

116TH CONGRESS  
2D SESSION

# S. 3607

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

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## IN THE SENATE OF THE UNITED STATES

MAY 5, 2020

Mr. GRASSLEY (for himself, Mr. BOOKER, Mr. CRUZ, Mrs. FEINSTEIN, Mr. TILLIS, Mr. COONS, Mr. DAINES, Mrs. GILLIBRAND, Mr. SCOTT of Florida, Mr. MENENDEZ, Mrs. LOEFFLER, Mr. BLUMENTHAL, Mr. MORAN, Mr. SCHUMER, and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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—

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

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

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

8           (4) due to the COVID–19 pandemic and what  
9 is currently known about how the disease is spread,  
10 public safety officers are uncharacteristically at risk  
11 of contracting the disease; and

12           (5) although the Public Safety Officers’ Bene-  
13 fits program currently covers deaths resulting from  
14 infectious disease sustained by public safety officers  
15 in carrying out their duties, the determination of  
16 claims may be uniquely challenging or delayed given  
17 the lack of—

18           (A) definitive testing and medical records  
19 at this time; and

20           (B) a definitive uniform body of medical  
21 information about how the disease is spread or  
22 its effects.

23           (b) PURPOSE.—The purpose of this Act is to estab-  
24 lish a carefully drawn framework wherein claims under the  
25 Public Safety Officers’ Benefits program, arising under

1 the unique circumstances described in subsection (a), can  
2 be processed expeditiously and under fair and clear stand-  
3 ards.

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

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

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

21 (2) the officer was diagnosed with COVID-19  
22 (or evidence indicates that the officer had COVID-  
23 19) during the 45-day period beginning on the last  
24 day of duty of the officer; and

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

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