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Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Redeemer and friend, the fountain of wisdom and strength, we borrow our heartbeats from You. Today, guide our Senators to new heights of achievement, providing them with robust health, faith for their perplexities, and light for the path ahead.

Lord, give them fulfillment as they strive to be instruments of Your providence. Supply their needs according to Your riches in glory, giving them the serenity to accept what can't be changed, the courage to change what they can, and the wisdom to know one from the other. Bring them to the end of this day with satisfied hearts and clear consciences.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa.

PROTECTING AMERICA'S FIRST RESPONDERS ACT

Mr. GRASSLEY. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 83, S. 1208.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 1208) to amend the Omnibus Crime Control and Safe Streets Act of 1968

with respect to payments to certain public safety officers who have become permanently and totally disabled as a result of personal injuries sustained in the line of duty, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Protecting America's First Responders Act".

SEC. 2. PAYMENT OF DEATH AND DISABILITY BENEFITS UNDER THE PUBLIC SAFETY OFFICERS' DEATH BENEFITS PROGRAM.

Section 1201 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10281) is amended—

(1) in subsection (b), by striking the period at the end and inserting the following: “, unless the claim under this subsection has been pending for more than 1 year, in which case the amount payable shall be the amount that would be payable if the catastrophic injury occurred on the date on which the Bureau makes a final determination that the public safety officer is entitled to a benefit payment under this subsection.”;

(2) in subsection (c), by striking “\$3,000” and inserting “\$6,000, adjusted in accordance with subsection (h),”;

(3) in subsection (h), by inserting “and the level of the interim benefit payable immediately before such October 1 under subsection (c)” after “subsection (a)”;

(4) by striking subsection (i) and inserting the following:

“(i) The amount payable under subsection (a), with respect to the death of a public safety officer, shall be the greater of—

“(1) the amount payable under that subsection as of the date of death of the public safety officer; or

“(2) the amount that would be payable under that subsection if the death of the public safety officer occurred on the date on which the Bureau makes a final determination that the public safety officer is entitled to a benefit payment under that subsection.”; and

(5) in subsection (m), by inserting “, (b),” after “subsection (a)”.

SEC. 3. DEFINITIONS FOR THE PURPOSES OF THE PUBLIC SAFETY OFFICERS' DEATH BENEFITS PROGRAM.

Section 1204 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10284) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) ‘catastrophic injury’ means an injury, the direct and proximate consequences of which—

“(A) permanently prevent an individual from performing any gainful work; or

“(B) cause an individual to become—

“(i) paraplegic;

“(ii) quadriplegic; or

“(iii) blind.”;

(2) in paragraph (3), in the matter preceding subparagraph (A), by striking “at the time of the public safety officer's fatal or catastrophic injury” and inserting “as of the date of the public safety officer's death from a fatal injury or the date of determination of the public safety officer's disability from a catastrophic injury”;

(3) in paragraph (4), by inserting “, including an individual who, in the capacity of the individual as such a member, engages in scene security or traffic management as the primary or only duty of the individual during emergency response” before the semicolon;

(4) by redesignating paragraphs (5) through (9) as paragraphs (6) through (10), respectively; and

(5) by inserting after paragraph (4) the following:

“(5) ‘gainful work’—

“(A) means any activity usually performed for pay or profit, regardless of whether a profit is realized; and

“(B) does not include work performed in a situation in which, after an individual sustains an injury—

“(i) the individual—

“(I) re-enters the workforce; and

“(II) leaves the workforce after less than 90 days because of the inability of the individual to overcome the injury;

“(ii) because of the injury—

“(I) the individual is permitted, in carrying out work, to—

“(aa) perform at a lower standard of productivity or efficiency than other similarly situated employees;

“(bb) work irregular hours; or

“(cc) take frequent rest periods; or

“(II) the individual is only able to work within a framework of specially arranged circumstances, such as a circumstance in which 1 or more other individuals are required to assist

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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