LAW ENFORCEMENT OFFICERS.**

3 Section 534(a) of title 28, United States Code, is  
 4 amended—

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

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

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

10 “(5) operate a central clearinghouse for statis-  
 11 tics on law enforcement officers under the Uniform  
 12 Crime Reporting Program, including data on law en-  
 13 forcement officers who, while performing their du-  
 14 ties, were—

15 “(A) feloniously killed;

16 “(B) accidentally killed;

17 “(C) feloniously assaulted; or

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

19 **SEC. 3. PUBLIC SAFETY OFFICERS’ BENEFITS.**

20 (a) **ELIGIBILITY FOR EDUCATIONAL ASSISTANCE**  
 21 **BENEFITS.**—Section 1216(a) of title I of the Omnibus  
 22 Crime Control and Safe Streets Act of 1968 (34 U.S.C.  
 23 10306(a)) is amended to read as follows:

24 “(a) **RETROACTIVE ELIGIBILITY.**—Subject to the  
 25 other limitations of this subpart and notwithstanding any  
 26 other provision of law, a spouse or child of a public safety

1 officer who was killed or permanently and totally disabled  
2 in the line of duty before, on, or after January 1, 1978,  
3 shall be eligible for assistance under this subpart.”.

4 (b) ELECTION OF LUMP SUM OR ANNUITY.—

5 (1) IN GENERAL.—Section 1201 of title I of the  
6 Omnibus Crime Control and Safe Streets Act of  
7 1968 (34 U.S.C. 10281) is amended by adding at  
8 the end the following:

9 “(o)(1) An individual entitled to receive a benefit  
10 under this subpart shall elect to receive the benefit as—

11 “(A) a lump sum; or

12 “(B) an annuity.

13 “(2) If an individual does not make a timely election  
14 under paragraph (1), as determined by the Bureau, the  
15 Bureau shall pay the benefit as a lump sum.”.

16 (2) EFFECTIVE DATE.—The amendment made  
17 by paragraph (1) shall—

18 (A) take effect on the date of enactment of  
19 this Act; and

20 (B) apply with respect to a benefit under  
21 subpart 1 of part L of title I of the Omnibus  
22 Crime Control and Safe Streets Act of 1968  
23 (34 U.S.C. 10281 et seq.) that the Bureau of  
24 Justice Assistance determines, on or after that  
25 date, to be payable under that subpart.

1 **SEC. 4. GAO REPORT ON MEDICAL COSTS.**

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

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

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